

# 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 185.

An act to improve the Carlton stream in Troy for running logs and other lumber.

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

Dam authorized to be erected over said stream.

SECT. 1. Batchelder Carlton, his heirs and assigns, are hereby authorized to erect and maintain a dam across the Carlton stream in Troy on land owned by said Carlton of sufficient height to float logs on the Carlton bog above the Carlton mills, if the said Carlton, his heirs or assigns, shall erect and maintain a suitable and convenient sluice for floating logs and other lumber by said dam, he and they shall be entitled to receive and recover toll therefor as hereinafter provided.

Sluice

Toll granted

SECT. 2. There shall be allowed and paid to the owner of said dam and sluice a toll for the passage of every thousand feet board measure of lumber, according to the woods scale, by or through said dam, six cents.

Damages.

SECT. 3. The owner of said dam is hereby made holden to pay all damage that any person may sustain by any failure on the part of the owner to comply with the requirements of the first section of this act.

Toll, when to be paid.

SECT. 4. Before any person shall be entitled to the benefit of said sluice for floating lumber, he shall pay to the owner of said dam and sluice the toll as provided in the second section of this act, according to the certificate of a sworn surveyor.

Willful trespass.

SECT. 5. If any person shall willfully take up, break or otherwise injure said dam or sluice, he or they shall forfeit and pay to the owners treble the amount of damage thereby sustained to be recovered by said owners in any court of competent jurisdiction. Persons driving logs shall be entitled to sufficient water to drive their logs to the twenty-five mile pond, so called, but said Carlton shall not be obliged to turn logs through said sluice unless there is a considerable proportion of the logs above ready to be turned over, and in case there arises any dispute between the owners of said sluice and the log owners as to the time of turning over logs, the quantity to be turned over, or the amount of water to be let through to drive the same out, the selectmen of the town of Troy shall decide between the disputants, and may appoint one of their number to superintend the execution of their decree, and all parties interested shall be held to pay the expenses of said selectmen.

Turning logs through said sluice, &c.

[Approved August 10, 1848.]