

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FORTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE.

1869.

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

AUGUSTA:
SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.
1869.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1869.

nine, is hereby repealed; *provided, however*, that the corporate existence, powers, duties and liabilities of said town shall survive for the purpose of prosecuting and defending all pending suits and causes of suits to which said town is or may be a party, and all needful processes growing out of the same, and for the further purpose of providing for the payment of all or any judgments which may be recovered against such town. *And provided further*, that the provisions of "an act entitled an act to provide for the equalization of the municipal war debts, and a limited assumption and reimbursement thereof by the state," approved March seventh, eighteen hundred and sixty-eight, is exempted from the provisions of this act.

SECT. 2. This act shall take effect when approved.

Approved February 15, 1869.

CHAP. 75.

Proviso.

Corporate powers continued for certain purposes.

Proviso.

Chapter 75.

An act authorizing John C. Merrill to maintain a dam and sluice across the Upper Kezar river in the town of Fryeburg, and establishing the rates of toll for slipping timber through the same.

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

SECT. 1. John C. Merrill, his associates, successors, heirs and assigns, are hereby authorized and empowered to repair and maintain his dam across the Upper Kezar river, in the town of Fryeburg, in the county of Oxford, to repair the old sluice through said dam, or build and maintain a new one for the purpose of facilitating the slipping of lumber through said dam and slip and driving down said stream.

The maintenance of dam and sluice authorized.

Purpose.

SECT. 2. There shall be allowed the said John C. Merrill, his associates, successors, heirs and assigns, for the passage of each and every thousand feet, board measure, of lumber, according to the wood scale, through his dam and sluice, a toll of five cents, to be paid by the owner of said lumber upon the passage of said lumber through said dam and sluice, and the said owner of said dam shall have a lien on all the lumber slipped through said dam and sluice to secure the payment of the toll as aforesaid, which may be enforced by attachment and which shall take precedence of all other claims except liens reserved by section nineteen of chapter ninety-one of the revised statutes.

Toll.

Lien.

SECT. 3. It shall be the duty of any person or persons who may pass said dam and sluice with logs or lumber to employ a

Duty of persons passing said

CHAP. 76.

dam or sluice
with logs.

sufficient number of men to execute the work promptly, so that no more water shall be used than is indispensably necessary.

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

Approved February 15, 1869.

Chapter 76.

An act to prevent the spearing of pickerel in certain ponds.

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

The spearing of
pickerel between
certain months
of each year
forbidden

SECT. 1. If any person or persons shall spear pickerel between the months of March and June of each year in the Wing pond, so called, situated in the town of Wayne, also in the Androscoggin pond, situated in the towns of Wayne and Leeds, said person or persons shall forfeit for each fish so taken or destroyed the sum of three dollars, to be recovered by complaint on an action of debt, one-half to the use of the town where the offence is committed, and one-half to the person prosecuting therefor.

Penalty.

SECT. 2. This act shall take effect when approved.

Approved February 15, 1869.

Chapter 77.

An act to authorize the city of Hallowell and town of Chelsea to purchase the Hallowell and Chelsea Bridge.

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

City of Hallowell
and town of Chelsea
authorized to
purchase Hallowell
and Chelsea
Bridge.

SECT. 1. The city of Hallowell and the town of Chelsea, or either of them, are hereby authorized and empowered to purchase the bridge belonging to the Hallowell and Chelsea Bridge Company, to pay therefor at the rate of fifty dollars for every one hundred dollars of stock, exclusive of the amount due and owing said city from said company, on the surrender of the certificates of stock of said Hallowell and Chelsea Bridge Company by the holders thereof to the treasurer of said city or town; and maintain the same as a toll bridge or otherwise, as said city and town, or either of them so purchasing may elect, and assess taxes on the inhabitants of said city or town for the purchase and maintainance of said bridge; said city and town, or either of them so purchasing, to keep up, maintain and attend, or cause to be attended, the draw of said bridge, as said company are now required to do by their

May maintain
same as toll
bridge or
otherwise.

City and town
to maintain and
attend to draw
of bridge.