

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

## FORTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE.

1867.

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

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AUGUSTA:  
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1867.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1867.

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CHAP. 193. two-thirds of the votes cast at such meetings shall be necessary for the acceptance of this act. The respective town clerks shall make a record thereof, and if the act shall be accepted as afore-said, then after such acceptance and record thereof, all the parts of the act shall take effect and be in full force thereafter on the towns so accepting the same.

Approved January 25, 1867.

### Chapter 193.

An act to authorize Patrick Gillise, David L. Brown and James Whalen to build fish-weirs within certain limits in West Quoddy Bay.

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

Location.

Boundaries.

Conditions as to obstruction of navigation.

Signals.

SECT. 1. Patrick Gillise, David L. Brown and James Whalen are hereby authorized to erect and maintain fish-weirs in the waters of West Quoddy Bay, so called, in the town of Lubec, within the following described limits :—beginning at a point ten rods east of the eastern part of Samuel Mowry's fish-weir, and west of the ship channel in said bay ; thence south twenty-two degrees east fifty rods, by the westerly side of said channel ; thence south two degrees west eighty rods, by said channel ; thence south sixty degrees west sixty-five rods ; thence north two degrees east eighty rods ; thence north twenty-two degrees west fifty rods ; thence north sixty degrees east sixty-five rods, to the place of beginning ; *provided however*, that any weir erected or built within the above described limits shall not be so constructed as to obstruct the navigation of said channel or bay.

SECT. 2. Suitable poles shall be placed on such weirs as shall mark their location when covered by the tide, with proper signals thereon, each pole to be no less than ten feet above the tide at high water.

Approved January 25, 1867.

### Chapter 194.

An act to incorporate the Lewiston Equitable Co-operative Society.

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

Corporators.

SECT. 1. Linneus Cheetham, William T. Burke, Isaac Bagnall, Samuel Brooks, Thomas Casson, John Duckworth, John Ashworth,

## CHAP. 194.

Henry Pearson, and their associates, successors and assigns, are hereby created a body corporate by the name of the Lewiston Equitable Co-operative Society, for the purpose of buying and selling merchandise, subject to the duties, restrictions and liabilities provided by the laws of this state, concerning corporations, and shall enjoy all the privileges and rights appertaining to the same, except so far as they may be limited or enlarged by this act, with power to purchase and to hold real estate and personal property not exceeding in value twenty thousand dollars, and to make and adopt all needful by-laws, not inconsistent with the laws of this state.

Name and purpose.

Rights and powers, &amp;c.

SECT. 2. The business of the society shall be managed by a president, a board of not less than three directors and a treasurer, who shall be styled a board of managers, who shall be chosen annually by the stockholders, and hold their offices until others are chosen and qualified in their stead.

Officers.

SECT. 3. The capital stock of said society shall not exceed twenty thousand dollars, to be divided into shares of not less than five dollars each, and no member shall be entitled to hold any interest therein exceeding five hundred dollars, nor shall any certificate of stock be issued until the full amount thereof shall have been paid in cash, nor shall any person become a shareholder except by consent of the managers.

Capital.

SECT. 4. When the society shall have been organized, it shall be the duty of the board of managers to prepare a statement of the condition of the same, containing the amount of the capital stock, the par value of the shares, the number of shares issued, the names and residences of the shareholders, the number of shares owned by each, and the same shall be filed and recorded in the office of the clerk of the city of Lewiston, and on or before the tenth day of January thereafter, annually, they shall prepare a like statement of the same facts as they existed on the first day of January, with a statement of the kind and amount of property of the society on that day, and of all of its debts and liabilities of every kind, and the same shall be filed and recorded in the office of the clerk of the city of Lewiston. The above statements shall be signed and sworn to by a majority of the board of managers, and if the board of managers shall fail to make these returns, or shall make untrue returns, they shall be jointly and severally liable for all the debts existing at the date of the return, or at the time such return should have been made.

Annual statement of condition of corporation.

How made, filed and recorded.

Penalty for neglect, &amp;c.

SECT. 5. The society shall have power to prescribe, in their by-laws, for the distribution of the net profits among the purchasers and shareholders, and to appropriate a portion thereof, not exceeding ten per cent. of the net profits, annually, for charitable and literary purposes.

Distribution of profits, how applied, &amp;c.

**CHAP. 195.**

Organization.

SECT. 6. The first meeting of said society may be called by a notice, signed by any two of the corporators, published six days successively before the day fixed for such meeting, in the Lewiston Journal, a newspaper in said city of Lewiston.

SECT. 7. This act shall take effect when approved by the governor.

Approved January 25, 1867.

**Chapter 195.**

An act granting additional powers to the Kennebec Company.

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

May enter upon and take lands for certain purposes.

SECT. 1. It shall be lawful for the said company, their successors and assigns, to enter upon, take and use such land within the limits of the city of Augusta, as may be necessary for cutting, constructing and maintaining canals and sluices required for the full development and operation of their water power; and for any injury or damage to any owner or owners of lands, mills or machinery or other water privileges arising from the exercise of any of the powers hereby conferred, a just compensation shall be paid by the parties availing themselves of the authority of this act.

Land damages, how determined and recovered.

SECT. 2. The damages for taking land as aforesaid shall be determined, secured and paid in the manner provided by chapter fifty-one of the revised statutes of this state, and in case of failure of payment thereof, the owner may maintain an action of trespass, or have any remedy provided in the said chapter; subject, however, to such modification, amendment or alteration of the provisions of the chapter aforesaid as have been, or may be hereafter, made.

SECT. 3. This act shall take effect when approved by the governor.

Approved January 25, 1867.

**Chapter 196.**

An act to grant authority to Edward Leighton to build weirs in Pigeon Hill Bay, Steuben.

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

Location and how constructed.

Edward Leighton of Steuben is hereby authorized to construct, build and maintain a fish weir between, or in the vicinity of two ledges, situated on the flats in front of said Leighton's land in