

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1852.

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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.

1852.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1852.

SECT. 4. This act shall take effect from and after its approval by the governor. CHAP. 521.

[Approved March 23, 1852.]

Chapter 521.

An act to establish the Rockland Lime Rock Company.

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

- SECT. 1. Alden Ulmer, Hervey H. Spear, Andrew Ulmer, Jeremiah Tolman, Joseph Ingraham, Harrison Farrand, Daniel Cowing, John Wakefield and Oliver H. Perry, their associates and successors, are hereby made a corporation by the name of the Rockland Lime Rock Company, for the purpose of draining or removing the water by steam or otherwise from the range of quarries situated near the residence of Alden Ulmer, and improving the same. Corporators.
Corporate name.
Purposes.
- SECT. 2. Said corporation may hold real and personal estate necessary and convenient for the purposes aforesaid, not exceeding ten thousand dollars in amount. May hold real and personal estate.
- SECT. 3. Said corporation may enter upon and dig up, remove and use any land or lime rock necessary and convenient for the purpose of draining said quarries. Powers, &c.
- SECT. 4. If said corporation in the exercise of the powers granted in the preceding section, shall damage the owners of land or lime quarries by digging, removing or using the same, the owners of said lime quarries or land shall be entitled to compensation; and in case such owners and said corporation shall not mutually agree upon the sum to be paid, such owners may cause their damage to be appraised by a committee of three disinterested persons who shall be appointed by the judge of the district court. Damages.
Referees in case of disagreement.
How appointed.
- SECT. 5. When the water from any portion of said quarries is so removed as to render the digging of the rock practicable, the owner or owners of quarries so drained (being corporators) shall as soon thereafter as practicable dig up their said rock in such a manner as shall give each corporator the benefit of the improvement made by such draining. Corporators to have the benefit of drainage.
- SECT. 6. In case any member of said corporation shall neglect to comply with the requirements of the preceding section, then said corporation, or such portion thereof as may be inter- Penalty in case of neglect.

CHAP. 521.

ested, may after giving such member reasonable notice, enter upon, dig up and use said members rock or so much thereof as may be necessary to effect the object mentioned in the preceding section, by paying the owner thereof the amount of one cent for each cask of rock so taken.

Expense of
fixtures, &c.,
how paid.

SECT. 7. The expense of digging drains, purchasing steam engines and fixtures, shall be paid by the corporators; each member thereof paying in proportion to the amount of rock he has drained; the expense of keeping engines in operation, shall be paid by the owners of quarries (corporators) each paying in proportion to the amount of rock he shall dig in each year.

Toll.

SECT. 8. All persons not members of said corporation owning quarries lying within the range or adjacent to the quarries of said corporation and drained by their works, shall be subject to a toll by said corporation of three cents upon each cask of rock so drained; when dug up by said persons, a lien for said toll is hereby created upon all rock so dug up and said lien shall take precedence of all other claims.

Lien created.

Such persons
may become
members.

SECT. 9. The owners of quarries situated as described in the preceding section may if they shall so elect become members of said corporation, and upon such terms as shall be agreed upon by such persons and said corporation.

District court
may appoint
referees, &c.

SECT. 10. In case such person and said corporation shall not be able to agree upon the terms and conditions of membership, the judge of the district court upon application of any such person so situated, may appoint three disinterested persons to fix upon and settle such terms and conditions, and their decisions shall be final.

Tolls, how
applied.

SECT. 11. All tolls received by said corporation from persons situated as described in section eight of this act shall be applied to the expense of draining said quarries in such way as the corporators may determine.

[Approved March 23, 1852.]