

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1847.

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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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1847.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE,

1847.

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**CHAP. 51.**Application of  
ch. 79, R. S.Trustees to make  
statement to the  
legislature when  
required.

Secretary.

Bond.

Duty.

No certificate  
shall be issued to,  
or transfer made  
by persons in-  
debted to said  
company.Lien created on  
certificate when  
judgment shall  
be obtained by  
said company  
against the hold-  
er thereof.When certificate  
is not claimed  
within two years,  
amount to be  
carried to the  
contingent fund.

SECT. 16. The seventy-ninth chapter of the revised statutes shall not be applicable to this company, any further than consistent with this charter.

SECT. 17. The trustees shall, whenever required by the legislature, lay before them a statement of the affairs of the company, and submit to an examination, on oath concerning the same.

SECT. 18. The trustees shall appoint their secretary and require such bond as said company, by vote or by-laws may prescribe, for the faithful discharge of his duty, and may at pleasure, remove him or any other officer whom they may appoint; besides other duties, the secretary shall call a meeting of the members, whenever required to do so, in writing, by three or more persons holding policies to a sum equal to one-fifth of the whole amount insured, or whenever required to do so by a vote of the board. He shall keep a true record of the votes of the members and of the trustees, and a true list of the members, in a book kept for that purpose.

SECT. 19. No certificates shall be issued to any person who is in debt to the company, and no transfer of a certificate shall be permitted so long as the holder is indebted to said company; but the amount of such certificates, or any amount that may be due on such certificates may be taken at the discretion of the company, and offset against such indebtedness.

SECT. 20. Any judgment obtained by the said company against the holder of any certificate, shall create a lien on such certificate to the amount of such judgment, and the interest of the holder may be taken and sold by the company on execution in the same manner as other chattel property.

SECT. 21. No certificate shall issue unless claimed within two years from the declaration of the dividend whereof it may be evidence; but the amount shall be carried to the contingent fund of said company.

[Approved July 19, 1847.]

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## Chapter 51.

An act additional to an act incorporating the Narraguagus River Company.

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

Powers extended  
and enlarged.

SECT. 1. The powers heretofore granted to the Narraguagus River Company are hereby so extended and enlarged, as to authorize the said company to drive all logs and timber of every

description, belonging to said company or any of the members of the same, that may be in the Narraguagus river below the dam near the foot of Deer lake, sometimes called "Thirty-four Dam," to such place of destination on said river as may be designated by the owner or owners of such logs and timber; such place of destination, not to be below the boom at Cherryfield; and the said company may for the purposes aforesaid, remove obstructions, hang booms and do any other act or thing not inconsistent with existing laws, which may be necessary to the perfect enjoyment of the powers by this act intended to be conferred.

May remove obstructions, hang booms, &c.

SECT. 2. To defray the expenses of driving such logs and other timber and also all other necessary expenditures of the company, the directors shall as soon as it can conveniently be done, after the tenth day of June, annually, make an assessment of such sum or sums as they shall deem necessary, to be apportioned among the owners thereof, in proportion to their respective amounts of logs or timber driven to the place of destination as aforesaid, or any part of the distance short of the point of destination, taking into consideration the difficulty, distance and expense of driving the same. And the said company shall have a lien on all such logs and other timber driven, for the payment of the driving and other expenses; which lien may be discharged by sufficient bond being given to the company, conditional that such expenses shall be seasonably paid.

Assessment.

Lien created on logs and timber for payment of expenses.

Bond may be given to discharge said lien.

SECT. 3. The members of said company, at any time owing logs or other timber on said river, or lying on the banks or shores of the same, and intended to be driven down said river, between the said "Thirty-four Dam" and the boom at Cherryfield, or any part of that distance, shall on or before the tenth day of June, annually, file with the clerk of the company a written statement signed by themselves or their agent, of all such logs or timber, of the number of feet, board measure, they contain, and the mark thereon, and what portion thereof has been driven by said company and what distance and from what part it has been driven. And the directors or one of them, shall require such owners or agents presenting such statement, to make oath that the same is, in his or their judgment and belief true, which oath the directors, or either of them, are hereby empowered to administer.

Owners of logs intended to be driven, to file a certificate with the clerk.

Contents of such certificate.

Said certificate to be sworn to.

SECT. 4. If any owner shall neglect or refuse to file a statement in the manner herein prescribed, the directors may assess such delinquent or delinquents for his or their proportion of such expenses, such sum or sums as may be by the directors considered just and equitable.

Duty of directors if certificate is not filed.

**CHAP. 51.**

Directors to give notice of time and place of making such assessments.

When mark is unknown.

Directors to keep a record of assessments.

Treasurer to be furnished with a list of assessments.

—to notify owners within ten days, when known.

Owners to secure payment within thirty days.

Power of treasurer if owners neglect to secure payment.

Treasurer to advertise the logs or timber so seized, for sale.

Place of sale.

When logs or other timber of persons, not members, may be driven by said company.

Owners held to

**SECT. 5.** The directors shall give public notice of the time and place of making such assessments by posting up notices in three or more public places in Cherryfield, and in one public place in Beddington, three weeks, at least, before the time of making such assessments; and any assessment or assessments where the owner or owners of any mark of logs or other timber is unknown to the directors, may be set to the mark upon such logs or timber. And the directors shall keep a record of all assessments made by them, which shall at all times be open to all persons interested.

**SECT. 6.** The directors shall give the treasurer a list of all assessments by them made, with a warrant in due form under their hands. And it shall be the duty of the treasurer within ten days after he shall receive from the directors a list of assessments in due form to notify in writing all the owners when known, of the amount assessed upon their several marks, and all owners of logs and other timber, shall be required to pay or satisfactorily secure the amount of their several assessments, within thirty days from the date of such assessment. And the treasurer shall have power to take possession of sufficient quantity of any and all marks of logs or other timber upon which the assessment has not been so paid or secured, at the end of thirty days from such assessments, and shall retain possession of the same until disposed of as hereinafter provided.

**SECT. 7.** The treasurer shall advertise the logs or other timber so seized, for sale by public auction, by posting up in some conspicuous places in Cherryfield and in Beddington, a notice of such sale, with a list of all the marks, and the amount of assessments upon each mark, ten days before the day of sale, and unless such assessments with all expenses incurred are previously paid, he shall then proceed to sell, to the highest bidder, a sufficient quantity of the logs or other timber of the different marks upon the list, to pay such assessments with all proper costs, selling each mark separately. The place of sale to be at the office of the company and the proceeds of all sales to be paid into the treasury of the company.

**SECT. 8.** If any person not a member of the company shall put into said river any logs or other timber in such manner that the logs or other timber belonging to said company, or any of its members, in its passage down river must unavoidably mix with the same; and the company to drive their own logs or timber must necessarily drive the logs or other timber so put in, not belonging to the members of said company, and the owner or owners of such logs or timber shall make no adequate provision for driving the same, the company may drive them in the same manner they drive their own logs, and the owners shall be holden to pay their just

CHAP. 51.

proportion of the expense for driving such logs or other timber to their places of destination, which said expense is to be assessed upon said logs or timber in the same manner that assessments are made upon logs belonging to the members of the company; and for the collection of which the company shall have the same power and rights in all particulars, and shall pursue the same course as in the collection of dues from the members of the company.

pay their proportion of the expense.  
Expenses, how assessed and collected.

SECT. 9. Said corporation shall have power to impose and collect a toll on all logs and other timber drawn into the Narraguagus river, between the "Twenty-eight Dam," so called, and the head of Beddington lake, or which may be run into said river from any tributary stream, between the points above named, of two-thirds of a cent on each and every thousand feet, board measure, for every hundred dollars expended in the erection of said dam, to be secured and recovered in the mode provided for the securing and collecting of other tolls, for other improvements, by the act to which this is additional.

Power to impose and collect a toll on logs and lumber drawn into Narraguagus river, between certain limits.

Rate.

How secured and recovered.

SECT. 10. The said corporation shall also have the right at any and all times to take and use, alter or remove or otherwise dispose of any dam which now or hereafter may exist on said Narraguagus river or its tributary waters, not originally constructed for the purpose of facilitating the driving of logs, but which are now or may hereafter be used only for such purpose. The company paying to the owner of such dam so taken, the proper value of the same; and if any difficulty shall arise touching the value of dams so taken, the same shall be adjusted in the manner provided in the fourth section of the act to which this is additional.

Right to take, use or dispose of any dam on said river or its tributaries, in certain cases.

Its value to be paid the owner.

In case of disagreement, how adjusted.

SECT. 11. All persons who shall undertake to drive their own logs or other timber down said river, between said "Thirty-four Dam" and the boom at Cherryfield, shall furnish all necessary men, tools and other apparatus for the efficient driving said logs, so as not in any case to interfere with the driving of logs by said company.

Persons undertaking to drive their own logs down said river, to furnish all necessary men, tools, &c.

SECT. 12. Said company shall have no control over any logs or other timber, not the property of the company, after they are driven into the boom at Cherryfield or other place of destination; *provided*, nothing contained in this act shall impair their lien upon all logs or timber for tolls or for the expenses of driving the same, nor their full and perfect control of all prize logs or other timber as contained in the sixth section of the act to which this is additional.

To have no control over logs not the property of the company, after they are driven to their place of destination.

Proviso.