

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-FOURTH LEGISLATURE

OF THE

STATE OF MAINE,

1855.

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

AUGUSTA:
STEVENS & BLAINE, PRINTERS TO THE STATE.

1855.

PRIVATE AND SPECIAL LAWS ·

OF THE

STATE OF MAINE.

1855.

CHAP. 520. **SECT. 6.** This act shall be in force from and after its approval by the governor.

[Approved March 16, 1855.]

Chapter 520.

An act authorizing the Penobscot Lumbering Association, or Daniel White, Benjamin P. Gilman and others to make a cut or canal across a point on the easterly side of Orson island.

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

Authorized to make a cut or canal, &c.

SECT. 1. The Penobscot Lumbering Association, or Daniel White, Benj. P. Gilman, William Jameson, Ebenezer Blunt, Seth Paine, Ebenezer Webster, Ebenezer Webster, junior, Wm. M. Rollins, Chas. D. Jameson, R. S. Morrison, John Libby, John W. Atwell, A. C. Buffum, Charles Buffum, George A. Burbank, James Webster, A. G. Ring, John W. Mayo, William N. Buffum and such others as they may associate with them, shall be, and hereby are authorized and empowered to make a cut or canal across a point of Orson island (near the head of the Twin islands) upon its easterly side under the following restrictions and conditions, namely: said cut or canal to be of a depth and width sufficient to float rafts of logs through the same at all times, when such rafts can be taken from Sunkhase dead water, and run around Ebers' point, and of such depth that the water at the inlet of said cut or canal shall be of equal depth with the water where it flows over the bar at Ebers' point, and the whole to be done under the direction and supervision of some competent engineer who shall be appointed by some one of the judges of the Supreme Judicial Court, on application of said association, or of any three or more of the persons who may make said cut or canal; *provided*, also, that the inlet to said cut or canal if found necessary, shall be so secured as to fully and effectually prevent excavation or deepening lower than is hereinbefore defined, and that the bar between Ebers' point and Orson island shall not be excavated or deepened by the construction of said canal; *provided*, also, that if said association do not go on and make and complete said cut or canal, and at their own expense, prior to the first day of December, in the year of our Lord one thousand eight hundred and fifty-five, then it shall be lawful for, and the said above named persons and such others as they may associate with them, are hereby authorized and empowered to make and complete the

Restrictions and conditions.

Engineer, appointment of.

Proviso.

Further proviso.

same at any time thereafter, within six years, they paying all ex- CHAP. 520.
 pense of the same.

SECT. 2. Said White, Gilman and others and their associates, May extend
time, &c.
 shall have authority by vote of a major part of their number, at
 any meeting called for the purpose, to extend the time within which
 said association may make and complete said cut or canal, beyond
 the said first day of December, eighteen hundred and fifty-five.

SECT. 3. Said association, or said White, Gilman and others, May remove and
use land, &c.
 and their associates, whichever may make or cause said cut or canal
 to be made, may enter upon and dig up, remove and use any land,
 earth, stone and other materials necessary or convenient for the
 construction of said cut or canal, and if the owners thereof shall be
 damaged thereby, they shall be entitled to compensation; and in Damages, how
determined.
 case such owners and corporators cannot mutually agree upon the
 sum to be paid, such damage may be determined on application of
 either party, in the same way and manner with the damage claimed
 for lands taken for public highways and railroads.

SECT. 4. In case said White and others, and their associates Authorized to
make and adopt
by-laws and
choose officers.
 shall make, or cause said cut or canal to be made at their expense,
 they shall have authority to make and adopt any by-laws, and
 choose any officers they may deem necessary to carry out the objects
 herein contemplated, and not repugnant to the laws of the state.

SECT. 5. Said White and others, and their associates shall have May assess
taxes, &c.
 authority to assess a tax or taxes upon the several members of their
 corporation, and may enforce the collection thereof in such way and
 manner as a majority of their number at any meeting called for that
 purpose may determine, or as by their by-laws they may ordain and
 establish, for the purpose of building and completing, and in keep-
 ing and maintaining in repair the said cut or canal.

SECT. 6. The first meeting of said corporators may be called at First meeting.
 such time and place as any two or more of their number may
 determine.

SECT. 7. This act shall take effect and be in force from and
 after its approval by the governor.

[Approved March 16, 1855.]