

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

## FORTY-FIRST LEGISLATURE

OF THE

### STATE OF MAINE.

1862.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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1862.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1862.

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CHAP. 187.**Chapter 187.**

An act allowing the county commissioners of Lincoln county to regulate the compensation for board of persons in jail, in that county.

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

Board of prisoners in jail to be regulated by county commissioners.

SECT. 1. The county commissioners of Lincoln county, are hereby authorized to regulate the amount to be allowed for the board of persons committed to the jail in said county; the same not to exceed for each person two dollars a week.

SECT. 2. This act shall take effect when approved by the governor.

[Approved March 19, 1862.]

**Chapter 188.**

An act to make valid the doings of James Mann, constable and collector of the town of Webster for eighteen hundred fifty-eight and eighteen hundred fifty-nine.

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

James Mann, doings of, as collector of Webster, made valid.

SECT. 1. The doings and acts of James Mann, in his official capacity as constable and collector of the town of Webster, for the years eighteen hundred fifty-eight and eighteen hundred fifty-nine, are hereby made valid.

SECT. 2. This act shall take effect on its approval by the governor.

[Approved March 19, 1862.]

**Chapter 189.**

An act to incorporate the Kennebec Boom Company.

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

Corporators.

SECT. 1. Artemas Libby, Benjamin A. G. Fuller, H. H. Hill, Charles Milliken and George D. Stanley, their associates and successors, are hereby constituted a body politic and corporate by the name of the Kennebec Boom Company, with power to erect and maintain a boom at or near Brown's Island, in the Kennebec river, near the south line of Vassalborough and Sidney, for the purpose of stopping, securing and rafting logs and other lumber, and may purchase and hold any estate real or personal, necessary for that purpose, and have and enjoy all the rights and privileges, and be

Corporate name.

May hold real and personal estate.

subject to all the duties and requirements, incident to similar companies, 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.

SECT. 2. The said corporation shall have the right to stop and secure in their said boom, all logs and lumber which the owners shall request in writing to have stopped and rafted, and shall faithfully and as far as consistently with the rights of other persons, in the use of the river, can be done, seasonably raft with suitable poles, lock downs and other proper apparatus and rigging, all logs and lumber so stopped, in a manner suitable to be run through the Kennebec dam to places below.

SECT. 3. Said corporation may stop all logs and lumber that they may be notified by the owners in writing to stop, which writing shall describe the marks of said logs or lumber. They shall not place or maintain in the river any pier or other structure, so constructed as to cause a jam, any unreasonable delay or obstruction to the passage of logs or lumber, rafts or boats. For all damages to any person by reason of the violation of these provisions, the corporation shall be liable in any proper action.

SECT. 4. For all logs and lumber so stopped and rafted, the corporation shall be entitled to demand and receive a toll or boamage at the following rates, to wit: for logs, ten cents per log, but if the owner of the logs shall furnish the rigging for rafting, eight cents per log; for juniper timber and ton timber, twenty cents per ton; for ranging timber, twenty cents per hundred feet, long measure; for masts and spars, forty cents per thousand feet, board measure; for juniper knees, five cents each.

SECT. 5. To secure the payment of the toll or boamage, 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 each of the following places, to wit: Gardiner, Augusta and Skowhegan, by inserting three weeks successively before the day of sale, an advertisement in some newspaper therein published, in which the quantity and marks of the lumber, the amount claimed, the names of the owners if known, shall be set forth.

SECT. 6. All requests in writing by owners to have their logs stopped and rafted in said boom, shall be kept on file by the clerk of the corporation, and recorded by him in a book kept for that purpose, and the files and book shall at all times be open to the inspection of all persons interested in lumbering on the river. The boom shall be so constructed as to provide at all times for the free

CHAP. 189.

Rights,  
privileges, &c.  
May take land,  
&c.Right to stop  
and secure  
logs, &c.May stop  
certain logs,  
&c.—not to  
obstruct river  
by piers, &c.

Damages.

Toll.

Lien upon logs,  
&c., for toll.

Notice of sale.

Requests to be  
kept on file and  
recorded.—to be open to  
inspection.  
Boom, how  
constructed.

## CHAP. 190.

Logs, &c., to be turned out of boom once every twenty-four hours.

Land taken, if owner and corporation cannot agree, county commissioners to determine the damages.

Any person willfully injuring boom, &c.

Liability.

—not to apply in certain cases.

Record to be kept of logs, &c., stopped and rafted, &c.

Act of incorporation revised and amended.

and convenient passing of all logs, rafts, lumber and boats, without obstruction. All logs and lumber found therein of the marks directed by the owners as aforesaid to be stopped and rafted therein, shall without charge to the owner be turned out of the boom as often as once in every twenty-four hours.

SECT. 7. If the corporation shall not be able to agree with the owner of land necessary to be taken and used, for the purposes in this act provided for, 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.

SECT. 8. Any person who shall willfully or maliciously injure the boom or its appendages, or willfully or maliciously interfere with, or interrupt the use thereof, shall be liable to pay treble damage therefor in action of trespass, in any court proper to try the same. But this section shall not apply to any person or corporation, or servant thereof, having lawful right to use the river with logs, rafts, lumber or boats, unreasonably obstructed in such use, by the boom or its appendages, and who in good faith to procure the passage of such logs, rafts, lumber or boat, find it necessary to cut away or otherwise remove the boom or its appendages, such corporation or persons having given to said Kennebec Boom Company reasonable notice of their desire to use the river for such purpose.

SECT. 9. The corporation shall keep a record of all logs and lumber stopped and rafted by them, with the marks, the amount thereof, the names of the owners, if known, and the amount of toll or boomage, which shall at all times be open to the inspection of all persons interested in lumbering on the river.

SECT. 10. This act shall take effect from its approval.

[Approved March 19, 1862.]

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### Chapter 190.

An act to revive and amend "an act to establish the Kennebec and Wiscasset Railroad Company."

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

SECT. 1. The act to establish the Kennebec and Wiscasset Railroad Company is hereby revived, reserving to the legislature the power to alter the same and amended by adding in the first section after the word "Dresden" the word Woolwich; also amended by striking out in section eighteen, the words "fifty-seven" and in-