

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.

through the same—and said sluiceway shall be open and free for the use of the public generally, without the payment of tolls.

CHAP. 388.

Said sluiceway to be open and free for the use of the public generally.

SECT. 6. Any individual or individuals authorized by the land agent of this state may make such improvements and construct all necessary machinery and gates on said dam and use the same for the transportation of logs and lumber from the lakes and streams north and east of said dam into the Chamberlin lake and waters south and west of said dam ; subject at all times to the control and regulation of the legislature.

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

SECT. 7. *Provided, nevertheless,* that if Rufus Dwinel and associates, or others, shall be authorized and receive a charter during the present session of the legislature to provide and establish an ample and sufficient passage way for the transit of lumber between said lake Telos and Webster pond ; and said Rufus Dwinel and associates, or others, if authorized as aforesaid shall accept their authority and charter aforesaid and organize and act under the same so that said company shall provide an ample passageway for the transit of lumber between said lake Telos and Webster pond on or before the first day of October next ; then and in such case all the powers granted by this act shall cease and terminate.

Proviso.

SECT. 8. The legislature reserves to itself the right to alter, amend or repeal this charter at pleasure.

[Approved August 7, 1846.]

Chapter 388.

An Act to incorporate the Grand Lake Dam Company.

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

SECTION 1. John Goddard, James Jenkins, Rufus Dwinel and E. S. Coe, and their associates and assigns are hereby created into a body politic by the name of the Grand Lake Dam Company, with all the powers and privileges of similar corporations.

Corporators.

Corporate name.

SECT. 2. Said corporation is hereby authorized to construct and maintain a dam on township number six, in the eighth range, so as to flow the Grand lake in order to facilitate the transportation of logs and lumber across the same and down the Penobscot river ; and said corporation are empowered to flow the contiguous lands as far as may be necessary to accomplish their object, paying the owners damage therefor ; and if the parties cannot agree upon the amount of damage, the said corporation shall not be liable to any

Authorized to construct and maintain a dam.

Location.

Empowered to flow contiguous lands.

Damages, how paid.

CHAP. 389:

Corporators liable for damages in their private capacity.

Toll granted.

Lien created on logs and lumber for toll.

If not paid within a certain time, may sell, &c.

Notice of sale to be given.

action at common law for the same, but any person injured may have a remedy by a complaint for flowing, in which the same proceeding shall be had as where a complaint is made under a statute of this state for flowing lands occasioned by the raising of a head of water necessary for the working of mills, and the corporators shall be liable for the damages in their private capacity; and said corporation shall have the right to demand and receive as toll the sum of two 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 wood 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.

[Approved August 7, 1846.]

Chapter 389.

An Act to incorporate the Heron Lake Dam Company.

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

Corporators.

SECTION 1. Shepard Boody, William H. Smith, Ebenezer S. Coe, Walter Brown, and their associates and assigns are hereby created a body politic, by the name of the Lake Heron Dam Company with all the powers and privileges of similar corporations.

Corporate name.

Authorized to construct and maintain a dam on the Allegash river.

SECT. 2. The said corporation are hereby authorized and empowered to make; construct and maintain a dam on the Allegash river at some suitable place below the Heron Lake so as to flow the same, that logs and lumber may be transported therefrom, into the Chamberlin Lake, and thence down the Penobscot river.

—to construct and maintain a dam below Chamberlin lake.

SECT. 3. In order to facilitate the transportation of logs and lumber from Heron lake into the Chamberlin lake, the said corporation are also hereby authorized to construct and maintain a dam at some suitable place below the Chamberlin dam now erected, with such gate or gates as may be necessary.