

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.

CHAP. 91. Davis, Harvey H. Sherman, Thomas Ayer, Charles Prescott, Ithamar Bellows, Abner Littlefield, Levi Johnson, David Dolloff, Ebenezer Stevens, their associates and successors, be and hereby are constituted a body corporate by the name of the Waldo County Agricultural Society, with power to sue and be sued ; to have and use a common seal ; to make by-laws and regulations for the management of their affairs, or to continue those heretofore adopted, not repugnant to the laws of the state.

May hold and control real and personal estate.

Powers and privileges.

SECT. 2. The Waldo County Agricultural Society hereby established, shall have power to hold and possess any estate real or personal, not exceeding ten thousand dollars in value, with power to sell or lease the same ; and for the purposes aforesaid shall have and exercise all the powers and privileges usually granted to similar corporations.

[Approved August 2, 1847.]

Chapter 91.

An act to incorporate the Allegash and East Branch Log Driving Company.

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

SECT. 1. John H. Pillsbury, Dudley F. Leavitt, William H. Smith, Daniel M. Howard, Warren Brown, Henry R. Soper, William F. Leavitt, Cyrus S. Clark, Cyrus Moore, and their associates and successors, be, and they are hereby constituted a body politic and corporate, by the name of the Allegash and East Branch Log Driving Company : and by that name may sue and be sued ; prosecute and defend to final judgment and execution, both in law and equity, and may make and adopt all necessary regulations and by-laws not repugnant to the laws of this state ; may adopt a common seal, and the same may break, alter, or renew at pleasure ; and may hold real or personal estate not exceeding the sum of fifty thousand dollars at any one time ; and may grant and vote money. And said company may drive all logs and other timber belonging to said company or any member of the same, and also all logs and other timber belonging to individuals not members of the company, when requested so to do by such individuals, that may be in the east branch of the Penobscot river in and between the Telos lake and the Grand falls, on the said east branch of Penobscot river, to any place at or above the Penobscot boom, where logs are usually rafted, at as early a period as practicable. And said company may,

Corporators.

Corporate name.

By-laws.

May hold real and personal estate.

Power to drive logs and other timber.

for the purposes aforesaid, clear out and improve the navigation of the river between the points aforesaid, remove obstructions, break jams, and erect booms and dams, where the same may be lawfully done; and shall have all the powers and privileges, and be subject to all the liabilities of similar corporations.

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May clear out and improve the navigation of said river.

SECT. 2. The officers of said corporation shall be a moderator, clerk, treasurer, a board of five directors, three of whom shall be a quorum to transact business, and such other officers as may be deemed necessary, all of whom shall hold their respective offices till the annual meeting next following their election, and till others are chosen in their stead. And the clerk and directors shall be sworn to the faithful discharge of the duties of their respective offices; and the directors shall, in writing, appoint a master driver, and such other officers as may be necessary, *provided however*, that said driving shall be let to the lowest responsible bidder, if in the opinion of the directors, he shall be the most suitable person.

Officers.

Quorum.

Term of office.

Clerk and directors to be sworn. Directors to appoint master driver, &c.

SECT. 3. Every owner of logs or other timber which may be in said east branch, in and between said Telos lake and the said Grand falls, or which may come therein during the driving season, and intended to be driven down the said east branch, by said company, shall on or before the fifteenth day of May, in that year, file with the clerk of said corporation, a statement in writing, signed by such owner or owners, or his or their authorized agent, of all such logs or timber, of the number of feet board measure, of all such logs and other timber, and the marks thereon; and the directors, or one of them, shall require such owner, owners, or agent, presenting such statement, to make oath that the same is in his or their belief true, which oath the directors or either of them are hereby empowered to administer. And if any member of said company, or any owner of logs on said river, not a member, but intending to have his logs driven by the company, 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. And the directors shall give public notice of the time and place of making all assessments, by publishing the same in some newspaper printed in the city of Bangor, two weeks in succession, the last publication to be before making such assessments. And any assessment or assessments, when 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 other timber. And the clerk shall keep a record of all assessments, and of all expenses upon which said assessments are based, which shall be open at all times to all persons interested therein.

Owner of logs intended to be driven by said company, to file a certificate with the clerk.

Contents of certificate.

If owners shall neglect or refuse, directors may assess such delinquents.

Notice of time and place of making assessments to be given.

When owners are unknown.

Clerk to keep a record.

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Directors may make assessments in anticipation.

SECT. 4. Said directors are hereby authorized to make the assessments contemplated in the last preceding section, in anticipation of the actual cost and expenses of driving, and in any sum not exceeding for each thousand feet board measure, the sum of sixty-two and a half cents, and so in proportion to the distance which any logs or other timber is to be or may be driven between said Telos lake and the place of destination, to be determined by said directors,—and if after said logs and other timber shall have been driven as aforesaid, and all expenses actually ascertained, it shall be found that said assessments were more than sufficient to pay said expenses, the balance shall be refunded to the owner or owners in proportion to the sum to them respectively assessed.

If assessments are more than sufficient to pay expenses, balance to be refunded.

Treasurer to be furnished with list of assessments.

Lien created on logs and other timber for expenses.

SECT. 5. The directors shall give to the treasurer a list of all assessments, by them made with a warrant in due form under their hand, and said company shall have a lien upon all logs and other timber by them driven, for the expenses of driving the same, not exceeding the sum of sixty-two and one half cents for each and every thousand feet, board measure, so driven, as aforesaid, which may be discharged by a bond being given to the company, with satisfactory surety, conditional that the expenses shall be seasonably paid. 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 where known, of the amounts assessed upon their several marks, and when the owner or owners of any marks of logs or other timber are unknown, he shall, within ten days, publish a list of all such marks of logs or other timber, with the amounts thereon assessed. And all owners of logs or 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 and hold possession of a sufficient quantity of any and all marks of logs and other timber upon which the assessments have not been paid or secured at the end of thirty days from the date of such assessments, and shall retain possession of them until disposed of as hereinafter provided, and all marks upon which such assessments shall not be thus paid or secured within the time herein specified, shall be advertised two weeks in succession in some newspaper printed in the city of Bangor, and if not paid within ten days after the last publication, with all necessary cost and expenses, the treasurer shall then advertise them for sale at public auction, by posting up in some conspicuous places in Bangor and Oldtown, notices of such sale, with a list of all the marks or the greater part thereof, and the amount of assessment upon each mark, at least ten days before the day of sale. And unless such assessment with expenses incurred

Duty of treasurer to notify owners where known of the amount assessed.

When unknown, to publish a list, &c.

Owners required to secure the amount assessed.

Power of treasurer, when not so secured within 30 days.

Notice to be given.

If not paid within ten days, to be advertised for sale.

are previously paid, he shall proceed to sell to the highest bidder, a sufficient quantity of said logs or other timber of the different marks upon the list, to pay such assessments with all proper costs and expenses, selling each mark separately. The place of sale is to be at the office of the company, which office shall be at Bangor, Orono, or Oldtown. And the proceeds of such sales shall be paid into the treasury of the company. And the lien hereby created shall have precedence of all other liens, *provided however*, that if before the sale it should be ascertained that the logs or other timber of any particular mark or marks, had not arrived at their place of destination, but remain back, that in such case said sale may be adjourned from time to time, until such logs or other timber shall arrive at its place of destination.

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Place of sale.

Lien hereby created to have precedence.
Provido.

SECT. 6. Each member of this corporation shall be entitled to one vote for every six ox team, in any and all meetings of the corporation, and absent members may vote by proxy or substitute.

Voting.

SECT. 7. Every actual lumber operator or land owner on said east branch and its tributaries, or on the Allegash and Chamberlain lake, above the Grand falls, shall be deemed a member of this corporation during the year or years in which said person or persons are so operating, or continuing to own land as aforesaid, and shall be entitled to all the rights and privileges of said company. *Provided* said operator or land owner shall in writing, signify to said company his desire to be deemed a member of said corporation during the time specified above, and no other class of persons than the aforesaid shall at any time be members of said corporation.

Members.

Provido.

[Approved August 2, 1847.]

Chapter 92.

An act incorporating the South West Bend Bridge Company.

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

SECT. 1. Edward Little, William Gerrish, Simeon Bailey, John D. Spaulding, G. W. Strout, William Gerrish, junior, their associates, successors and assigns, be and they hereby are incorporated and created a body politic by the name of the South West Bend Bridge Company with all the powers and privileges and subject to all the liabilities of similar corporations.

Corporators.

Corporate name

SECT. 2. Said company are hereby authorized to erect and maintain a bridge across the Androscoggin river, between the towns

Authorized to erect and maintain a bridge.