

# 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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**CHAP. 399.**

Location.

out and establish a road in the town of Gardiner, beginning at the north end of the crossway, so called, near the junction of Main and Bridge streets, and terminating at the road leading to Richmond, below the steam saw mill, and any want of authority in the commissioners to lay out said road in consequence of the passing of the same over tide waters, is hereby removed; *provided*, that said road shall be so located as to interfere with or obstruct the navigation of Kennebec river; and *provided* that a majority of the legal voters present and voting, shall at their annual meeting before said road is located, vote to apply or petition for said road.

Proviso.

Further proviso.

SECT. 2. This act shall be in force from and after its approval by the governor.

[Approved August 8, 1846.]

**Chapter 399.**

An Act additional to an act entitled an act additional to an act to incorporate the Proprietors of Oldtown Bridge.

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

So much of the act to which this is additional as relates to the reversion of said bridge to the state is hereby repealed.

Proviso.

That so much of the third section of the act to which this is additional, as relates to the reversion of said bridge to the state be and the same is hereby repealed: *provided, however*, that this act shall not take effect, unless the proprietors of said bridge shall elect to build a bridge at the Oldtown Falls, and shall on or before the first day of October next actually commence building said bridge, according to the provisions of an act entitled "an act to incorporate the Oldtown and Milford Bridge Company," passed during this session of the legislature.

[Approved August 8, 1846.]

**Chapter 400.**

An Act to incorporate the Little River Log Driving Company.

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

Corporators.

SECTION 1. Nathaniel Brown, Amos Crocket, William Bugbee, junior, Philip Boyden, their associates, successors and assigns, are hereby made a body politic and corporate, by the name of the Little River Log Driving Company, for the purpose of driving the

Corporate name.

logs of the members of said corporation, or of any person or persons who shall contract with them for that purpose, upon Little river, in the town of Perry, between its source in Boyden's lake and the head of tide water at the mouth of said river; and for this purpose shall have all the privileges and be liable to all the duties provided in the general laws of this state relating to corporations.

General powers, duties and liabilities.

SECT. 2. Any person or persons who are or may hereafter become owners of lumber intended to be driven or transported upon said river, may become members of this corporation on making application thereto and contributing their just proportion of the expenses incident to the management of the affairs of said corporation; *provided* that this act or any provisions thereof, shall not be so construed as to debar any owners of logs or lumber in said river from driving their own logs or lumber at any time when their interest or convenience may require it.

Right of membership.

Proviso.

SECT. 3. Said corporation shall have power to enter upon any dam or dams that may have been or shall hereafter be placed across said river, in which the owners thereof do not keep suitable and convenient sluices for the passage of logs, and make in said dam or dams and maintain convenient sluices, for the passage of lumber, without impairing the private rights of individuals further than is necessary for that purpose; and said corporation shall have the right to open said sluices, at suitable seasons, for running logs and lumber, only and when the water shall be at such height as would enable logs to be driven in the natural state of the stream, and keep said sluices open no longer than shall be necessary to run the logs or lumber that may then be ready to be run, using all reasonable diligence; and during such running it shall be the duty of the occupants of the mills on said dams so to regulate the water in their ponds as not to impair the convenient use of said sluices, and in case such occupants shall neglect or refuse so to do, it shall be lawful for said corporation to cause the gates of said mills to be shut and kept closed so long as may be necessary to enable the logs to be passed through in the manner and at the times aforesaid.

Power to enter upon dams across said river.

Right to open sluices, at certain seasons.

Duty of the occupants of mills, at such times.

In case of neglect or refusal, said corporation may cause the gates of said mills to be shut.

SECT. 4. All persons having logs lying in any mill pond upon said river, shall keep them in such position as shall leave open a suitable channel for the passage of logs through such pond; and in case at any time when said corporation shall be ready and wish to pass logs through such pond, such owners shall refuse or neglect so to do, said corporation shall have power to remove such logs from the channel and boom them, so as to open such passage, and shall charge a reasonable sum for the expense of such removal, to be paid by the owner of the logs so removed; and shall have a lien on

Persons having logs in any mill pond to leave open a channel for the passage of logs.

In case of neglect or refusal said corporation may remove such logs and boom them, at the expense of the owners.

**CHAP. 401.**

Lien created on such logs for security therefor.  
Expenses and costs, how ascertained.

such logs for security therefor, to be enforced by sale at auction of so many of said logs as shall be necessary to pay said expenses with costs, within thirty days after the same shall be ascertained by agreement of the parties or by action in any court of competent jurisdiction, of which sale such notice shall be given as on sales of personal property on execution.

Remedy for damages done by said corporation.

**SECT. 5.** For all damages done by this corporation or their agents, except by the due exercise of the rights and powers conferred by this act, the party damaged shall have a remedy by action in any court of competent jurisdiction, against the agent or agents or against the corporation; and the individual property of the stockholders, or of any of them, shall be liable for all claims against said corporation whether for damage or on contracts, and may be taken on execution and disposed of in the manner provided in the eighteenth and nineteenth sections of chapter seventy six of the revised statutes, or by action in the manner provided in the twentieth section of said chapter.

Individual property of stockholders liable for all claims against said corporation.

[Approved August 8, 1846.]

### Chapter 401.

An Act to change the name of the Portland Iron Manufacturing Company and [to enlarge the powers of the same.

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

Allowed to take the name of the Portland company.

**SECTION 1.** The Portland Iron Manufacturing Company, is hereby allowed to take the corporate name of the Portland Company; and by that name and style shall hereafter be known, and the said Portland Company shall retain all the rights and privileges and be subject to all the duties and obligations, now enjoyed by and imposed upon the Portland Iron Manufacturing Company.

Rights, privileges and duties.

Increase of capital stock.

And the capital of said company may be increased to the amount of two hundred and fifty thousand dollars, and they shall have power to employ the same in the manufacture of locomotive engines, rail road cars, machinery and implements of all kinds.

Articles of manufacture.

**SECT. 2.** This act shall take effect and be in force from and after its approval by the governor.

[Approved August 8, 1846.]