

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

OF THE

## FORTY-EIGHTH LEGISLATURE

OF THE

## STATE OF MAINE.

1869.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1869.

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CHAP. 26.**Chapter 26.**

An act to incorporate the Great Brook and Reed's Pond Dam Company.

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

Corporators.

SECT. 1. J. T. Grant, G. H. Grant and Benjamin Franklin, their associates and assigns, are hereby created a body politic, by the name of Great Brook and Reed's Pond Dam Company, with all the rights, powers and privileges of similar corporations.

Corporate name.

May erect dams.

SECT. 2. Said corporation shall have the right to erect dams and maintain those already erected by the parties named in section one, across the Great Brook stream, in the town of Dedham near the outlet of Mountany pond ; also erect and maintain a dam at the outlet of Reed's pond, on or near the dam of Benjamin Franklin and Sons, in the town of Ellsworth ; also the right to enter Great brook and Reed's brook streams, and clear out all obstructions from Mountany pond to its junction with Union river, for the purpose of facilitating the passage of logs and lumber down said streams, and are authorized to enter upon and take such land, timber or other material as it may find necessary to build and maintain said dams, or to rebuild or repair the same, and are empowered to flow lands, so far as may be necessary to accomplish said object ; *provided, however,* that said corporation shall pay the proprietor or proprietors of land, property or material taken and used, such sums as may be agreed on, and if the parties cannot agree, such damages as shall be ascertained and determined by the county commissioners of the county of Hancock in the same manner, and under the same conditions and limitations as are by law provided in the case of damage in laying out public highways ; and for lands flowed, the proprietor or proprietors may obtain damages thereof in the same mode and manner, and to the same extent, and under the same conditions and limitations as are provided in chapter ninety-two of the revised statutes for damages where lands are flowed by the erection of mills.

May take land, &c., for the construction of their improvements.  
May flow land.  
Proviso.

Damages for lands flowed.

Rates of toll.

SECT. 3. Said corporation shall have the right to demand and receive on all logs, lumber, shingles or stave stuff that pass over or through said Great brook dams, from the owners or mortgagees thereof a toll of ten cents per thousand feet board measure, and seven cents per thousand feet board measure for all logs, lumber, shingles and stave timber, passing over or through the Reed's pond dam, so long as they keep said dams in repair. It shall be the duty of owners of logs and other kinds of lumber, passing said dams, to furnish the corporation with a written affidavit of the number of thousand feet, board measure, before they arrive at the Reed's pond dam, and if they fail so to do, said corporation may estimate said amount and collect the toll accordingly ; and said corporation shall have a lien on all logs or other kinds of lumber

Affidavit to be furnished.

Lien for payment of toll.

which may pass either of the before mentioned dams, for the payment of any toll, and all logs or lumber of any particular mark shall be holden for the toll on all logs of that mark, and unless the toll is paid within ten days after the logs or lumber passes the Reed's pond dam, said corporation may sell at public auction so much of said logs, or lumber, as may be sufficient to pay said toll and incidental charges, by first giving ten days notice in some paper published in Ellsworth.

SECT. 4. This act shall take effect when approved.

Approved February 6, 1869.

### Chapter 27.

An act to incorporate the Norway and Paris Railroad Company.

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

SECT. 1. Charles C. Sanderson, William W. Virgin, and Henry Upton, their associates and successors, are hereby constituted a corporation by the name of the Norway and Paris Railroad Company, with authority to construct, maintain and use a railroad, to be operated by horse power, with convenient single or double tracks, from such point or points in the town of Norway and over such town or county roads and bridges therein as shall from time to time be fixed and determined by the municipal officers of said town of Norway, and assented to in writing by the directors of said corporation, to the boundary line between said town of Norway and the town of Paris, and thence upon and over such bridges, town and county roads in said town of Paris, as from time to time may be fixed and determined by the municipal officers of said town of Paris, and assented to in writing by the directors aforesaid, to some point at or near the soldiers' monument in the village of South Paris. Said corporation shall also have authority to construct, maintain and use said railroad over and upon any lands where the land damages have been mutually settled by said corporation and the owners of said lands; *provided, however,* that all tracks of said railroad shall be laid at such distances from the sidewalks of said towns, as the municipal officers thereof respectively, shall in their order fixing the routes of said railroad, determine to be for public safety and convenience. The written assent of the directors aforesaid to any vote or votes of the municipal officers of said towns, prescribing from time to time the routes of said railroad, shall be filed with the respective clerks of said towns, and shall be taken and deemed to be the location thereof. Said corporation shall have power from time to time to fix such

Corporators.

Corporate name.

May construct a railroad with single or double tracks.

Route of road, how established.

Corporation authorized to take lands upon certain conditions.

Proviso.

Assent of directors to prescribe route to be filed with city clerks.