

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

FORTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE.

1862.

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

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1862.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1862.

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.]

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-

serting sixty-seven; and by striking out in the same section the words "sixty-four" and inserting seventy-four; also amending by striking out in sections nineteen and twenty the words "Lincoln Democrat" and inserting the words Bath Times or some other paper printed in Lincoln or Sagadahoc counties.

SECT. 2. This act shall take effect and be in force from and after its approval by the governor.

[Approved March 19, 1862.]

CHAP. 191.

Chapter 191.

An act to incorporate the Somerset and Kennebec Telegraph Company.

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

SECT. 1. Abner Coburn, Joseph Eaton and Samuel Cony, their associates and successors, are hereby created a body corporate by the name of the Somerset and Kennebec Telegraph Company, for the purpose of constructing, maintaining and operating lines of electric telegraph from some point in the city of Augusta to the town of Skowhegan, and thence northerly to any other point or place lying northerly therefrom, with all the rights and privileges, and subject to all the liabilities provided by the general laws of this state relating to corporations and telegraph companies.

Corporators.

Corporate name.

Route of line.

Rights, privileges, &c.

SECT. 2. The said company is authorized to locate and construct its lines aforesaid along and upon any public highway, or railroad, or private property, or across any land, by the erection of the necessary fixtures; but the same shall not be so constructed as to incommode the public use of said roads or highways, or interrupt the navigation of any waters, nor shall the company have authority to construct any bridge across any waters of this state; *provided however*, said lines shall be constructed within three years after the passage of this act.

Location and construction.

—not to obstruct roads, &c.

Proviso.

SECT. 3. The company shall have power, by agreement with other persons or bodies corporate, to connect their lines of telegraph, with other lines of telegraph constructed within or out of this state.

May connect with other lines.

SECT. 4. The said company shall have authority to cut down any trees except ornamental or shade trees, which may be within the limits of the highways, and which would otherwise obstruct the erection of their lines, or injure the same by falling. And any trees standing upon lands by the side of any road, by which the said lines shall be located, may also be cut down, if necessary for the safety of such lines, and the owners of such lands shall be en-

Authorized to remove trees.

Damages, how ascertained and determined.