

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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Augusta:
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1856.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1856.

CHAP. 666.

Chapter 666.

An act to incorporate the West Branch Chesuncook Boom Corporation.

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

Corporators. SECT. 1. Ansel Smith, W. H. Strickland, E. Gilman Rawson, A. W. Leavitt and Bowman Varney, their associates and successors, are hereby constituted a body corporate to continue for fifteen years, by the name of the West Branch Chesuncook Boom Company, with all the rights and privileges for the management of corporations granted by the laws of this state.

Corporate name. SECT. 2. Said corporation is hereby authorized to construct and maintain a boom, piers, and other necessary erections, on the west branch of Penobscot river, at the head of Chesuncook lake, near the entrance of the river into the lake, for the purpose of stopping, securing and booming logs and lumber coming down the said west branch.

Authorized to construct boom, piers, &c. SECT. 3. They shall take care of and secure all such logs and lumber coming into their said boom, and deliver the same to the owners thereof on demand; and shall be entitled to demand and receive of such owners, a toll or boomage therefor, to be paid in thirty days after such delivery, as follows: for every pine log, two cents; for every spruce and other log, one cent; and to secure the payment of the toll or boomage, a lien is hereby created upon the said lumber to be enforced by a sale of so much thereof as shall be necessary to raise the sum due.

Purposos. SECT. 4. The said corporation is hereby authorized to purchase and hold land for the purposes of said boom and the convenient management thereof, not more than five hundred acres, and to erect all suitable buildings thereon for that purpose, and to occupy and use the shores of the river and lake, so far as is necessary, at the place where the boom is erected, and at such other places as is required for the convenient rafting and securing such logs and lumber.

Duties. SECT. 5. Any person who shall willfully or maliciously injure the boom and 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.

Toll. SECT. 6. If within three months from the approval of this act the Penobscot Log Driving Company shall offer to purchase and agree with the owners of the booms, piers and apparatus to the same belonging, erected the present season, at the place described in the second section, to purchase and pay for them.

—rates of.

Lien created.

May purchase and hold land, erect buildings, &c.

Penalty for injuring works of said company.

Act void if Penobscot Log Driving Co. purchase and pay for works of company, &c.

at a price and on terms to be agreed on by the parties, and if they cannot agree, then by referees mutually appointed by them, and if they cannot agree on referees, then by three referees appointed by any judge of the supreme judicial court residing in the county of Penobscot; to be appointed on the joint application of the parties or on the sole application of either, if the other refuses to join; which referees shall determine the price, time and mode of payment, and the persons to whom to be made; and if the log driving company shall perform said agreement or award, on their part to be performed, then this act shall be void.

[Approved April 9, 1856.]

Chapter 667.

An act additional to an act additional to an act to incorporate the Penobscot Log Driving Company.

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

SECT. 1. The powers granted to the said company are hereby enlarged and extended, so as to include within the chartered limits thereof, the boom and piers now in process of being erected at the head of Chesuncook lake, which are to become the property of said company, and all the expenses of erecting and completing the same, are to be assumed and borne by said company.

Powers enlarged and extended.

SECT. 2. The company may assess a toll, pursuant to the provisions of their charter, not exceeding one dollar for every thousand feet board measure of logs driven under the provisions of said act; and all acts and parts of acts, providing for any different rate of toll, are hereby repealed, except that they shall remain in force as to all tolls heretofore assessed and remaining uncollected.

May assess a toll.

Inconsistent acts repealed, &c.

SECT. 3. The directors may authorize the treasurer to give the company notes for the amount necessary to be raised to pay the expenses of erecting said boom and piers, for such sums and payable at such times as they direct. *Provided*, this act shall be accepted by the said company at a meeting called for that purpose.

Directors may authorize the treasurer to give company notes, &c.

Proviso.

SECT. 4. This act shall not take effect until the said company shall purchase the boom and piers mentioned in the first section, in the manner provided in this act, and in the sixth

Act, when to take effect.