

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.

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.

CHAP. 390.
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.

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

If not paid before the time appointed, may sell, &c.
Said dam to be free after the proprietors shall

CHAP. 391. streams, with lawful interest thereon, said dam shall be free for the use of the public, generally without the payment of toll.

have been reimbursed, by tolls, for costs in making, &c.

Authorized to take a site on which to erect their dam.

Damages, how determined.

Application to be made for damages within two years.

SECT. 5. Said corporation is authorized to take a site on which to erect their dam in said township number three *provided however*, that said corporation shall pay to the proprietor or proprietors of said land so taken for their dam, such price as they and said proprietor or proprietors may agree upon, and in case said parties shall not otherwise agree, then said corporation shall pay such damages as shall be allowed and determined by the county commissioners for the county of Penobscot in the same manner and under the same conditions and limitations as are by law provided in the case of damage by the laying out of public highways; with the same right to either party aggrieved by the doings of said commissioners in estimating damages, to have a jury to determine that matter on their petition; unless said party shall agree with the other party in interest to have the same determined by a committee to be appointed under the direction of said commissioners. And no application shall be made to said commissioners to estimate damages unless made within two years from the time of taking said land.

[Approved August 7, 1846.]

Chapter 391.

An Act additional to "an act to incorporate the Georges Canal Company" passed July the second, eighteen hundred and forty-six.

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

Right to take lands extended to all waters and shores connected with said Georges river.

Right to pass over or through any lands.

Compensation, how determined.

Power to purchase and hold real estate.

Certain costs, how paid.

SECTION 1. The right of said company to take and use any of the lands along the river, ponds, locks and canals, as provided by the first section of the act to which this is additional, shall extend to all the waters and shores thereof, connected with said Georges river, and to all the purposes mentioned in said act. And they shall have the right to pass over and through any lands over which it may be necessary and convenient to pass in the surveying and constructing said works, and in subsequent use and management of the same; paying therefor a reasonable compensation to be ascertained and determined in the manner provided by said act.

SECT. 2. The said company shall have power to purchase and hold real estate not exceeding ten thousand dollars in value, and to manage and improve the same.

SECT. 3. The cost arising or accruing after the tender or offer