

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

115

PASSED BY THE

FORTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1866.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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1866.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1866.

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straight line to an ash tree standing on the dividing line between lands of Isaac Deering of Waterborough and Stephen Warren of Hollis, mentioned in the act of the legislature of the year eighteen hundred sixty-five, establishing the easterly line of Waterborough, is hereby set off from said Waterborough, with the inhabitants thereon and their estates, and annexed to the town of Hollis, in said county; and the lines above described are hereby established as the dividing lines between said towns, so far as they extend the last named line, being substantially the line known as the Knights line.

Territory comprised in foregoing set off from Hollis to Waterboro'.

Dividing lines established.

SECT. 2. The inhabitants and estates hereby set off, shall be held to pay all uncollected taxes legally assessed on the same by the town of Waterborough, and said taxes shall be collected and paid the same as if this act had not been passed.

Taxes, &c.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed; and this act shall take effect on its approval.

Approved February 19, 1866.

### Chapter 117.

An act to incorporate the Bangor and Oldtown Association.

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

SECT. 1. James Walker, Amos M. Roberts, William H. Smith, David N. Estabrook, Eben Webster, Darius Eddy, John W. Veazie, Joab W. Palmer, Nathan C. Ayer, William T. Pearson, Davis R. Stockwell, Eben Blunt and Charles Sterns, their associates and assigns, are hereby created a body politic and corporate by the name of the Bangor and Oldtown Association, with all the powers and privileges of similar corporations.

Corporators.

Corporate name, powers, &c.

SECT. 2. The said corporation are authorized to improve the navigation of the Penobscot river between Oldtown Falls, and including said Falls in Oldtown and Milford, and Treat's Falls in Bangor and Brewer, for the running of logs and lumber, by the removing of obstructions in the river, and building of dams and side dams, which may be necessary; and for these purposes the corporation may take and hold such real estate as may be necessary for the location of their dam or dams, and the earth, gravel and stone necessary to the construction of the same; *provided* that said corporation shall pay for the land and materials so taken, such price as they and the owners thereof, may mutually agree on; and in case the parties shall not otherwise agree, then the said corporation shall pay such damages as shall be ascertained and deter-

Purposes and location.

Removal of obstructions and construction of dams.

Proviso.

Damages for lands taken.

## CHAP. 117.

May appropriate and sell by consent of owners certain lumber.

mined by the county commissioners for the county of Penobscot, in the same manner, and under the same limitations, as are by law provided in the case of damages by laying out of highways; and the land so taken by the corporation, shall be held as lands taken and appropriated for public highways; and the corporation is further authorized to pick up, secure and sell, by the consent of the owners, all the stray sawed lumber lying in said river, between said Oldtown Falls and said Treat's Falls, and the proceeds of said lumber, by the consent of the owners, to be appropriated in making said improvements.

Tolls.

SECT. 3. To further provide the money to make such improvements and to reimburse said corporation for moneys advanced in making such improvements, a toll is hereby granted and created to be paid said corporation, and said corporation may demand and receive a toll of six cents for each thousand feet, board measure, of all logs, masts, spars and hewn timber, floated and run down said river, from said Oldtown Falls and above, to said Treat's Falls, and one cent for each hackmetac knee; but no toll is to be paid on logs, masts, spars or hewn timber floated and run as aforesaid to any intermediate point above said Treat's Falls, and there manufactured into lumber; but in lieu of such tolls upon logs, masts, spars and hewn timber so run to said intermediate point, the said corporation may demand and receive a toll upon all manufactured and sawed lumber, as follows, namely: six cents for each thousand feet, board measure, of all long sawed lumber; three cents for each thousand of clapboards; one cent for each thousand of shingles and laths floated and run from said Oldtown Falls and above, or from any intermediate point, between said Oldtown Falls and Treat's Falls, to tide water at said Treat's Falls; but such lumber aforesaid, manufactured at the saw mills in Orono and above on the Stillwater branch and run to said Treat's Falls, shall pay only one half of the aforesaid toll, namely: three cents for each thousand feet, board measure, for all sawed long lumber, and one and one half cents for each thousand of clapboards, and one half cent for each thousand of shingles and laths; except the lumber sawed at the Basin Mills, so called, in Orono, and for all lumber manufactured at said Basin Mills in Orono, and run to said Treat's Falls, from logs run to them down the main river, the corporation shall demand and receive six cents for each thousand feet, board measure, for all long sawed lumber, and three cents for each thousand of clapboards, and one cent for each thousand of shingles and laths; and for the lumber manufactured at said Basin Mills, from logs run to them down the Stillwater branch, the same toll is hereby imposed as upon lumber manufactured at the other saw mills in Orono and above on the Stillwater branch; and it shall be the duty of the owners of all such logs and lumber to pay all such

tolls, within twenty-four hours after the same has arrived in tide water below said Treat's Falls; and said corporation shall have a lien upon all logs and lumber which may be floated down said river as aforesaid, until the full amount of toll due shall be paid; and if not paid within twenty-four hours after such logs and lumber shall arrive in the tide water below said Treat's Falls, then the said corporation may sell at public auction, after three days notice in some newspaper printed in Bangor, so much of said logs and lumber as may be necessary to pay said toll and the expense of advertising and selling, and all other incidental charges.

Liens.

SECT. 4. No compensation shall be paid to any of the officers of the corporation, except to the treasurer for collecting the tolls; and all sums received for tolls shall first be applied to reimburse the corporation for all sums expended by them in making said improvements, with twelve per cent interest, and the balance remaining shall be expended from time to time in making further improvements in the navigation of the said river between said Oldtown Falls, including said Oldtown Falls and Treat's Falls for logs and lumber.

Compensation.

Proceeds, how expended.

SECT. 5. The election of the officers of the corporation shall be annual; and after the organization of the corporation, any owner of logs in the Penobscot boom, or below the said boom, and designed to be manufactured, and the lumber floated down the river to market, or any owner of logs in said boom or below it, designed to be run into tide water and there manufactured into lumber, may become a member of the corporation by leaving with the treasurer sufficient evidence of his being the owner of such logs and of the amount thereof; and each person, a member of the corporation, shall be allowed one vote for every hundred thousand feet of his logs, board measure, belonging to him as aforesaid.

Officers.

Conditions of membership.

Basis of representation by vote.

SECT. 6. The corporation may make a pro rata discount from time to time, as may deemed necessary, to such persons as may make prompt payment, to the treasurer, of tolls due; and the corporation may borrow money to make said improvements, not exceeding in the aggregate, the sum of ten thousand dollars.

Discount for tolls.

Loans and limitation of same.

SECT. 7. Nothing in this act shall be so construed as to impair any rights belonging to the Penobscot Mill Dam Company or to give this association any authority to flow out any mill property without the consent of the owners.

Rights of Penobscot Mill Dam Co., &c. Flowage, &c.

SECT. 8. Said corporation shall keep a true and accurate account of all sums expended by said company for such improvements, which shall be open at all times to any person interested, and when tolls received shall have paid the costs of the improvements and twelve per cent. annual interest, and all sums necessary for repairs, the toll shall be reduced to a sum sufficient to keep said works in repair; and if at any time thereafter it shall become

Accounts to be kept open for inspection.

Power to reduce or increase tolls.

**CHAP. 118.** necessary to rebuild any of said company's works, the tolls may be increased, but not to exceed the amount mentioned in this act.

Approved February 20, 1866.

### Chapter 118.

An act to make valid the doings of the municipal officers of the town of Lebanon.

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

Assessments upon inhabitants, and notes of treasurer, for moneys for bounties, made valid.

SECT. 1. The assessment made by virtue of a vote to raise thirteen thousand seventy-seven dollars and forty-four cents, upon the inhabitants of Lebanon, in eighteen hundred sixty-five, and the notes given by Thomas M. Wentworth, treasurer of said town, for an amount not exceeding eleven thousand seven hundred and thirty dollars, to raise funds to fill the quota of Lebanon, under the call of the President of the United States, December nineteen, eighteen hundred sixty-four, for three hundred thousand troops, are hereby made valid and binding upon said town.

SECT. 2. This act to take effect from and after its approval by the governor.

Approved February 20, 1866.

### Chapter 119.

An act to authorize the city of Bangor to further aid the construction of the European and North American Railway.

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

Credit of city may be further loaned to amount of \$500,000.

SECT. 1. The city of Bangor is hereby authorized to further loan its credit to the European and North American Railway Company in aid of the construction of their railroad, not exceeding however, the additional sum of five hundred thousand dollars, upon their compliance with the following terms and conditions.

Conditions.

SECT. 2. If this act shall be accepted as hereinafter provided, and said company shall within two years from its approval, finish and complete their line of railway from the depot of the Maine Central Railroad in the city of Bangor to a point ten miles above a point opposite the Bangor, Oldtown and Milford depot in Milford village, to the approval of the mayor and aldermen, for the time being, of the said city, as a first class railroad, and shall have acquired the right of way according to law by payment of awards