

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1891.

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1891.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1891.

Chapter 234.

An Act to incorporate the Austin Stream Dam Company.

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

Corporators.— **SECT. 1.** Turner Buswell, Charles A. Marston, William Philbrick, C. Davis Miller, Manley T. Pooler, Orrison Burrill, George S. Burrill, Frederick H. Appleton and Henry A. Appleton, their associates and assigns, are hereby incorporated under the name of the Austin Stream Dam Company, with the powers and privileges of similar corporations.

—corporate name.

Authorized to erect dams, etc., on Austin stream, and improve the same.

SECT. 2. Said company is hereby authorized to erect and maintain dams, side dams and piers on Austin stream and its tributaries in the towns of Bingham and Moscow, the plantation of Carratunk and the townships of Mayfield and Bald Mountain, in the county of Somerset, to remove rocks and excavate ledges therefrom and to widen, deepen and otherwise improve the same, for the purpose of raising a head of water making said stream and its tributaries floatable and facilitating the driving of logs, lumber and wood down the same.

May take land and material, and flow lands.

SECT. 3. Said company for the above purposes may take all necessary land and materials for building said dams and piers and making said improvements, and may flow contiguous lands so far as necessary to raise suitable heads of water; and if the parties can not agree upon the damages, the corporation shall pay the proprietors for the land and materials so taken, such damages shall be ascertained and determined by the county commissioners of the county of Somerset in the same manner and under the same conditions and limitations as provided by law in case of damage by laying out of highways; and for the damage occasioned by flowing land, said company shall not be liable to an action at common law, but the person injured may have a remedy by complaint for flowage, in which case the same proceedings shall be had as when a complaint is made under the statutes of this state for flowing lands occasioned by raising a head of water for the working of mills.

—damages, how determined.

May receive tolls.

SECT. 4. Said company may demand and receive a toll for the passage of logs, lumber and wood over their dams and improvements, not exceeding seventy-five cents for each thousand feet of logs or lumber at the survey adopted by the

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Kennebec Log Driving Company and not exceeding twenty cents for each cord of wood. Said company shall have a lien upon all logs, lumber and wood which may pass over any of its dams and improvements until the full amount of toll is paid, but the logs of each particular mark shall only be holden to pay the toll on such mark, and the wood shall only be holden to pay the toll on such wood; and if said toll is not paid within thirty days after said logs, lumber or wood, or the major part thereof, shall have arrived within the limits of Kennebec Log Driving Company said Austin Stream Dam Company may seize, hold and sell at public auction such part of said logs, lumber or wood as shall be necessary to pay such tolls with all incidental costs and charges thereon, after ten days' notice in writing of the time and place of said sale given to the owner of such logs, lumber or wood.

—lien on logs.

—how enforced.

SECT. 5. An account of the cost of said improvements shall be kept by the clerk or treasurer of said Austin Stream Dam Company and also its receipts for tolls, which shall be open to inspection at all reasonable times to any person interested in the same.

Account of cost, shall be kept by clerk.

SECT. 6. When said corporation shall have received from tolls its outlay on dams, improvements and repairs made up to that time and six per cent interest thereon, then the toll shall be reduced to a sum sufficient to keep the works in repair. The treasurer of the Kennebec Log Driving Company for the time being, is appointed to audit the accounts and determine the cost of said dams, improvements and repairs.

When tolls shall be reduced.

SECT. 7. Any or all owners of land from which logs, lumber or wood is cut which passes through or over its dams or improvements shall have a right to take an interest in said company.

Owners of land shall have the right to take an interest.

SECT. 8. The amount invested shall at all meetings be represented by a fixed convenient number of votes, which shall be cast by the owners of the land from which logs, wood or lumber is cut, which passes through or over its dams or improvements; and each owner shall have the right to vote in proportion to his interest in said land, by paying his proportion of the cost of building and maintaining the dams and improvements.

Who shall have the right to vote at meetings.

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Rights of owners
in case of dis-
agreement, how
determined.

SECT. 9. In case of any disagreement as to the right of owners hereunder, the same shall be forthwith determined by referees agreed upon by the parties, or by the county commissioners of Somerset county, if the parties cannot agree.

SECT. 10. This act shall take effect when approved.

Approved March 17, 1891.

Chapter 235.

An Act in relation to Consolidated Electric Light Company of Maine.

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

Company,
authorized to
lay pipes, etc.,
under and
through the
streets of
Portland, under
supervision of
municipal
officers.

SECT. 1. Consolidated Electric Light Company of Maine, a corporation created and existing under the general laws of the state of Maine and having its location at Portland in said state, is hereby authorized and empowered to construct, lay, maintain and operate wires, pipes, conduits, or other material for the transmission of electricity under, through, along, over and across highways, ways, streets, railroads and bridges in the county of Cumberland, and to erect and maintain such posts, wires and other fixtures as may be necessary for the objects of its incorporation, and to take up, replace and repair all such posts, wires and fixtures, subject to the provisions of chapter three hundred and seventy-eight of the public laws of eighteen hundred and eighty-five and to the ordinances of the city of Portland, and subject also to the supervision of the municipal officers of the city of Portland, and of any other town in said county in which its lines may be operated, and to such rules and regulations as the municipal officers may from time to time impose; it is also authorized to lay, construct and maintain its wires, cables and necessary structures therefor, under, in and over tidal waters at such places as may be necessary for the purposes of said corporation in said county, but in such manner as not to obstruct navigation.

—may lay pipes
in tidal waters.

May make
contracts to
supply light,
heat and power.

SECT. 2. The said company is hereby authorized to make contracts with the United States, the state, and with corporations and inhabitants of any city or town in said county, for the purpose of supplying light, heat and power, as contemplated by this act and by the purposes of said corporation;