

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-SECOND LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1853.

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

Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1853.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1853.

persons named in this act as corporators, shall constitute a quorum and be empowered to organize said society.

SECT. 5. This act shall be in force from and after its approval by the governor.

[Approved March 19, 1853.]

Chapter 98.

An act to incorporate the Ship Pond Stream Dam Company.

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

SECT. 1. That H. G. O. Morrison and Dorillas Morrison, their associates and assigns, be and they are hereby created a body politic and corporate by the name of the Ship Pond Stream Dam Company, with all the powers, rights and privileges of similar corporations.

Corporators.

Corporate name.

SECT. 2. The said corporation is hereby authorized to construct and maintain a dam or dams, with side booms, sluices and all other improvements in said Ship Pond stream which will facilitate the transportation of logs and other lumber down said stream; and they are further authorized to enter upon and take such land or material as they may find it necessary to make their said dams, sluices, and other improvements, and to flow such land as far as may be necessary to accomplish their object; *provided, however,* that said corporation shall pay to the proprietors of land or material such sum as they and said proprietor or proprietors may agree upon; and in case the parties shall not agree, then said corporation shall pay such damages as may be ascertained and determined by the county commissioners for the county of Piscataquis, in the same manner and under the same conditions and limitations as are by law provided in the case of damage by laying out of public highways; and for lands flowed by the said corporation, the proprietor or proprietors shall be entitled to the same remedies as are provided in chapter one hundred and twenty-sixth of the revised statutes, in case of flowing lands by the erection of a mill.

Dams, booms, sluices, &c.

Authorized to take land, &c.

May flow certain lands.

Proviso.

Damages, how determined, &c.

SECT. 3. The said corporation may demand and receive as a toll for the passage of logs or lumber over any of their said dams or improvements, the sum of twenty-five cents per thousand feet for cedar and spruce logs and lumber, and fifty cents per thousand feet for pine logs and lumber, board measure, according

Toll.

CHAP. 99.

Lien created
for payment
of toll.

May sell at
auction after
ten days
notice.

Toll, when to
be reduced.

Account of
receipt and
expenditures,
how kept, &c.

to the scale usually denominated the woods scale; and said corporation shall have a lien on all logs or lumber which shall pass over or through their said dam or dams or other improvements or any of them, until the full amount of toll is paid on all logs of any particular mark; and if not paid within ten days after said logs or lumber shall arrive at the Penobscot boom or place of manufacture, the said corporation may sell at public auction, after ten days notice in some newspaper in Penobscot county, so much of said logs or lumber as may be necessary to pay said toll and all incidental charges.

SECT. 4. Said corporation shall be entitled to receive said tolls until a sum of money sufficient to reimburse said corporation in full for the cost of said dams and improvements, together with the cost of all repairs from time to time, and expenses of superintendence with interest on said expenditures and expenses, at the rate of twelve per centum per annum, shall be raised and received by the treasurer; and when all said sums shall be reimbursed said tolls may be reduced, upon notice by the clerk of said corporation to the landholders who have timber to pass said works, or a majority in interest of said landholders shall request the same, and shall order by agreement a rate of tolls which shall be sufficient only to keep said works in repair and to pay incidental expenses; and said clerk shall keep an account of all moneys paid and received by said corporation, which accounts shall be subject to inspection and investigation of said land proprietors at all reasonable times at the office of said clerk.

SECT. 5. This act shall take effect and be in force from and after its approval by the governor.

[Approved March 19, 1853.]

Chapter 99.

An act to incorporate the Kenduskeag Plank Road Extension Company.

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

Corporators.

SECT. 1. Abraham Sanborn, Daniel Sanborn, J. O. Tilton, Elhanan Garland, Dudley F. Leavitt, John B. Foster, Charles W. Piper, and Edmund W. Flagg, and their associates, successors and assigns, are hereby incorporated into a body corporate by the name of the Kenduskeag Plank Road Extension Com-

Corporate
name.