

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE,

1858.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February  
26, 1840, and March 16, 1842.  
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1858.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1858.

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CHAP. 187.

Corporate name.  
Powers and privileges.  
Directors or trustees.

—authorized to fill vacancies.

Authorized to convey certain real estate.

—also personal property and demands.

Money received for sale of lots, &c. to constitute a fund.

—interest of, how appropriated.

—principal to remain a permanent fund.  
Proviso.

junior and Robert A. Chapman and their associates, proprietors of Bethel Hill Cemetery in Bethel, in the county of Oxford, their successors and assigns, are hereby created a body corporate by the name of the Woodland Cemetery Company, with all the powers and privileges of corporations.

SECT. 2. Moses Mason, Ira C. Kimball, Gilman Chapman, Almond Twitchell and Josiah Brown, second, are hereby constituted the directors or trustees of said corporation, who shall have power to fill all vacancies that may occur in their number by death, resignation or otherwise, and they and their successors shall forever manage the affairs of said cemetery and all funds thereunto belonging.

SECT. 3. The persons named in the preceding section are hereby authorized to convey to said corporation all the real estate which has hitherto been conveyed to them as trustees for a cemetery, subject to all conveyances made by them previous to such conveyance to said corporation, and also all personal property and demands held by them as trustees as aforesaid.

SECT. 4. All money received from the sale of lots in said cemetery from premiums paid in the choice of lots, and from the sale of wood and timber, shall constitute a fund the interest alone of which shall be appropriated for the general improvement of the grounds, and the principal shall remain a permanent fund for that purpose; *provided, however,* that the directors or trustees of said corporation may expend a sum out of said principal which with the sum already expended by them as trustees, shall amount to the sum of five hundred dollars.

[Approved March 11, 1858.]

**Chapter 187.**

An act to incorporate the East Branch Mattawamkeag Dam Company.

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

Corporators.

Corporate name.  
Rights and powers.

SECT. 1. Isaac M. Bragg, his associates, successors and assigns, are hereby created a corporation by the name of the East Branch Mattawamkeag Dam Company, with all the rights and powers of such corporations under the general laws of the state, for the purpose of maintaining the dam and booms erected across the east branch of the Mattawamkeag river, near the north line of, and upon town-

ship number four in the third range west from the east line of the state in the county of Aroostook, and for the purpose of improving the navigation of said stream.

SECT. 2. Said corporation shall have a toll of ten cents on a thousand feet, for all logs and lumber passing by said dam, and a lien thereon to secure said toll, and if it is not paid within ten days after the arrival of said lumber at the Penobscot boom, the corporation may advertise the sale thereof in one of the newspapers printed in Bangor, at least ten days before the day appointed for the sale, and if said toll is not paid before such time, may sell so much thereof as is necessary to pay said toll and expenses.

Toll.

Lien.

May advertise and sell, &amp;c.

SECT. 3. David Thomas and Watson Dyer are hereby constituted commissioners to appraise the value of the dam as it now stands; and when said corporation is reimbursed for said appraised value, and repairs of said dam, and for any suitable improvements that may be made in the stream below, to facilitate the running the logs with twelve per cent. annual interest thereon, the toll shall be reduced to two cents on a thousand feet, subject to the control of the legislature, for the purpose of keeping said dam and works in repair.

Commissioners to appraise dam.

SECT. 4. When any owner of lumber passing by said dam, applies in writing to the county commissioners of Penobscot county, alleging that said corporation is reimbursed, they shall notify the parties and examine into the matter; and if they find the allegation true, they shall so award, and the toll shall be reduced from the date of their award as aforesaid.

County commissioners, owners of lumber may make application to.

SECT. 5. The said David Thomas and Watson Dyer shall constitute a board of commissioners to decide and direct what repairs or alterations shall be made in said dam, and what improvements shall be made in the stream, and to audit and certify the expenses of making the same, and to decide when the said toll shall commence; and if said repairs and improvements cannot be fully made before the time for driving logs this year, the said commissioners are hereby empowered to make such abatements from said toll for this year as they may deem just and equitable; and if the company unreasonably neglect to make the repairs and improvements ordered this year, and the logs in consequence, cannot be driven, the commissioners may, if they deem just, exempt them from toll wholly or in part when they do come. Any vacancy in said commission occasioned by death or otherwise, shall be filled by appointment made by the land agent of this state.

Commissioners.—duties of.

Neglect of company to make repairs, &amp;c.

SECT. 6. If said company is not satisfied with the appraisal of said dam, above provided for, it may abandon said dam to the public, and if at any time, said company is not satisfied with the order for

Company not satisfied with appraisal, &amp;c., may abandon.

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repairs and improvements, it may abandon said dam and improvements to the public, and said tolls shall then cease.

[Approved March 11, 1858.]

**Chapter 188.**

An act repealing "an act to incorporate the Portland Marine Railway."

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

Acts, approved  
Feb. 6, 1826  
and Jan. 21,  
1834, repealed.

The act to incorporate the Portland Marine Railway, approved February sixth, in the year of our Lord eighteen hundred and twenty-six, and the act in addition thereto approved January twenty-first, eighteen hundred and thirty-four, are hereby repealed.

[Approved March 11, 1858.]

**Chapter 189.**

An act to incorporate the town of Fort Fairfield.

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

Town of Fort  
Fairfield, in-  
corporation of.

SECT. 1. So much of township letter D, first range west from the east line of the state, in the county of Aroostook, as lies south of the Aroostook river, together with so much of the township granted to the town of Plymouth, as lies south easterly of the same river, is hereby incorporated into a town by the name of Fort Fairfield; and the inhabitants of said town are hereby vested with all the powers, privileges, immunities and liabilities, of inhabitants of other towns.

Powers, privi-  
leges, &c.

First meeting,  
how called.

SECT. 2. Any justice of the peace, within the county of Aroostook, is hereby empowered to issue his warrant to some inhabitant of said town, directing him to notify the inhabitants thereof to meet at such time and place as he shall appoint, to choose such officers as other towns are empowered to choose, at their annual town meeting.

Effects and ob-  
ligations.

SECT. 3. The town hereby created shall take the effects belonging to plantation letter D, and shall also assume all the obligations of said plantation.

SECT. 4. This act shall take effect from and after its approval by the governor.

[Approved March 11, 1858.]