

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

112

PASSED BY THE

FORTIETH LEGISLATURE

OF THE

STATE OF MAINE.

1861.

Published by the Secretary of State, agreeably to Resolves of June 23, 1820,
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1861.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1861.

plying the people of said city and towns with pure water and for all necessary and useful purposes subject to the liabilities provided for by said act.

SECT. 3. Said corporation is hereby authorized to supply the inhabitants of the villages of West Camden and Rockville, in the town of Camden, with water from said Oyster river pond.

Authorized to supply inhabitants of Camden, with water.

SECT. 4. The provisions of the tenth section of the act to which this is additional, shall be in force and have application in respect to the waters of Oyster river pond as to those of Tolman's pond, and also in respect to any wilful injury of any dam, reservoir, aqueduct, pipe or other property which may be held, owned or used by said corporation in pursuance of the powers herein granted.

Sect. 10, act of 1850, shall be in force, for certain purposes.

SECT. 5. Said corporation may hold real and personal estate necessary and convenient for the purposes aforesaid, not exceeding in amount one hundred and fifty thousand dollars.

May hold real or personal estate.

[Approved March 14, 1861.]

Chapter 80.

An act to incorporate the Magalloway River Dam Company.

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

SECT. 1. John Lynch of Portland, Augustus C. Barker of Albany, and Albert H. Gerrish of Bethel, all in the State of Maine, their successors and assigns, are hereby created a corporation by the name of the Magalloway River Dam Company, with all the powers, rights and privileges, and subject to all the liabilities of similar corporations.

Corporators.

Corporate name.

Powers, privileges, &c.

SECT. 2. Said corporation is hereby authorized to construct and maintain two dams across the Magalloway river, in the county of Oxford, in this state. One of said dams to be across the said river at the outlet of the Parmachena lake, in township number five in range four, and the other dam across Ozcohas falls, in township number five, range two, and also to erect and maintain a boom on said river at some suitable point near the foot of said Ozcohas falls, which will facilitate the transportation of logs and other timber over said falls and down said river, to enter upon and take such lands or materials as may be necessary to make their said improvements, and to flow such land as far as it may be necessary to accomplish this object, *providing* said corporation shall pay to the owners of such lands and materials so taken, such compensation as the

Authorized to construct dams.
Location.

Authorized to erect boom.

May take lands, &c.

—and flow same.
Proviso.

CHAP. 80.

Compensation
for land, &c.,
taken, how
determined.

—for land
flowed, reme-
dies.

Capital stock.
Shares, how
may be dis-
posed of.

Toll.

Lien.

May sell at
public auction
after twenty
days notice.

Rights of per-
sons driving
logs.

First meeting,
how called.

Corporators to
keep account of
expenditures,
&c.

parties shall agree upon, and if they cannot agree, then to pay such damages as the commissioners of said Oxford county shall adjudge, under the same conditions as are by law provided in cases of damage by laying out public highways; and for lands flowed, the owners shall be entitled to the same remedies that are provided in chapter ninety-two of the revised statutes in case of flowing lands by the erection of dams for mills.

SECT. 3. The capital stock of said corporation shall be divided into fourteen equal shares, and the proprietors of township number five in range two, shall have the right to subscribe for and hold two shares; the proprietors of township number five, range three, to have four shares; the proprietors of township number five, range four, to have four shares, and the proprietors of township number five, range five, to have the right to subscribe for and hold four shares; and if any of the proprietors of the aforesaid towns shall neglect for the term of thirty days after the organization of said corporation to take their proportion of said stock, then the same may be taken by the other proprietors of such towns.

SECT. 4. Said corporators from and after they shall have constructed said dams and booms contemplated by this act, may demand and receive a toll of five cents for each and every thousand feet board measure, according to the woods scale, so called, for all logs or other timber that shall pass over or by their said lower dam, and also five cents additional for each and every thousand feet that shall pass over or by their upper dam. And said corporators shall have a lien on all such logs or timber until the full amount is paid on all logs of any particular mark, and if not paid within twenty days after the same shall have passed below the said boom or lower dam, the said corporation may sell at public auction after twenty days notice in some newspaper printed in said county of Oxford, so much of said logs or timber as may be necessary to pay said toll and incidental charges.

SECT. 5. Any person driving logs through said dams shall be entitled to all the benefits of the water by having the same let off or withheld, as may be necessary, under the direction of the agent of said corporation.

SECT. 6. Any two of the corporators named in the first section of this act, may call the first meeting of the corporation by publishing a notice of the time, place and purposes of the same three weeks successively in the Oxford Democrat, a newspaper published at Paris, fourteen days at least before the time appointed for said meeting.

SECT. 7. Said corporators shall keep an accurate account of all the expenditures and disbursements, and also of their receipts for tolls, which shall be open to inspection at all reasonable times to any person interested in the same.

SECT. 8. This act shall take effect from and after its approval by the governor. CHAP. 81.

[Approved March 15, 1861.]

Chapter 81.

An act to apportion the state for representatives to congress.

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

SECT. 1. The Counties of York and Cumberland, shall compose the first district, and be entitled to one representative. First district, limits of.

The counties of Oxford, Franklin, Androscoggin and Sagadahoc, shall compose the second district, and be entitled to one representative. Second district.

The counties of Kennebec, Somerset, and Lincoln, together with the towns of Washington, Union, Warren, Friendship, Cushing, St. George, and Thomaston, and the islands of Matinicus, Muscle Ridge, Otter, and Cranberry, from the county of Knox, shall compose the third district, and be entitled to one representative. Third district.

The counties of Penobscot, Piscataquis and Aroostook, shall compose the fourth district and be entitled to one representative. Fourth district.

The counties of Waldo, Hancock and Washington, together with the city of Rockland and the towns of Camden, Hope, Appleton, South Thomaston, Vinalhaven and North Haven, from the county of Knox, shall compose the fifth district, and be entitled to one representative. Fifth district.

SECT. 2. The election of representatives to congress shall take place and be on the second Monday of September, one thousand eight hundred and sixty-two, and thereafter biennially. Time of elections established.

SECT. 3. The representatives chosen in the several districts shall, at the time of their election, be residents therein. The foregoing division of the state into representative districts, shall be and continue in force until an apportionment shall be made for representatives to congress after the taking of the ninth census. But in case any vacancy among the representatives to congress requires an election prior to the second Monday of September, one thousand eight hundred and sixty-two, then such vacancy shall be filled by the proper district, under the apportionment of April seventeenth, one thousand eight hundred and fifty-two. Representatives to be resident of district.
This division to continue until a new apportionment.
Vacancy in present delegation to be filled under act of April 17, 1852.

SECT. 4. This act shall take effect and be in force from and after the day when the executive of the state shall receive official notice of the number of representatives to congress apportioned to the state, under the eighth census, and thereupon the executive shall make proclamation of the fact. This act when to take effect.

Proclamation.