

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

EXTRA SESSION OF THE THIRTY-SECOND LEGISLATURE, 1853,

AND THE

THIRTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE,

1854.

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

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1854.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1854.

Chapter 374.

CHAP. 374.

An act to incorporate the East Musquash Improvement Company.

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

SECT. 1. Daniel Hill, William Todd, George Downes, Henry F. Eaton, Frederick Boissonnault, Horatio N. Hill, William H. Boardman and Joseph E. Eaton, their associates and assigns, be and they are hereby created a body corporate and politic by the name of the East Musquash Improvement 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 dams, side booms, sluices and all other improvements in East Musquash stream, a tributary of Big lake in the county of Washington, at and from the outlet of East Musquash lake to the dead water at the mouth of said 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 other material as may be necessary to construct the said dams, booms, sluices and other improvements, and to flow such land as may be necessary to accomplish the objects of the corporation as provided in this act; *provided, however,* that said corporation shall pay to the proprietors of land or material, so taken, 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 said county, 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-six of the revised statutes, in case of flowing lands by the erection of a mill.

Authorized to construct dams, &c.

Authorized to take land and materials.

—to flow land.

Proviso.

Compensation for materials, &c., taken.

—how determined in case of disagreement.

Damage for flowage.

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 sums following, namely: on all logs hauled into the streams between the foot of White's rips and the Boissonnault dam, five cents per thousand feet; on all logs hauled into the stream between the Boissonnault dam and Wilson's rips, ten cents per thousand feet; on all logs hauled into the stream above the foot of Wilson's rips, sixteen cents per thousand feet; on all logs passing through the dam at the outlet of East Musquash lake, three cents per thousand feet; on all

Toll established.

—rates of.

CHAP. 375.Lien for
payment of
toll.Company
authorized to
sell lumber for
payment of toll.

Notice of sale.

Tolls, when to
be reduced.Accounts of
receipts and
expenditures to
be kept by
treasurer.

logs passing through the Boissonnault dam, three cents per thousand feet; on all logs passing through the dam at White's rips, one half cent per thousand feet; the quantity of said logs so liable to toll, to be assessed according to the woods scale; and the 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 arrive at Vance's boom in Baring, or place of manufacture, the said corporation may sell at public auction, after ten days' notice in some newspaper published in Washington county, or by posting printed notices ten days in three public places in the city of Calais and in the town of Baring and at Vance's boom, 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 cent. per annum, shall be raised and received by the treasurer; and when all said sums shall be reimbursed, said tolls shall be reduced to a rate which shall be sufficient only to keep said works in repair and pay incidental expenses with twelve per cent. interest per annum; and the treasurer shall keep an account of all moneys paid and received by said corporation, which account shall be subject to inspection and investigation by any land proprietor who may have logs or lumber to pass said works, at the office of the treasurer, at all reasonable times.

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

[Approved April 18, 1854.]

Chapter 375.

An act to incorporate the town of Ashland.

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

Town of
Ashland,
incorporation of.

SECT. 1. Township numbered eleven, range five, in the county of Aroostook, with the inhabitants thereof, is hereby