

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1848.

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

Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1848.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE,

1848.

CHAP. 143.

Authorized to
erect dams.

Power to take
land and materi-
als.

Damages, how
determined.

Toll granted.

Lien for payment
of toll.

When said dam
shall be free.

have and use a common seal, and make any by-laws for their government not repugnant to the laws of the state.

SECT. 2. Said company are hereby authorized to erect and maintain a dam, or dams, at or near the falls of the Baskahegan river, with a sufficient sluice, or roll, to facilitate the driving of lumber on said river; and the said corporation are hereby empowered to take such land and materials as may be necessary for the construction of said dam or dams; and in case the corporation cannot agree with the owners of such land or materials upon their value, then the corporation shall pay such damages as shall be ascertained and determined by the county commissioners of the county in which such works are situated, in the same manner and under the same conditions and restrictions as are by law provided in the case of damages in laying out highways.

SECT. 3. A toll is hereby granted for the use of said corporation, of three-fourths of a cent on each log running through the said works; and the corporation shall have a lien on all such lumber, as security for the payment of said toll; and if the same be not paid within ten days after the arrival of said lumber at the Penobscot Boom, or within ten miles of the boom, the corporation may advertise the sale of so much of said lumber as may be necessary to pay said toll and expenses, in one of the newspapers printed in Bangor, the publication to be at least ten days before the day appointed for the sale; and if payment be not made before the time appointed, may proceed to sell so much of said lumber as may be required to pay said toll and expenses.

SECT. 4. Whenever the said corporation shall have been reimbursed the costs and expenses of constructing said dam or dams and material taken with repairs and legal interest, then said dam shall be free without the payment of toll.

[Approved August 3, 1848.]

Chapter 143.

An act to incorporate the South Thomaston Rail Road Company.

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

Corporators.

SECT. 1. Charles McLoon, James Dow, James Sweetland, jr., Henry Spalding, A. McKellar, jr., William D. Graves, John

Thayer, Ezekiel Hall, William McLoon, George Thorndike, Joshua Bartlett, jr., Jesse Sleeper, A. G. Coombs, John Martin and Oliver Sweetland, their associates, successors and assigns, are hereby created and made a body politic and corporate by the name of the South Thomaston Rail Road Company, with all the powers and privileges and subject to all the duties and liabilities provided in the laws of this state concerning rail road corporations.

Corporate name.

SECT. 2. The said corporation shall have power to construct a rail road between some point on the Blackington farm (so called) in the town of Thomaston to salt water in or near the village in South Thomaston, so called. But said company shall not construct or maintain any rail road over any lands not owned by them, or without the permission in writing under the hand and seal of the owner, or owners thereof; nor across or over any public road or private way so as to obstruct the safe and convenient use of the same, and may erect and construct all such buildings, depots and other fixtures, as may be necessary to carry into full effect and operation the intentions of this act.

Power to construct a rail road.

Not to pass over any lands without permission of owner.

SECT. 3. Said corporation may hold by lease, grant or purchase any estate, real or personal or mixed, not exceeding at any one time seventy-five thousand dollars.

May hold estate not exceeding \$75,000.

SECT. 4. A toll is hereby granted for the sole benefit of said corporation, upon all passengers and property of all descriptions which may be conveyed or transported upon said road, the said toll to be fixed by the board of directors, and subject at all times to the control of the legislature.

Toll granted.

SECT. 5. Any three of the persons named in this act may call the first meeting of the company by giving notice thereof in some public newspaper printed in Thomaston at least three weeks prior to the time of said meeting.

First meeting.

SECT. 6. If said corporation shall not complete said road within five years from the passage of this act, this act shall be null and void.

To be completed within five years.

[Approved August 3, 1848.]