

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

PASSED BY THE

FORTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1864.

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

AUGUSTA:
STEVENS & SAYWARD, PRINTERS TO THE STATE.
1864.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1864.

Chapter 343.

An act to incorporate the Swift River and Black Brook Improvement Company.

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

Corporators.

Corporate name.

Powers, rights, privileges, &c.

Authorized to construct and maintain dams, &c.

May take land and materials.

Proviso.

—damages, how determined.

Toll established.

—lien created for payment of.

—may sell logs, &c., after notice.

First meeting, how called.

SECT. 1. James Wood, A. M. Jones and John N. Wood, are hereby created a corporation by the name of the Swift River and Black Brook Improvement Company, with all the powers, rights and privileges, and subject to all the liabilities of similar corporations.

SECT. 2. Said corporation is hereby authorized to construct and maintain dams and side dams, with side booms and sluices, and all other improvements on said Swift river and Black brook, and their branches, which facilitate the transportation of logs and other lumber down said river and brook, to enter upon and take such land and material as may be necessary to make their said improvements, and to flow such land so far as it may be necessary to accomplish their object; *provided* said corporation shall pay to the owners of said land and material so taken as the parties shall agree upon, and if they cannot agree, they shall pay such damages as may be adjudged by the county commissioners of Oxford county, in the same manner and under the same conditions and liabilities as are provided in the case of damage by the laying out of public highways, and for lands flowed by said corporation the owners shall be entitled to the same remedies that are provided in chapter one hundred and twenty-six of the revised statutes, in case of flowing lands by the erection of dams for mills.

SECT. 3. Said corporation from and after they shall have constructed the dams, side booms, side dams, sluices and other improvements contemplated by this act, may demand and receive a toll of twenty-five cents per thousand feet board measure, according to the woods scale, so called, for all logs and lumber that shall pass over or by their dams and improvements, except such lumber as may be cut on settlers lots, owned and occupied by them in the towns of Roxbury and Mexico; and said corporation shall have a lien on all such logs or lumber until the full amount of toll is paid on all logs of any particular mark; and if not paid within thirty days after the same shall arrive at the Lewiston boom, or at the place of manufacture above Lewiston, on the Androscoggin river, said corporation may sell at public auction, after twenty days notice in some newspaper printed in the county of Androscoggin, and in some newspaper printed in the county of Oxford, so much of said logs or lumber as may be necessary to pay said toll and all incidental charges.

SECT. 4. Any two of the corporators named in the first section hereof, may call the first meeting of the corporation by publishing

a notice of the time, place and purpose 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.

CHAP. 344.

SECT. 5. Said company shall keep a true and accurate account of the cost of such improvements as shall be made, which shall be open to inspection at all times to land owners or operators, and when the toll received shall have paid the cost of the improvements and twelve per cent. per annum interest on the same, the toll shall be reduced to a sum sufficient to keep the works in repair. The accounts for repairs and improvements on each brook shall be kept separate, and toll collected separately, and all acts inconsistent with the above act are hereby repealed, and this act shall take effect on its approval by the governor.

Company to keep accurate account of cost, &c.
—shall be open to inspection.
—toll, when shall be reduced.

Accounts, how to be kept, &c.
Inconsistent acts repealed.

Approved March 8, 1864.

Chapter 344.

An act to incorporate the Parks Pond Dam Company.

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

SECT. 1. John M. Comins, D. W. Bartlett, Alonzo B. Comins, their associates and successors, are hereby incorporated into a company by the name of the Parks Pond Dam Company, with all the powers and privileges of similar corporations.

Corporators.

Corporate name.

SECT. 2. The said company are authorized to improve the stream between the mill dam below Parks pond in Clifton, in the county of Penobscot, and Leonard's or Nichols pond, by removing the rocks and other obstructions, also by erecting dams if deemed necessary, so as to render said stream more convenient for the driving of logs down the same.

Authorized to improve stream, &c.

SECT. 3. The company may demand and receive a toll of thirty-five cents for each thousand feet, board measure, straight and sound scale, on all logs and lumber which may be driven down said stream between said mill dam and Leonard or Nichols pond, and shall have a lien upon all the logs for the payment of the tolls. And if said toll is not paid within twenty days after the passage of the logs, or a major part of the same, the company may advertise such logs for sale in some newspaper printed in Bangor, giving ten days notice of the time and place of sale, and sell at public auction so many of said logs and lumber as may be necessary to pay the toll and all charges.

Toll established.

Lien on logs for toll.

—may sell logs for payment of toll after notice.