

# 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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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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## CHAP. 389.

Corporators liable  
for damages in  
their private ca-  
pacity.

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.

SECT. 4. Said corporation may make such improvement and construct all necessary machinery and gates on said Chamberlin dam and use the same for the transportation of logs and lumber from the waters north and east of said dam into the waters south and west of said dam.

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May make improvements on the Chamberlin dam.

SECT. 5. The Legislature may allow hereafter when said works are completed and finished, such toll for the use of the same for transportation of logs and lumber over the said dam as may be just and equitable.

Toll may be allowed, when said works are completed

[Approved August 7, 1846.]

### Chapter 390.

An Act to incorporate the Nickatous Dam Company.

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

SECTION 1. George W. Pickering, John Fiske, William W. Thomas, Amos Davis, their associates and assigns are hereby created into a body politic, by the name of Nickatous Dam Company, with all the powers and privileges of similar corporations.

Corporators.

Corporate name.

SECT. 2. The said corporation is hereby authorized to construct and maintain a dam with gate or gates on township number three in Bingham Penobscot purchase, so called, on the waters which flow into the Passadumkeag river so as to flow Nickatous lake and the waters contiguous thereto.

Authorized to construct and maintain a dam.

Location.

SECT. 3. There shall be allowed to said corporation a toll for the passage of every thousand feet board measure, of lumber according to the Woods scale through their dam, ten cents. And to secure to the corporation the toll granted by this act, they shall have a lien on all the lumber, subject to the payment of toll, and if the same is not paid within ten days after the arrival of said lumber at the Penobscot boom, or within ten miles of said boom, the corporation may advertise the sale of so much thereof as may be necessary to pay said toll and expenses, in one of the newspapers printed in Bangor, the publication to be at least ten days before the day appointed for such sale; and if payment is not made before the time appointed, may proceed to sell so much of said lumber as may be required to pay said toll and expenses.

Toll granted.

Lien created on lumber, for the payment of toll.

If not paid within a certain time, may advertise for sale.

If not paid before the time appointed, may sell, &c.

SECT. 4. When said corporation shall have reimbursed by tolls received for reasonable costs in making said dam and clearing said

Said dam to be free after the proprietors shall