

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1856.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1830, February 26, 1840,  
and March 16, 1842.  
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1856.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1856.

## Chapter 618.

CHAP. 618.

An act to incorporate the Mattawamkeag Boom Company.

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

<p>SECT. 1. Richard Libby, Thomas S. Ranney, Joseph Snow, junior, and Joseph Libby, their associates and successors, are hereby constituted a body politic and corporate, by the name of the Mattawamkeag Boom Company, for the purpose of erecting and maintaining a boom on the Mattawamkeag river, at a place called Log Eddy, for the purpose of catching, securing and rafting logs and other lumber, belonging to persons who may require the same to be there caught, secured and rafted, which request shall be in writing, specifying the marks and description of lumber to be stopped and rafted, signed by the party requesting, and recorded by the clerk of the corporation, in a book kept for that purpose, opened to the inspection of all persons interested in lumbering on said river. And said company may purchase and hold any estate, real or personal, necessary for that purpose, and have and enjoy all the rights and privileges, and be subject to all the duties and requirements incident to similar corporations, under the laws of the state; and for that purpose may take such lands as shall be found necessary, paying to the owner a reasonable compensation therefor, and may pass over and across lands of other persons for the purposes connected with said boom, paying therefor a like compensation.</p>	<p>Corporators.</p> <p>Corporate name.</p> <p>Location.</p> <p>Objects of corporation.</p> <p>Records.</p> <p>May purchase and hold real estate, &amp;c.</p> <p>Rights and privileges. Duties, &amp;c.</p> <p>May take lands, &amp;c.</p>
<p>SECT. 2. The said corporation shall have the right, and it shall be their duty to catch and secure in their said boom, all logs and lumber which the owners or persons interested therein having the right so to do, shall request them as aforesaid to have there secured and rafted; and shall faithfully and as far as consistently with the rights of other persons and corporations in the use of the river, seasonably raft with suitable poles, lock downs and other proper apparatus and rigging, all logs and lumber so caught and secured, in a manner suitable to be run to Oldtown falls, and at proper states of the water, over the falls to places below.</p>	<p>Logs to be secured in boom, upon request of owners, &amp;c.</p> <p>How rafted.</p>
<p>SECT. 3. Said corporation shall not be authorized to stop or detain any logs or other lumber, excepting such as they shall be requested to stop as aforesaid, nor to place or maintain any pier or other obstruction in the river so constructed as to cause a jam or any unnecessary delay or obstruction to the logs and lumber having occasion to pass the same; and for all damages</p>	<p>Lumber not to be detained without request of owners. Obstructions not permitted.</p> <p>Damages.</p>

CHAP. 618. that shall arise by reason of any violation of these prohibitions, the said corporation and the stockholders thereof shall be liable to the persons or parties suffering the same.

**Toll.**            **SECT. 4.** For all logs and lumber by them so secured and rafted, they shall be entitled to demand and receive a toll or boorage, at the following rates, to wit: for logs, sixty-two and a half cents per thousand feet board measure; for juniper timber and for ton timber, forty cents per ton; for ranging timber, forty cents per hundred feet long measure; for masts and spars, sixty-two cents per thousand feet board measure; for juniper knees, ten cents each.

**Lien for payment of toll.**            **SECT. 5.** To secure the payment of the toll or boorage, a lien is given upon the logs and lumber, which may be enforced by a sale of so much thereof as shall be necessary for that purpose, including reasonable costs and expenses; thirty days notice of the time and place of sale, shall be given by publication in two or more public papers, printed in Bangor, by inserting three weeks successively before the day of sale, an advertisement in which the quantity and marks of the lumber, the amount claimed, the names of the owners or persons interested therein, and the time and place of the sale, shall be set forth.

**Notice of sale.**            **SECT. 6.** If the corporation shall not be able to agree with any owner of land necessary to be taken and used for the purposes of the said boom, upon the damages to be paid therefor, the amount so to be paid shall be determined by the county commissioners, in the same manner as in case of damages for land taken in laying out highways.

**Marks of logs, &c., defined before sale.**            **SECT. 7.** Any person who shall willfully or maliciously injure the boom or its appendages, or any part thereof, or willfully or maliciously interfere with, or interrupt the use thereof, shall be liable to pay treble damages therefor, in an action of trespass in any court proper to try the same. *Provided*, that this section shall not apply to any person or corporation, or the servants thereof, having occasion to drive logs past said boom, which logs or other lumber may be detained or obstructed by said boom or piers, or the logs therein, and who shall, in good faith, in order to procure or facilitate the passage of said logs or other lumber, cut or remove said boom or piers, such persons having given reasonable notice of their desire to use the river for the purpose of driving their logs. And said corporation shall keep a record of all the logs stopped and rafted by them, with the marks and amount thereof, together with the names of the owners, a copy of which shall be transmitted to

**Land damages, how determined.**            *Provided*, that this section shall not apply to any person or corporation, or the servants thereof, having occasion to drive logs past said boom, which logs or other lumber may be detained or obstructed by said boom or piers, or the logs therein, and who shall, in good faith, in order to procure or facilitate the passage of said logs or other lumber, cut or remove said boom or piers, such persons having given reasonable notice of their desire to use the river for the purpose of driving their logs. And said corporation shall keep a record of all the logs stopped and rafted by them, with the marks and amount thereof, together with the names of the owners, a copy of which shall be transmitted to

**Penalty for injuring the works of said company.**            *Provided*, that this section shall not apply to any person or corporation, or the servants thereof, having occasion to drive logs past said boom, which logs or other lumber may be detained or obstructed by said boom or piers, or the logs therein, and who shall, in good faith, in order to procure or facilitate the passage of said logs or other lumber, cut or remove said boom or piers, such persons having given reasonable notice of their desire to use the river for the purpose of driving their logs. And said corporation shall keep a record of all the logs stopped and rafted by them, with the marks and amount thereof, together with the names of the owners, a copy of which shall be transmitted to

**How recovered.**            *Provided*, that this section shall not apply to any person or corporation, or the servants thereof, having occasion to drive logs past said boom, which logs or other lumber may be detained or obstructed by said boom or piers, or the logs therein, and who shall, in good faith, in order to procure or facilitate the passage of said logs or other lumber, cut or remove said boom or piers, such persons having given reasonable notice of their desire to use the river for the purpose of driving their logs. And said corporation shall keep a record of all the logs stopped and rafted by them, with the marks and amount thereof, together with the names of the owners, a copy of which shall be transmitted to

**Proviso.**            *Provided*, that this section shall not apply to any person or corporation, or the servants thereof, having occasion to drive logs past said boom, which logs or other lumber may be detained or obstructed by said boom or piers, or the logs therein, and who shall, in good faith, in order to procure or facilitate the passage of said logs or other lumber, cut or remove said boom or piers, such persons having given reasonable notice of their desire to use the river for the purpose of driving their logs. And said corporation shall keep a record of all the logs stopped and rafted by them, with the marks and amount thereof, together with the names of the owners, a copy of which shall be transmitted to

**Record of logs stopped and rafted with marks, &c., to be kept.**            *Provided*, that this section shall not apply to any person or corporation, or the servants thereof, having occasion to drive logs past said boom, which logs or other lumber may be detained or obstructed by said boom or piers, or the logs therein, and who shall, in good faith, in order to procure or facilitate the passage of said logs or other lumber, cut or remove said boom or piers, such persons having given reasonable notice of their desire to use the river for the purpose of driving their logs. And said corporation shall keep a record of all the logs stopped and rafted by them, with the marks and amount thereof, together with the names of the owners, a copy of which shall be transmitted to

the office of the surveyor general of lumber, at Bangor, in the month of January annually, for the inspection of persons interested in lumbering on said river.

SECT. 8. This act shall take effect from the time it is approved.

[Approved March 21, 1856.]

CHAP. 619.

Record, copy of, to be transmitted to surveyor general of lumber, in Bangor.

## Chapter 619.

An act to incorporate the Devonshire Mills Company.

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

SECT. 1. Joseph W. Cushing, William P. Lamson and N. S. Cromett, their associates, successors and assigns, are hereby created and constituted a body politic and corporate, by the name of the Devonshire Mills Company, and by that name shall have succession, and shall be capable to sue and be sued, in any court of law or equity, to have and use a common seal, and alter the same at pleasure, to purchase, lease, rent, hold, hire, pledge and dispose of real and personal property, deemed necessary for the uses and purposes of said company, to an amount not exceeding two hundred thousand dollars, and in general to have and exercise all such other rights, powers, facilities and privileges as now appertain to manufacturing corporations in this state, and such as may be necessary or proper for the purpose of manufacturing wool and cotton, and vending the same.

SECT. 2. The first meeting of this corporation may be called by any two of the persons named in this act, at such time and place in Sebec, as may be agreed upon by them, and at said meeting, and at all other meetings legally notified, said corporation may make, alter and repeal such by-laws and regulations, for the management of the business of said corporation, as a majority of the stockholders may direct, not repugnant to the laws of this state, or of the United States.

SECT. 3. Said corporation may divide their original stock into such number of shares, and provide for the sale and transfer thereof, in such manner and form, as said corporation shall from time to time deem expedient, not repugnant to the laws of this state.

SECT. 4. The office of said company shall be at Sebec, Piscataquis county, and all books of record and transfer shall be

Corporators.

Corporate name.

Rights, powers and privileges.

May purchase, hold and dispose of real and personal property not exceeding \$200,000.

General powers and privileges.

First meeting, how called.

By-laws.

Shares.

Office, where located. Records.