

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

## TWENTY-EIGHTH LEGISLATURE

OF THE

# STATE OF MAINE,

A. D. 1848.

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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.

1848.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE,

1848.

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**Chapter 127.**

An act authorizing the county commissioners of the county of Hancock to lay out a road over tide waters.

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

The county commissioners of the county of Hancock are authorized and empowered to lay out and establish a road from Bucksport to Wetmore Isle plantation, if in their opinion public convenience requires it.

Location.

[Approved July 22, 1848.]

**Chapter 128.**

An act to incorporate the Birch Island Boom Corporation.

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

SECT. 1. George W. Pickering, Samuel P. Strickland, Hastings Strickland, Rufus Dwinel and Henry Campbell, their associates and assigns, are hereby constituted a body politic by the name of the Birch Island Boom Corporation, with all the powers, rights and privileges of similar corporations.

Corporators.

Corporate name.

SECT. 2. Said corporation may erect and maintain between the foot of Hemlock Island and the head of Olamon Island, in the Penobscot river, such boom or booms as may be necessary to stop, secure and raft logs and all other lumber; *provided*, the free navigation of said river is preserved and all the rights and privileges of the Penobscot Boom Corporation. And the said corporation shall pay for the use of the islands such compensation as the governor and council for the time being shall determine. And it shall not be lawful for said corporation to receive into their boom or detain on their passage any logs or lumber unless requested by the owner or owners or some person interested in the same, in writing, so to do, and shall be liable to the Penobscot Boom Corporation for all damage occasioned by or resulting from the erection of any boom or works by this corporation, whether the same be occasioned by neglect or otherwise; and said corporation shall deliver all logs rafted at the foot of their boom, and may demand and receive as toll for board logs, boomed, rafted and secured, thirty-six and one half cents per thousand feet, board measure, including warp and wedges, and other lumber in proportion; and shall have a lien on all logs and lumber for toll or boomage

Authorized to erect booms.

Proviso.

Not to detain logs or lumber unless by request of owners.

Liable to Penobscot boom for damages.

Toll granted.

Rate.

Lien on logs and lumber for toll.

CHAP. 128.

while said logs and lumber remain in the same unmanufactured state as when it was rafted, whether the same remain in the possession of the said corporation or not, on the logs of any particular mark, until the boomage on such particular mark is paid; and unless paid as fast as said logs and lumber is thus boomed and rafted, said corporation may sell so many of said logs or lumber as may be necessary to pay said toll and other expenses, at public auction, at some public place in the city of Bangor, after advertising such sale ten days previous to the time of sale in one of the newspapers printed in the city of Bangor; and no individual shall have the right to interfere with or pick up logs within the limits of this boom.

Right of Penobscot boom corporation.

SECT. 3. The Penobscot Boom Corporation shall have the right to raft any logs or lumber at their upper boom under the same conditions, limitations and with the same rights, as provided for the Birch Island Corporation in the preceding section, and also when the boom committee direct, but with the same rights as if rafted at the lower boom.

May be united to the Penobscot boom corporation.

SECT. 4. The Birch Island Boom Corporation may be united to the Penobscot Boom Corporation by a vote of both corporations at any regular meeting of the same; and when said corporation shall so determine and a record of the same is made in the boom record books of each of said corporations the same are hereby united together under the name of the Penobscot Boom Corporation; and all the rights and privileges and immunities of the Penobscot Boom Corporation shall be extended so as to include the limits of the Birch Island Boom Corporation. In the event of the two corporations being so united the Penobscot Boom Corporation may make any and all necessary booms and reservoirs, with side booms within the limits of both corporations as they may deem necessary.

Condition of this grant.

SECT. 5. This bill is upon condition that if the operations of the Birch Island Boom shall be unsatisfactory to the Penobscot Boom Corporation the same shall on demand being made be united as is provided in the preceding section, on being paid or tendered in payment by the Penobscot Boom Corporation the cost of their boom, not to exceed four thousand dollars, with such additional sum as they may hereafter expend; *provided*, the Penobscot Boom Corporation shall first offer their Boom to the Birch Island Boom Corporation at cost, to the present owners with interest, and if they elect to purchase the same and shall pay for the same, shall convey the same and both corporations shall be united as aforesaid.

[Approved July 26, 1848.]