

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-SECOND LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1853.

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1853.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1853.

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.

pany, and by that name may sue and be sued, and have and enjoy all the powers and privileges of railroad corporations in this state. And said corporation is hereby authorized to construct a plank road from some point in the village of the town of Kenduskeag, in the county of Penobscot, to some point in the county of Piscataquis, by the way of Dexter, or any other way they may deem it best, and for the purpose of building said road, said corporation may purchase and hold or take land in the same manner, and under the same restrictions, that land is taken by railroad corporations in this state, and by the consent of the county commissioners of the counties may lay said plank road within the limits of the state, county or town way, not to interfere with the travel in such way, by paying the owners of land such damages as may be awarded them by said county commissioners; and said company shall not erect any toll house or gate on any public highway to obstruct the travel over said highway.

Powers, &c.

Plank road, authorized to construct, &c.

May purchase and hold land.

May lay said road within limits of highways.

Damages.

Obstructions to public travel prohibited.

SECT. 2. The capital stock of said company shall be fifty thousand dollars, divided into shares of one hundred dollars each; and said corporation may go into operation, although the full amount of said stock has not been subscribed or paid in, *provided*, that no section or sections of said road shall be put under contract to be built, until three-quarters of the estimated cost of construction of said section or sections shall be subscribed by responsible persons.

Capital stock.

Shares, &c.

Proviso.

SECT. 3. The corporation aforesaid may erect and maintain gates across their road, at such places as they may see fit, and take such toll from travelers as from time they may establish. At such places as said toll is taken, said company may keep up in a conspicuous place a board with the rates of toll expressed thereon in legible characters.

Gates.

Toll sign.

SECT. 4. Any person injuring or destroying any works of said company, shall suffer the same punishment as is prescribed for similar offenses in cases of injuring railroads in this state; and any person who shall avoid any gate for the purpose of defrauding said company of their toll, shall be liable to a penalty of, and forfeit the sum of five dollars, to be recovered by an action of debt, or by complaint, to the use of said company, before any justice of the peace for the county where the offense was committed.

Penalty for injuring road.

Penalty for defrauding company of toll.

SECT. 5. Unless fifteen thousand dollars of the capital stock of said company shall be subscribed for and paid in within three years from the passage of this act, the same shall be null and void.

Act limited.

CHAP. 100.

Meeting for
organization,
how called.

SECT. 6. All the provisions of this act shall apply for the security and benefit of the corporation, whenever any portion of the road is completed and put in use.

SECT. 7. A meeting for the organization of said corporation may be called by any justice of the peace in the county of Penobscot, at such time and place as he may appoint, upon application of a majority of the corporators, who shall direct one of said applicants to give not less than seven days notice by reading the same in the presence and hearing of each, or by giving them a notice in writing in hand, or by leaving the same or causing the same to be left at their last or usual place of abode or business, and the return of the applicant directed to give said notice shall be conclusive of the same.

SECT. 8. This act shall take effect and be in force from and after its approval by the governor.

[Approved March 19, 1853.]

Chapter 100.

An act to incorporate the Penobscot and Aroostook Union Agricultural and Horticultural Society.

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

Corporators.

SECT. 1. James Brown, Ephraim Fobes, Eben Jackman, Ira Fish, Morgan L. Gerry, Francis Weeks, Luther Rogers, Walter P. Carpenter, and Patrick Meavoy, together with such other persons as may join them, are hereby constituted an agricultural and horticultural society, to be known by the name of the Penobscot and Aroostook Union Agricultural and Horticultural Society.

Corporate
name.

Powers,
privileges, &c.

SECT. 2. Said society shall have all the powers and privileges, and be under all the liabilities and restrictions specified in the several sections of the eighty-second chapter of the revised statutes.

By-laws.

SECT. 3. Said society may make such by-laws for the administration of their affairs from time to time, as they may deem expedient, not inconsistent with the laws of this state.

First meeting,
how called.

SECT. 4. The first meeting of said society shall be called by James Brown of Dayton plantation, or Ira Fish of Patten, by a written notification put up in some public and conspicuous place in Patten, two weeks at least before the time thereof, at which