

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE.

1878.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

AUGUSTA:

SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.

1878.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1878.

Chapter 95.CHAP. 95.

An act authorizing the location of a way over the tide waters of Georges river in Thomaston.

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

Authority is hereby granted for the location and establishment of a way over the tide waters of Georges river in Thomaston, in the county of Knox, at or near the present toll bridge, known as the Thomaston toll bridge, by the same proceedings and in the same manner as would be required to lay out and establish such way if said waters were not tide waters; *provided, however,* that in the construction of any bridge over said river, there shall be a good and sufficient draw therein, so that navigation shall not be obstructed; *and provided, also,* that the entire expense of damage, location, establishment, construction and maintenance of the way provided for in this act, shall be borne by the town of Thomaston, and that the county of Knox shall in no way be held responsible.

Establishment of a way over tide waters, authorized.

Proviso.

Approved February 21, 1878.

Chapter 96.

An act relating to building and maintaining the Lock in the Dam across the Kennebec River at Augusta.

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

SECT. 1. It shall be incumbent on the owners or occupants of the dam across the Kennebec river at Augusta to cause the lock at said dam to be constantly attended by a sufficient number of capable and faithful persons, whose duty it shall be, at all times promptly and diligently, carefully and faithfully, to tend said lock, and aid in transmitting through the same all boats, rafts, steamboats and river craft having occasion to pass, and shall also keep and maintain said lock in good repair and free from obstruction for the passage of boats, rafts, steamboats and river craft; *provided, that*

Lock at dam across Kennebec river at Augusta to be maintained and tended.

Proviso.

CHAP. 96.

Forfeiture for neglect.

neither the owners or occupants of any such dam, nor the person or persons so employed, shall demand or receive any compensation for the service aforesaid; and said owners or occupants shall forfeit and pay twenty-five dollars for each and every day they shall neglect to cause said lock to be attended and kept in repair as aforesaid, if the natural state of the river would permit the passage of boats, rafts, steam-boats and river craft.

Fines and forfeitures, how recovered.

SECT. 2. All fines and forfeitures provided for herein, may be recovered before any competent tribunal by complaint, indictment, or action of debt, in the name of any person suing therefor.

How recovered, if owner or occupant resides out of state.

SECT. 3. If the owner or occupant of such dam resides out of the state, said penalties may be recovered by a libel against the dam and land on which it stands, to be filed in the supreme judicial court in the county where the same is located, in the name of the complainant, who shall give to the owner or occupant of the dam, and all persons interested therein, such notice as the court, or any justice thereof in vacation, shall order, and the court may render judgment therein against said dam and lands for said penalties and costs, and order a sale thereof to satisfy such judgment and costs of sale.

Existing laws not repealed nor impaired.

SECT. 4. Nothing in the provisions of this act shall be construed to repeal or to impair any laws now existing relating to said dam or lock.

To take effect June 1, 1878.

SECT. 5. This act shall take effect June one, eighteen hundred and seventy-eight.

Approved February 21, 1878.