

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1846.

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

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Augusta:

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

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1846.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE,

1846.

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town of Bath any bowling alley to be used as such for the purpose of amusement or otherwise, without first obtaining a license therefor from the selectmen of said town which license may be revoked by said selectmen whenever in their opinion the public good requires it.

SECT. 2. Any person offending against the provisions of the first section of this act, shall on conviction thereof pay a fine of not less than ten or more than fifty dollars, for each and every time such bowling alleys shall be used for the purpose aforesaid before any court of competent jurisdiction, one half to the complainant and the other half to the town.

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

[Approved August 4, 1846.]

**Chapter 378.**

An Act authorizing the Katahdin Iron Works to construct a canal.

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

SECTION 1. The Katahdin Iron Works a corporation established by the laws of this state, is hereby authorized to establish a line of canal or rail road communication from the tide waters of the Penobscot river, or any other point of said river, to the place of its manufacturing operations upon the Pleasant river; and for this purpose the said corporation is authorized to deepen the channels of the Pleasant and Piscataquis rivers, or the Dead stream; to cut down and remove any gravel or ledge bars or other obstructions, in the beds of said rivers; to erect in the bed, upon the shore or bank of said rivers, suitable dams and locks, with booms, piers, abutments, break waters and other erections, to protect the same; to build upon the banks of said rivers any canal or canals to connect the navigable parts of said rivers, or in case it may be deemed the preferable mode, any rail road for the like purpose; to build any other canals or roads which may be necessary to establish the said line of communication; and to use any of the natural lakes, ponds or waters of said Pleasant and Piscataquis rivers or Dead stream or connected therewith, as parts of their lines of communication, *provided*, that this shall not be taken or construed so as to obstruct or prevent any person or persons from making any lawful use of the same rivers, lakes, ponds or waters.

SECT. 2 The said corporation is authorized to take and hold so

**CHAP. 378.**

from the selectmen.

License may be revoked,

Penalty.

Authorized to construct a canal or rail road from Penobscot river to their manufactory, upon Pleasant river.

—to deepen the channels of Pleasant and Piscataquis rivers, or the Dead stream.

—to erect dams, locks, &c.

—to build canals or rail road to connect the navigable parts of said rivers.

—to use any waters of said rivers or streams, as parts of their lines of communication.

Proviso.

May take any land along their

**CHAP. 379.**

line of communication.

May use the gravel, stone and earth upon the land so taken.  
Damage for real estate, how determined.

Damage for flowage, determined as provided in chap. 126 of the R. S.

Claims for damages to be made within two years.

May hold and control any machinery, cars, boats, lands, or other estate.

May regulate the kind and number of vehicles, to be used on their works.

Power to establish and regulate toll, for the transportation of persons or merchandise over said works.

much land along the bank and shores of said rivers, or in the beds thereof or in other places where said line of canal or rail road communication may be established, as may be necessary for the location, construction and repair of the said improvements, and to take and use the gravel, stone and earth upon the land so taken; the damage for the real estate so taken, when not agreed upon by the parties, shall be ascertained and determined by the county commissions of the county in which said real estate may be situated, under the same limitations and restrictions as are by law provided in case of damage by laying out highways; and the damage for flowage created by any dam erected for the above specified purposes, shall be ascertained and determined in the same manner as is provided in the one hundred and twenty-sixth chapter of the revised statutes for flowage created by mill dams; *provided*, that no claims for damages shall be sustained unless made and prosecuted within two years from the time of the alleged injury.

**SECT. 3.** The said company may procure, purchase and hold in fee simple, improve and use for all purposes of business to be transacted in or about said canals, rail roads or other works, any machinery, cars, boats or other vehicles, lands or other estate, and the same may manage, sell or otherwise dispose of, as they may see fit. The said company may also regulate and determine the kind and number of boats, carriages or vehicles, which may be used on their canals, roads or other works; *provided*, that the regulations made shall not be repugnant to the laws of the state.

**SECT. 4.** The said company shall have power from time to time to establish, alter, demand, collect and receive reasonable rates of toll, for the right or permission of persons, goods, wares, merchandise or any articles to pass or be transported on said canals, roads, locks, sluices or any parts or branches thereof, on all articles transported on said canals, roads or other works, for the payment of all tolls and expenses of transportation.

[*Approved August 6, 1846.*]

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### Chapter 379.

An Act to prevent the destruction of Fish in the Eastern Penobscot River, in the town of Orland.

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

Persons not allowed to take alewives, within said limits, be-

**SECTION 1.** From and after the passage of this act, no person shall be allowed to take any alewives in the eastern Penobscot