

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1846.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840,
and March 16, 1842.

Augusta:

WILLIAM T. JOHNSON,.....PRINTER TO THE STATE.

1846.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE,

1846.

Chapter 346.

CHAP. 346.

An Act to authorize the erection of a dam across Weskeag river over tide waters.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECTION 1. Joseph Newhall, Almond Newhall, Joshua Bartlett, Jr., their associates and assigns, are hereby authorized to erect and maintain a dam over tide water across the Weskeag river at or near the place where the bridge crosses said river in South Thomaston, for the purpose of raising power by tide water to propel a grist mill and other machinery; and to erect and maintain a mill and other machinery thereon; *provided* that the said Joseph, Almond, Joshua, their associates and assigns, shall make and maintain a sluice through said dam in the deepest channel of said river, with flood gates or a lock not less than eighteen feet wide, for the free passage of boats, gondolas and such other small craft as usually pass up and down said river.

Corporators.

Authorized to erect a dam over Weskeag river.

—to erect a mill and other machinery thereon.
Proviso.

SECT. 2. The said Joseph, Almond, Joshua, their associates and assigns, shall be liable to the owners of lands, marsh or flats, sustaining damage by reason of said dam; and if the said Joseph, Almond, Joshua, their associates and assigns, and the owners of the lands, marsh or flats, sustaining damages as aforesaid cannot mutually agree upon the price to be paid for such damages, then said Joseph, Almond, Joshua, their associates and assigns, shall pay to the owner or respective owners of such land, marsh or flats, such damages as shall be ascertained and determined by the county commissioners for the county of Lincoln, in the same manner, and under the same conditions and limitations as are by law provided in case of damages by the laying out of highways.

Liability for damages by said dam.

Damages, how determined.

SECT. 3. This act shall take effect from and after its approval by the governor.

[Approved July 20, 1846.]

Chapter 347.

An Act to authorize the town of Eastport to maintain a road and bridge over tide water in said town.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECTION 1. Any disability or want of authority, in the selectmen of the town of Eastport, in the county of Washington, to lay out, and of said town to establish, a town way across tide waters at Shackford's Cove in said town, from Middle street at high water

Selectmen of Eastport authorized to lay out a road over tide waters.

CHAP. 348.

mark on the north side of said cove, to Middle street at high water mark on the south side of said cove, is hereby removed; and the same proceedings are to be had in the location, acceptance and establishment of said road, and the same remedy for damages pursued and enjoyed, as are prescribed in other cases of establishing town ways.

Damages.

Authorized to maintain the bridge across Shackford's cove.

SECT. 2. The said town of Eastport is hereby authorized to maintain and repair the bridge now standing across said cove or to erect and maintain other bridges in the place where the present one now stands, not greater in width than said Middle street; and to have all the rights and be subject to all the liabilities in reference to said bridge, as are now or may hereafter be prescribed by law in relation to town ways.

Vessels built above, to pass through said bridge at the expense of the town.

SECT. 3. If at any time hereafter, any ship or vessel shall be built above said bridge, and it shall be necessary to remove any part of said bridge for the purpose of allowing the passage of such ship or vessel to the sea, such part of said bridge as it may be so necessary to remove, shall, upon request of the owner or builder of such ship or vessel to the selectmen of said town, be removed and replaced at the expense of the town.

Selectmen may award each owner of land above said bridge compensation in lieu of said privilege.

If any owner is dissatisfied, amount to be determined by referees.

SECT. 4. The selectmen of said town in laying out said road, may award to each of the owners of land on the shore of said cove, above the bridge, such compensation as they shall deem reasonable in lieu of the privilege prescribed in the third section hereof, and if such owners or either of them shall be dissatisfied with such award, the amount of compensation to such owner shall be determined by three disinterested men, one to be appointed by the selectmen of the town, one by the owner of the land and the third by the persons so appointed, and the award of them or any two of them shall be final; the amount so awarded shall be paid by the town in the same manner as damages occasioned by laying out town ways are paid, and upon such award, by the selectmen or referees, the third section of this act shall become void.

...their award final.

[Approved July 20, 1846.]

Chapter 348.

An Act to incorporate the South Union Manufacturing Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Corporators.

SECTION 1. William Gleason, John Williams, Joseph Gleason, Charles Fogler, their associates, successors and assigns, are hereby