

# 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.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1852.

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**CHAP. 627.**Lands holden  
for toll.Toll, when  
reduced, &c.

said corporation may demand and recover of the owners or occupants of the land, on which said logs or timber shall have been cut, the toll aforesaid.

SECT. 5. Whenever said corporation shall have received by toll as aforesaid, a sum sufficient to pay the amount expended by said company in said improvement and interest and all cost, said toll shall be reduced and established at such rates as in the opinion of the land agent shall be productive of what may afterwards be necessary to keep up the improvements, and pay the further expenses of said corporation.

[Approved April 22, 1852.]

**Chapter 627.**

An act to increase the capital stock of the Frontier Bank.

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

Capital stock  
increased  
\$25,000.When to be  
paid in.

Shares.

Loans, &amp;c.

SECT. 1. The president, directors and company of the Frontier Bank, at Eastport, are hereby authorized to increase the capital stock of said bank, by adding thereto the sum of twenty-five thousand dollars, to be paid into said bank in gold or silver on or before the first day of October next, and to be divided into shares of one hundred dollars each; and loans may be made by said bank on said additional capital whenever the directors, or a majority of them, with the cashier of said bank shall have signed and verified by oath, and filed in the office of secretary of state, a certificate that said additional capital has been actually paid in.

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

[Approved April 22, 1852.]

**Chapter 628.**

An act to incorporate the Aroostook Dam and Railroad Company.

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

Corporators.

SECT. 1. John Winn, E. S. Coe, Daniel W. Bradley, Gorham L. Boynton, Cyrus S. Clark, Thomas Howe and William H.

CHAP. 628.

McCrillis, their associates, successors and assigns are hereby created a body politic and corporate, by the name of the Aroostook Dam and Railroad Company.

Corporate name.

SECT. 2. The said corporation may construct and maintain a dam on the Aroostook river, together with all necessary booms and piers, at the most suitable place and places, in the vicinity of the mouth of the Lapomkeag stream, for the purpose of stopping logs and lumber and taking said logs and lumber out of said Aroostook river, and transporting them into Sobois lake or Beaver pond; and said corporation may erect suitable wharfs and apparatus, for the taking of said logs and lumber out of said river; and said corporation may construct and maintain a railroad from said Aroostook river to said Sebois lake or Beaver pond, or said corporation may construct a canal from said river to said pond or lake, and may make locks, dams and all necessary improvements upon said Lapomkeag stream, so that logs and lumber may be taken up said Lapomkeag stream into Beaver pond, and from thence, by canal into the Sebois lake; and said corporation may construct and maintain a canal from said Sebois lake into said Beaver pond. And said corporation may construct and maintain the said railroad a part of the distance, and said lock, dams and canals, the remainder, with all other necessary works and improvements, suitable and necessary for the transportation of said logs and lumber.

Dam, &c., location of.

Purposes of incorporation.

May erect wharves, &c.

May construct a railroad, &c.

May construct a canal, &c.

SECT. 3. For the accommodation of all persons who are desirous of driving their logs and lumber down said Aroostook river, the said corporation shall provide a suitable and convenient passage for the same by the erection of side booms, with suitable piers and trips together with a sluiceway or roll, for passing their said dam, so as to insure a speedy passage of the same by said dam free of all toll or charge.

May erect side booms, &c.

SECT. 4. The said corporation shall construct and maintain a dam at some suitable site and flow the said Sebois lake, and shall improve, for the running of logs, masts and spars, "Godfrey's falls," on the Sebois stream, and spend upon the said falls, at least, the sum of two thousand dollars.

Dam at Sebois lake.

Shall improve Godfrey's falls.

SECT. 5. For all logs and lumber which said corporation may transport from said river to said lake a part or the whole distance being by railroad—the said corporation may demand and receive the sum of three dollars per thousand feet, board measure, woods' scale, except for such logs and lumber which being driven into their booms, between the first day of April and the twentieth day of June in each year, the said corpora-

Toll \$3 per M.

Exception.

CHAP. 628.

Toll \$2 per M.

tion shall fail to transport to said Sebois lake before the twenty-sixth day of the same June—but for all such logs and lumber, the said corporation may demand and receive the sum of two dollars per thousand feet, board measure, woods' scale, for the transportation as aforesaid, and the said sums aforesaid, shall be in full for all the said transportation, and for the use of all the dams and improvements of said corporation provided for in this act.

Aroostook river to Sebois lake, toll \$2 per M.

SECT. 6. said corporation may construct the aforesaid locks, dams, canals and other improvements if they determine the same to be feasible and convenient, so that logs and lumber may be taken from said Aroostook river to said Sebois lake by water, and in such case they may demand and receive for the use of their said locks, dams, canals and all other improvements, the sum of two dollars per thousand feet, board measure, woods' scale, for all logs and lumber which may pass over or through the same.

Lien for payment of toll.

SECT. 7. The said corporation shall have a lien upon all logs and lumber transported, as is provided in the fifth section of this act, or which may pass through the locks, dams, canals and improvements as is provided in the sixth section of this act; for the payment of the respective sums mentioned in said respective sections, and if payment is not made to said corporation within ten days after such logs and lumber or a major part thereof shall arrive at the Penobscot boom or within ten miles of the same, the said corporation may sell so much of said logs and lumber as may be necessary to pay said sum or sums, and incidental charges, at public auction, in the city of Bangor, after advertising the time and place of said sale, in some newspaper printed in said Bangor, twenty days before sale. And all the logs of any particular mark shall be holden for the transportation or toll of all logs and lumber of said mark.

May sell logs, &amp;c., for payment of toll.

Notice of sale.

Logs, &amp;c., holden for its particular mark.

May take land, &amp;c., for the construction of their improvements.

May flow land.

Damages, and how determined.

SECT. 8. The said corporation may take convenient sites for the erection of their dams, locks and canals and other improvements, with stone, timber and material for the construction of the same, and also land for the construction of their railroad with suitable side paths and other conveniences, and also for their wharves, and may flow with their dams all land which may be necessary. And the said corporation shall pay damages for all land, material taken, and if the parties cannot agree upon damages, then the said corporation shall pay such damages as shall be ascertained and determined by the county commissioners for the county of Penobscot under the same

conditions and limitations, as are by law provided in the case of damage by laying out public highways; and said corporation shall pay damage for the lands flowed, and if the parties cannot agree the said corporation shall not be liable to an action at common law for the same, but the person or persons aggrieved may have a remedy by complaint for flowing, in which the same proceedings shall be had as where a complaint is made under a statute of this state for flowing lands occasioned by the raising a head of water for the working of mills.

SECT. 9. This act shall not be altered or repealed for the term of ten years.

[Approved April 22, 1852.]

### Chapter 629.

An act to apportion and assess on the inhabitants of this state a tax of two hundred one thousand, three hundred twenty-five dollars, eighty-three cents, for the year one thousand eight hundred and fifty-two.

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

SECT. 1. That each city, town, plantation or other place hereinafter named, within this state, shall be assessed and pay the several sums with which they respectively stand charged.

### COUNTY OF YORK.

Acton,	Four hundred thirty dollars, eight cents,	430 08
Alfred,	Five hundred forty five dollars, sixty three cents,	545 63
Berwick,	Four hundred forty one dollars, forty four cents,	441 44
Biddeford,	Four thousand three hundred sixty five dollars, fifteen cents,	4,365 15
Buxton,	Eight hundred fifty three dollars, fifty seven cents,	853 57
Cornish,	Three hundred ninety nine dollars, forty seven cents,	399 47
Eliot,	Six hundred forty five dollars, twenty five cents,	645 25
Hollis,	Seven hundred forty one dollars, eighty seven cents,	741 87
Kennebunk,	Fourteen hundred seventy dollars, eighty one cents,	1,470 81
Kennebunkport,	Ten hundred twenty eight dollars, eighty seven cents,	1,028 87
Kittery,	Five hundred eighty five dollars, sixty two cents,	585 62
Lebanon,	Seven hundred thirteen dollars, twenty three cents,	713 23
Limerick,	Four hundred seventy three dollars, ninety cents,	473 90