

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1847.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840,
and March 16, 1842.

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1847.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE,

1847.

remove the gate or gates of said dam and to keep them open, so that during the season aforesaid, there shall be no obstruction of the natural flow and current of water from said pond down the Kennebec river.

CHAP. 68.

SECT. 4. If any person shall willfully or maliciously take up, break down, or otherwise injure any part of said dam, such person shall forfeit and pay to said company treble damages to be sued for and recovered in any court competent to try the same.

Penalty for willfully injuring said dam.

SECT. 5. A toll is hereby granted for the sole use of said company, at the following rate, to wit: four cents per thousand feet, board measure, for all timber, logs and lumber which may pass through or over said dam. And the said company shall have a lien upon the lumber which may pass said dam as above for the payment of the toll according to the rate above established. And it shall be the duty of said company to give notice at what time and place the toll will be receivable, and the name of the agent or person appointed to receive and receipt for the same.

Toll granted.
Rate.

Lien created upon lumber which may pass, for payment of toll. Notice to be given by said company.

[Approved July 26, 1847.]

Chapter 68.

An act to establish the Kennebunk River Company.

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

SECT. 1. George W. Bourne, Henry Kingsbury, Joseph Titcomb, William Lord, George Lord, Robert Smith, junior, Charles Thompson, William Lord, junior, Jacob Perkins, Franklin N. Thompson, Jesse Towne and Daniel Nason, their associates, successors and assigns, are hereby constituted a body corporate by the name of the Kennebunk River Company, and as such are entitled to the powers and privileges and are subject to the duties and liabilities of similar corporations, according to the general law of the state respecting corporations. And the said corporation are hereby authorized and empowered to construct and maintain across the Kennebunk river, at some convenient place between the Landing, so called, and its mouth, a lock, with gates for the passage of ships and other vessels, boats and rafts, that may pass up and down the river; and are invested with all the powers and privileges necessary for the constructing and maintaining said lock; and for this purpose they shall have the right to purchase or take and hold so much land or real estate of private persons or corporations as may be necessary

Corporators.

Corporate name.

Powers, privileges and liabilities.

Authorized to construct a lock across Kennebunk river.

Right to take or purchase land or real estate of private persons or corporations.

CHAP. 69.

Damages, how determined, if parties cannot agree.

for the location, construction and use of said lock, and for right of way to and from the same; and in case the corporation cannot agree with the owners for the price of the land so taken then the county commissioners of the county of York shall assess the damages, in the manner required by law for the assessment of damages in the laying out of highways. The said commissioners shall also, in like manner, assess all other damages that may arise from the construction and use of said lock, in case the corporation and the persons damaged cannot agree. And the said corporation may close the gates of said lock and retain the water above and increase the head of water to a point not more than one foot above the highest spring tides; *provided*, that the said gates shall not be closed more than three days at any one time.

May close the gates of said lock and increase the head of water above to a certain point.
Proviso.

Capital stock.

SECT. 2. The capital stock of said corporation shall consist of not more than four hundred nor less than forty shares of twenty-five dollars each; and the holder of every share shall be a member of the corporation and be entitled to one vote for every share held by him. Books shall be opened for the purpose of receiving subscriptions, under the direction of the persons named in the first section of this act, any three of whom shall have authority to call the first meeting, by giving three days notice of the time and place of said meeting to each member of the corporation.

Each share shall entitle the holder to one vote.

Books to be opened for receiving subscriptions.

First meeting, how called.

Assessments.

SECT. 3. The directors may make equal assessment on the shares in said corporation not to exceed in the whole on any one share the sum of twenty-five dollars.

Toll granted.

SECT. 4. A toll is hereby granted for the benefit of said corporation on all vessels of three hundred tons and upwards passing down the river and through said lock, and on all vessels whatever passing up the river for the purpose of landing or receiving cargoes and making use of said lock, not exceeding twenty cents per ton government tonnage.

[Approved July 26, 1847.]

Chapter 69.

An act to incorporate the Biddeford Bank.

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

Corporators.

SECT. 1. George H. Adams, William P. Hooper, Rishworth Jordan, junior, Moses Bradbury, Thomas Quinby, Rufus Nichols, William Berry, Samuel F. Chase, Benjamin Mosher, Cyrus Gordon,