

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.

a right to flow for an agreed composition, the court, if issue be joined thereon, shall order a trial at the bar of the court, but when said company shall not shew sufficient cause to the contrary, said court may appoint three or more disinterested free holders to make true and faithful appraisement of the damages already sustained as well as of those to be yearly sustained, which report being duly returned to court, shall be conclusive between the parties, unless either party shall request that the question of damages may be tried by a jury in which case the report of said commissioners may be used as evidence by either party, subject however to be impeached by other evidence, and judgment having been rendered upon such verdict, the same shall be a bar to any action brought for such damages.

SECT. 7. Unless said dam shall be completed and fit for use within five years from the passage of this act, all the powers herein granted to said company shall be rescinded and held void.

Said dam to be completed in five years.

[Approved July 30, 1846.]

Chapter 372.

An Act consenting to the purchase of land for the extension of the site of Fort McClary and ceding to the United States jurisdiction over the same.

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

SECTION 1. The consent of this state is hereby granted to the United States to purchase an additional tract of land, not exceeding in quantity thirty acres, lying adjacent to the present site of Fort McClary, in Kittery, county of York, for military purposes; the evidence of the purchase aforesaid to be entered and recorded in the Registry of Deeds, in the county of York, and State of Maine; and the jurisdiction over the said tract of land, is hereby granted and ceded to the United States: *provided* always, and the cession and consent aforesaid are granted upon the express condition, that this state shall retain a concurrent jurisdiction with the United States, in and over the tract aforesaid, so far that all civil and such criminal processes as may issue under the authority of this state against any person or persons charged with crimes committed without the said tract, may be executed therein in the same way and manner as though this cession and consent had not been made and granted.

Consent granted to the purchase of certain lands by the United States.

Jurisdiction over said land ceded to the U. States.

Proviso.

SECT. 2. The property over which jurisdiction is granted by this act, shall be exonerated and discharged from all taxes and

Said property exonerated from all taxes and assessments.

CHAP. 373. assessment, which may be laid or imposed under the authority of this state while the said tract shall remain the property of the United States, and shall be used for the purposes intended by this act.

[Approved July 31, 1846.]

Chapter 373.

An Act to dissolve the bonds of matrimony between Franklin Adams and Mary Adams.

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

Bonds of matrimony between Franklin Adams and Mary Adams dissolved.

Certain conditions to be complied with.

The bonds of matrimony between Franklin Adams, of Bangor, and Mary Adams are hereby dissolved: *provided* that if said Franklin Adams shall within thirty days from the passage of this act, pay or secure to said Mary Adams, or to any trustee she may appoint, in lieu of her right to dower in his estate, and as a settlement upon her, the sum of four thousand five hundred dollars, and shall within said time convey to her all furniture and household utensils, belonging to him now in her possession, as specified in a bond given to Preserved B. Mills, as trustee of said Mary Adams, then this act shall operate forever as a bar to all claims or right to dower or alimony, which she now has or hereafter may have upon his estate.

[Approved July 31, 1846.]

Chapter 374.

An Act to incorporate the South Bay Meadow Dam Company.

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

Corporators.

SECTION 1. Simeon Allen, David Douglass, Ebenezer P. Parker, William Limeburner, George W. Beckford, Robert Walker, and Robert B. Walker, with their associates and successors, are hereby created a body corporate, under the name and style of the

Corporate name.

Location.

South Bay Meadow Dam Company, for the purpose of erecting and maintaining a dam across the south branch of Castine river, so called, at Davis' Narrows, from Simeon Allen's farm in Brooksville, in the county of Hancock, to a point of land lying in Penobscot, in said county of Hancock, now or once owned by Reuben Gray, for the purpose of excluding the tide waters from the flats above said