

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

OF THE

SIXTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1887.

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

AUGUSTA:
SPRAGUE & SON, PRINTERS TO THE STATE.
1887.

ACTS AND RESOLVES

OF THE

SIXTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE.

1889.

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

AUGUSTA:
BURLEIGH & FLYNT, PRINTERS TO THE STATE.
1889.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1889.

Chapter 325.

An Act to incorporate the Third Lake Dam Company.

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

SECT. 1. Eben S. Coe, Levi Bradley, Eugene Hale, Clarence Hale, Daniel F. Davis, William Engel, Frank Gilman, Lemuel A. Cross, their associates and assigns, are hereby incorporated under the name of the Third Lake Dam Company, with all the powers and privileges of similar corporations.

Corporators.

Corporate name.

SECT. 2. Said corporation is authorized to build dams, side dams, remove rocks and make all other necessary improvements in so much of the east branch of Penobscot river as is between the mouth of Webster brook, in township six, range nine, west from the east line of the state, and the west line of township seven, range ten, west from the east line of the state, in the county of Piscataquis, to facilitate the driving of logs and lumber down the same, and for this purpose the said corporation may take land and materials necessary to build such dams and make such improvements; and may flow contiguous lands so far as necessary to raise suitable heads of water. And if the parties cannot agree upon the damages, the corporation shall pay the proprietors of the land and materials so taken, such damages as shall be ascertained and determined by the county commissioners for the county of Piscataquis, in the same manner, and under the same conditions and limitations as are by law provided in the case of damage by laying out public highways. And for the damage occasioned by flowing land the said corporation shall not be liable to an action at common law, but persons injured may have a remedy by a complaint for flowing, in which the same proceedings shall be had as when a complaint is made under a statute of this state for flowing lands, occasioned by raising a head of water for the working of mills.

Authorized to build dams, etc.

—take lands.

—damages, how ascertained.

—remedy for damages, caused by flowage.

SECT. 3. The said corporation may demand and receive a toll for the passage of logs over their said dams and improvements, except from logs cut from township number six, west of the east line of the state, range nine, of fifteen cents per thousand feet, board measure, woods scale, for all logs that

Tolls.

CHAP. 325

pass through the dam at the outlet of Third lake; and for all logs that come into said east branch between the outlet of said Third lake and the mouth of Turner brook, ten cents per thousand feet; and for all logs that come into said east branch, between the mouth of Turner brook and the mouth of Webster brook, five cents per thousand feet as aforesaid. And said corporation shall have a lien upon all logs and lumber which may pass over any of its said dams and improvements, for the payment of said tolls; but the logs of each particular mark shall be holden only for the tolls of such mark; and unless such toll is paid within twenty days after such logs or lumber, or a major part of the same, shall arrive at the Penobscot boom, or place of manufacture or destination, said corporation may seize said logs and lumber, and sell at public auction so many and so much thereof as shall be necessary to pay such tolls, costs and charges. Notice of the time and place of such sale shall be given ten days before such sale, in some newspaper printed in Bangor.

—lien on logs
for payment.

When tolls shall
be reduced.

SECT. 4. When said corporation shall have received from tolls its outlay on dams and improvements, and the repairs made up to that time, and eight per cent interest, then the tolls shall be reduced, pro rata, to a sum sufficient to keep the works in repair, and the president of the West Branch Driving Company for the time being, is appointed to audit and allow accounts, and shall determine the cost of said dams and improvements, and shall also audit the accounts for said repairs made from year to year.

Owners of land
and lumber shall
have the right
to take stock.

SECT. 5. Any and all owners of land from which logs or other lumber is cut, which passes over or through said dams or improvements, shall have the right to take an interest in the stock of said corporation in proportion to their interest in said land, by paying their proportion of the cost of making said dams and improvements.

SECT. 6. This act shall take effect when approved.

Approved February 8, 1889.