

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1891.

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

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1891.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1891.

twenty-five dollars each, which may, by vote of said company be increased so as not to exceed fifty thousand dollars.

SECT. 13. The first meeting of said corporation may be called by any three of the within named corporators, by publishing notice of the time and place and object thereof, in any newspaper published in the county of Hancock, at least seven days before the time of holding said meeting; and at said meeting the officers of said corporation may be chosen and such other corporation business done as may be deemed requisite and proper.

First meeting,
how called.

SECT. 14. This act shall take effect when approved.

Approved February 19, 1891.

Chapter 84.

An Act to incorporate the Webb's River Improvement Company.

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

SECT. 1. George B. Bearce, Charles C. Wilson, E. I. Brown, F. G. Arey, S. R. B. Pingree, E. S. Coe, their associates and successors are hereby incorporated into a company under the name of the Webb's River Improvement Company, with all the rights, powers and privileges, and subject to the liabilities of similar corporations.

Corporators.

—corporate
name.

SECT. 2. Each owner of lands upon Webb's pond in the town of Weld and its tributaries and upon Webb's river and its tributaries, may take an amount of stock in said company in proportion to the number of acres of land owned by him there, and thereby become a member of this corporation, it being hereby intended that the benefits of this charter shall apply equally and fairly to all said land owners upon said waters.

Owners of land
may take stock
of company.

SECT. 3. Said corporation is hereby authorized to construct and maintain dams and side dams, piers, abutments, booms, side booms and sluices at the outlet of said pond and in said river, and to blast, excavate and deepen said outlet and the channel of said river, remove any obstructions therein and make any and all other improvements thereon which will facilitate the transportation of logs, wood and other lumber down said stream into the Androscoggin river; to hold and

Powers.

CHAP. 84

—shall not take any mill site, except by purchase.

—damages, how ascertained in case of disagreement.

Dam, shall be of such height as not to flow water above ordinary high water mark.

—running of logs, etc., shall be completed by June 15.

May fix tolls.

occupy by lease or purchase, and to enter upon and take such land and material as may be necessary to make its said improvements, and to flow such land, so far as it may be necessary to accomplish its object. Provided, said corporation shall not enter upon and take for the purpose aforesaid any mill site otherwise than by lease or purchase, and said corporation shall pay to the owners of said land and material so taken, such sums as the parties may agree upon, or if they cannot agree, such damages as may be adjudged by the county commissioners of the county in which said land and materials are taken, in the same manner and under the same conditions and liabilities as are provided in the case of damage by the laying out of public highways, and for lands flowed by said corporation the owners shall be entitled to the same remedies as are now provided by law in cases of flowing lands by the erection of dams for mills.

SECT. 4. Any dam erected or maintained by said corporation at the outlet of the pond under the authority of this act, shall be of such height as not in ordinary seasons to flow the water in the pond above ordinary high water mark, and the authority to hold said water shall be limited solely to the purpose of floating logs, wood and lumber out of said pond and down said river during the spring driving season. It shall be the duty of said corporation to use reasonable diligence in running said logs, wood and lumber down the river, completing the same by June fifteenth, and thereupon to so manage the dam that the water in the pond and the flow in the river shall continue in its natural state as near as may be, until another driving season begins.

SECT. 5. The corporation after it shall have constructed the dams, side dams, booms or side booms, sluices and other improvements contemplated by this act, may demand and receive a toll of thirty cents per thousand feet, board measure, woods scale, for all logs and lumber, and five cents per cord for all wood which shall be floated from the pond over their dam and by their improvements down Webb's river, and a toll of fifteen cents per thousand feet, board measure, woods scale, for all logs and lumber, and five cents per cord for all wood which shall be put into said Webb's river below the dam at the outlet of the pond and floated down Webb's river; provided however, said corporation shall receive or collect no

toll upon logs, wood or lumber which is put into Webb's river below the dam at the outlet of the pond and floated down to any mill in Carthage and there manufactured, nor upon any logs, wood or lumber which is put into said Webb's river below Berry's mills in Carthage. And provided further, that the toll on logs cut by Marble and Foster on land now owned by them in Weld and put into the pond, shall be fifteen cents per thousand and that all logs to be cut and put into the river for Alvin Record before January one, eighteen hundred and ninety-three, under existing contracts shall be free in consideration of the expenditures made by those parties for improvements. Said corporation may recover the amount of the tolls herein provided for upon all logs, wood and lumber in an action of assumpsit against the owners thereof, and shall also have a lien on all such logs, wood and lumber until the full amount of tolls are paid, but the logs, wood or lumber bearing any particular mark, or other designation of ownership, shall be holden only for the tolls of such mark or other designation, and unless such toll is paid within thirty days after such logs, wood or lumber shall have arrived at their place of manufacture or destination, said corporation may sell at public auction after twenty days' notice in some newspaper printed in the county where said logs, wood or lumber lie, so much thereof as it may deem necessary to pay said toll and all incidental charges for seizing, keeping, advertising and selling the same, and from the proceeds of such sale said corporation may deduct the amount due to it for toll and incidental charges aforesaid and hold the balance, if any, for the benefit of the owners of said logs, wood or lumber to be paid over to them by said corporation within ten days after written demand therefor and proof of ownership.

—shall have
lien on logs till
toll is paid.

SECT. 6. Said company shall keep a true and accurate account of the cost of such improvements as shall be made, which shall be open to inspection at all times to land owners or operators, and when the toll received shall have paid the cost of all improvements made by the company, and all sums paid for repairs thereon, and the maintenance thereof, together with interest on such sums computed annually, then the tolls thereon shall be reduced to a sum sufficient to keep the works in repair.

When tolls shall
be reduced.

SECT. 7. This act shall take effect when approved.