

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

PASSED BY THE

THIRTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1852.

~~~~~  
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.

1852.

---

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1852.

---

ment of the affairs of said corporation, not repugnant to the laws of this state. CHAP. 578.

SECT. 2. The "North Franklin Agricultural Society," hereby established, shall have power to hold and possess any real and personal estate, 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.

May hold  
estate, &c.

SECT. 3. No animals, articles of produce or articles of manufacture, which shall have been presented for premium at either the Franklin, or North Franklin Agricultural Society, shall be presented for premium at the other, the same year.

Double pre-  
miums prohib-  
ited.

SECT. 4. This act shall take effect and be in force from and after its approval by the governor.

[Approved April 9, 1852.]

### Chapter 578.

An act to set off the islands of Hacketash, Wooden Ball, Nomansland, Two Bush, Ten Pound and Matinicus Rock, from the county of Hancock and annex the same to the county of Lincoln.

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

SECT. 1. The islands of Hacketash, Wooden Ball, Nomansland, Two Bush, Ten Pound and Matinicus Rock, in the county of Hancock, are hereby set off from the county of Hancock and annexed to the county of Lincoln.

Islands annex-  
ed to Lincoln.

SECT. 2. This act shall take effect from and after its approval by the governor.

[Approved April 9, 1852.]

### Chapter 579.

An act to incorporate the Waldo Mills Company.

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

SECT. 1. Isaac Gage, John Dorr, E. K. Robinson, Calvin Spaulding, William G. Crosby, Hiram O. Alden, John Haraden, William S. Brannigan, Philo Sandford, Joseph Ballister, Smith Dyer, their associates, successors and assigns, be and they

Corporators.

**CHAP. 579.**Corporate  
name.Powers and  
privileges.

hereby are incorporated into a body politic by the name of the Waldo Mills Company, and by that name may prosecute and defend suits at law and equity, have and use a common seal, make and establish by-laws, rules and regulations, not repugnant to the laws of the state, for the management of their concerns; choose all necessary officers, and have, exercise and enjoy all the rights, privileges and immunities pertaining to companies legally incorporated.

Capital stock.

SECT. 2. The capital stock of said corporation shall consist of the sum of fifty thousand dollars, divided into five hundred shares, of one hundred dollars each.

First meeting,  
how called, &c.

SECT. 3. Any two of the three first persons above named, may call the first meeting of the corporation by publishing the time and place thereof seven days previous in any newspaper printed in Belfast, in the county of Waldo; at which meeting all necessary officers may be chosen, by-laws adopted, and any other corporate business transacted; said officers to continue in office until others shall be chosen in their place; and in all elections and in acting on any subject relating to the interest of said corporation the decision shall be had by a majority of the votes actually given.

May build a  
dam, &c.

SECT. 4. Said company are hereby authorized to build, maintain, keep up, repair and rebuild a dam across Goose river in Belfast, within fifty rods from its mouth, for the purpose of raising a head of water not exceeding fifteen feet in height above high water mark for propelling factories and for other purposes; and said company are authorized by means of said dam to flow the water as aforesaid, and the same to draw, use, occupy, sell or lease in whole or in part, either upon said dam, or in canals, basins or collateral sluices made therefor.

Damages, &amp;c.

SECT. 5. If any person or persons shall sustain any injury by means of the erection of said dam, either by the overflowing of his or their lands, or by the throwing back the water of the river upon his or their mills, machinery or water works; he or they shall be entitled to receive of said corporation just damages therefor.

Damages, how  
ascertained  
and determin-  
ed.

SECT. 6. Whenever any person or persons, entitled to compensation or damages pursuant to the fifth section of this act, shall not be able to agree with said company upon the amount thereof, he or they may by petition, apply to the supreme judicial court or district court for the county of Waldo for remedy; and said court shall order suitable notice to be given to said company of the pendency of said petition and if said com-

pany shall in their plea deny the petitioners title to said lands, mills, machinery or other water works, alledged to have been injured by means of said dam, or shall claim a right to flow for an agreed composition, the court, if issue be joined thereon, shall order a trial at the bar of the court, but when said company shall not show sufficient cause to the contrary, said court may appoint three or more disinterested freeholders to make true and faithful appraisement of the damages already sustained as well as of those to be yearly sustained, which report being duly returned to court, shall be conclusive between the parties, unless either party shall request that the question of damages may be tried by a jury, in which case the report of said commissioners may be used as evidence by either party, subject however to be impeached by other evidence, and judgment having been rendered upon such verdict, the same shall be a bar to any action brought for such damages.

Either party  
may have trial  
by jury.

SECT. 7. Unless said dam shall be completed and fit for use within five years from the passage of this act, all the powers herein granted to said company shall be rescinded and held void.

Dam, when to  
be completed.

[Approved April 9, 1852.]

## Chapter 580.

An act to incorporate the town of Holden.

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

SECT. 1. All that part of the town of Brewer lying easterly of the following described line, namely: beginning at the point of the northern portion of the first division line, at the corner of lots two and ten, and running southerly following said division line to the south point of said line to the southerly corner of lots twenty-four and ninety-one, together with all the persons having a legal settlement thereon, is hereby incorporated into a separate town by the name of Holden, and the inhabitants thereof are hereby invested with all the privileges and powers and subject to all the duties and liabilities incident to the inhabitants of other towns in this state.

Division line.

Rights and re-  
strictions.

SECT. 2. The several inhabitants of the town of Holden shall be holden to pay all taxes which have been legally assessed upon them by the town of Brewer, and the several col-

Taxes to be  
paid.