

# 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.

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

1846.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE,

1846.

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## CHAP. 385.

## Chapter 385.

An Act to incorporate the Auburn Manufacturing Company.

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

Corporators.

SECTION 1. Enoch Littlefield, Nathaniel Clark, Nathaniel Small, Joseph B. Harding, Stephen H. Read, Thomas Littlefield, Reuben Merrow, junior, and Moses Fitz, with their associates, successors and assigns, are hereby created a body politic and corporate by the name and style of the Auburn Manufacturing Company, with all the powers and privileges and subject to all the duties and liabilities prescribed by the laws of this State regulating and governing manufacturing corporations. And the said company are authorized to carry on at Nason's mills, so called, in the county of Cumberland, the manufacture of cotton goods and other articles or goods conveniently connected therewith, and for this purpose may take and hold real or personal estate to an amount not exceeding fifty thousand dollars at any one time, and may manage and dispose of the same, as other owners of real or personal estate may lawfully do, and may erect, construct or build such buildings or fixtures on their own land as may be necessary for the aforesaid purposes.

Corporate name.

Powers, privileges and duties.

Articles of manufacture.  
Real and personal estate.

First meeting, how called.

SECT. 2. Enoch Littlefield is authorized to call the first meeting of said corporation, by posting up notices thereof seven days, at least, previous to the meeting.

[Approved August 7, 1846.]

## Chapter 386.

An Act to incorporate the Telos Canal Company.

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

Corporators.

SECTION 1. Rufus Dwinel and Calvin Dwinel, their associates and assigns, are hereby incorporated a body politic by the name of the Telos Canal Company, with all the powers, rights and privileges of similar corporations.

Corporate name.

Right to construct a sluiceway or canal, &c.

Location.

SECT. 2. Said corporation shall have the right, and it shall be their duty, to construct, maintain and keep open and in repair, as already constructed, a proper sluiceway or canal with suitable dam or dams, gates and other erections for the passage of water, logs and lumber, between Telos lake and Webster pond, on township number six in the eleventh range, in the county of Piscataquis, and to afford a safe and convenient passage for all logs and lumber which the owner or owners

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of said lumber may desire to pass through said sluiceway. And said corporation shall have the right to preserve a free passage for logs and lumber from Chamberlin lake to the said canal or sluiceway, and it shall be their duty to suffer said logs and lumber to pass down from said Chamberlin lake to said sluiceway without any hindrance or obstruction whatever. And said corporation shall have the right to demand and receive as a toll, the sum of twenty cents for each and every thousand feet, board measure, of all logs and lumber which may pass through said sluiceway, to be ascertained and fixed by the scale usually denominated the woods scale. And said corporation shall have a lien on all logs and lumber which shall pass through said cut, and on all lumber manufactured therefrom, whether the same remain in the possession of said corporation or not, until the full amount of toll due on all the logs of the owner or any particular mark shall be paid. And if not paid within ten days after said logs or lumber arrive at the Penobscot boom, or within ten miles of said boom, said corporation may sell at public auction, after ten days public notice in some newspaper printed in the county of Penobscot, so much of said logs or lumber as may be sufficient to pay said toll and incidental charges.

SECT. 3. That there may be a sufficient depth of water in said sluiceway, for the passage of lumber therein, said corporation are hereby empowered to keep and maintain a dam on Allegash stream in township number seven in the thirteenth range. And whereas a dam has already been erected on said Allegash stream between the Chamberlin lake and Heron lake so called, it shall be the duty of said corporation to take said dam and site, and to keep and maintain the same in good repair and of sufficient height to cause the water to flow through said sluiceway, so as to afford a safe, easy and commodious passage for all logs and lumber through the same. And said corporation shall pay to the owner or owners of said dam for the same, the reasonable value thereof; and if the parties cannot agree upon the price of said dam, the owner may have the same remedy for his damages on application to the county commissioners for the county of Piscataquis, in the same manner and under the same conditions and limitations as are by law provided in case of damages in laying out public highways. *Provided, however,* that the measure of damages shall be the just and reasonable value of the construction.

SECT. 4. Any individual or individuals authorized by the land agent of this state, or any company incorporated by the legislature, may make such improvements and construct all necessary machinery, gates and canals on said dam, and use the same for the trans-

Right to preserve a free passage for logs from Chamberlain lake to said canal.

Toll granted.

Rate.

Lien created on all logs and lumber passed through said cut.

If not paid within a certain time may be sold.

Notice to be given.

Empowered to maintain a dam on Allegash stream.

Duty to take the dam already erected.

Compensation to the owner.

If the parties cannot agree, remedy for damages.

Proviso.

Improvements may be made on said dam, by authority of the legislature, or the land agent, for certain purposes.

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Compensation to owner.

Certain conditions to be performed.

Proviso.

portation of logs and lumber from the lakes and streams north and east of said dam, into the Chamberlin lake and water south and west of said dam; and shall pay therefor, to the owner thereof, such yearly sum as the land agent or legislature shall determine.

SECT. 5. *Provided, nevertheless,* and this charter is granted upon the condition, that the said Rufus Dwinel and Calvin Dwinel, and their associates and assigns, shall accept this charter and organize their corporation on or before the first day of October next; so that there shall be an ample passage way for the transit of lumber, between said lake Telos and Webster pond, and shall also take said dam and site on said Allegash stream, and keep and maintain the same so as to cause the water to flow through said sluiceway, and pay for said dam to the owner or owner thereof; *provided, however,* that the said Rufus Dwinel, Calvin, and their associates shall not be liable for damages from flowage caused by said dam.

[Approved August 7, 1846.]

## Chapter 387.

An Act to incorporate the Lake Telos and Webster Pond Dam and Sluiceway Company.

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

Corporators,

Corporate name.

By-laws.

Powers and privileges.

Authorized to construct a sluiceway from lake Telos to Webster pond.

--to erect dams,

SECTION 1. William H. Smith, Daniel M. Howard, Warren Brown and Theodore H. Dillingham and their associates and assigns, are hereby created a body politic by the name of Lake Telos and Webster Pond Dam and Sluiceway Company, by which name they may contract, sue and be sued, defend suits at law, have and use a common seal, and change the same at pleasure, make by-laws not repugnant to the laws of this state, for the convenient management of their corporate affairs; take and hold any estate, real, personal or mixed, to an amount not exceeding thirty thousand dollars, and sell or convey or otherwise dispose of the same, and have and enjoy all the rights, powers and privileges necessary to carry into effect the object of this corporation.

SECT. 2. The said corporation are hereby authorized and empowered to make, construct and maintain a sluiceway from lake Telos to Webster pond, otherwise called Penobscot pond, on township number six, in the eleventh range, in the county of Piscataquis, sufficiently wide and deep for the passage of timber and lumber of all kinds, which may be expedited to public market through that channel. And they are authorized to erect and maintain any dam