

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE

1897

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PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE.

1897.

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shall, after examination of said plant and franchise, and hearing of the parties, make award or appraisal, which shall be binding on all parties thereto.

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

Approved February 24, 1897.

Chapter 367.

An Act to prevent the unreasonable obstruction of public travel over the Penobscot River.

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

Running of rafts exceeding 1950 feet in length, on Penobscot river between toll bridge and High Head, prohibited.

—penalty for violation, and how recovered.

Whoever runs or tows any log or lumber raft or rafts exceeding nineteen hundred and fifty feet in length, including tow boats and tow lines, on the Penobscot river between the Bangor and Brewer toll bridge and High Head, so called, shall forfeit twenty-five dollars for the use of Penobscot county, to be recovered on complaint or indictment, or in an action of debt; and it shall be the duty of the harbor master of the port of Bangor to enter upon, measure and determine the length of such rafts, including tow boat and tow lines, upon complaint to said harbor master, made by any officer of the Bangor and Brewer Ferry Company.

Approved February 24, 1897.

Chapter 368.

An Act to incorporate Shin Pond Stream Dam and Improvement Company.

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

Corporators.

—corporate name.

Sect. 1. Edward Stetson, Isaiah K. Stetson, Frederick H. Appleton, Henry A. Appleton, William Engel, Ira B. Gardner and Don A. H. Powers, their associates, successors and assigns are hereby created a corporation by the name of the Shin Pond Stream Dam and Improvement Company with all the powers and privileges of similar corporations.

Authorized to erect dams and sluices.

Sect. 2. Said corporation is hereby authorized, for log driving purposes only, to take by purchase or erect and maintain a dam at or near the outlet of Upper Shin pond in the town

of Mount Chase in the county of Penobscot; and also to take by purchase or erect and maintain a dam at or near the outlet of Lower Shin pond in township five, range seven, in said county; and also to erect and maintain a dam at the head of Shin pond stream falls and erect and maintain a sluice at Shin pond stream falls in said township number six, range seven, and a dam or dams below said falls in township number five, and in township number six, range seven, in said county; and remove rocks and other obstructions in said falls and below the same; and the said corporation is authorized to enter upon and take such land, property and material upon said townships and upon said town of Mount Chase as the said corporation may find necessary to construct their sluice and dams and erect the same; and also to flow contiguous lands so far as may be necessary. Provided, however, that the rights hereby granted to said corporation shall not be so exercised or held as to deprive the owners of township number six, range seven, of the right, at any time, to use the falls above named and the lands immediately adjoining the same, for the purpose of developing the water power and using, selling or leasing the same for manufacturing or mechanical purposes. And provided also, that said corporation shall pay the proprietor or proprietors of land, property and material taken and used such sums as may be agreed on, and if the parties cannot agree such damages shall be ascertained and determined by the county commissioners of the county of Penobscot in the same manner and under the same conditions and limitations as are by law provided in the case of damage in laying out public highways; and for lands flowed the proprietor or proprietors may determine damages thereof in the same mode and manner and to the same extent and under the same conditions and limitations as are provided in chapter ninety-two of the revised statutes, for damages where lands are flowed by the erection of mills. And said corporation may hold by purchase, other real estate to the value of five thousand dollars.

Sect. 3. Said corporation may demand and receive as a toll the sum of fifty cents for each and every thousand feet board measure, wood scale, of all logs and lumber put into the lakes, ponds and streams above their sluice at or near the head of Shin pond stream falls and which may pass over their sluice at or near the head of said Shin pond stream falls; and the said corporation shall have a lien upon all logs and lumber which

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—location.

—may take land and material.

—shall not deprive owners to use of falls and lands in township 6, range 7.

—damages, how ascertained, in case of disagreement.

—may hold real estate.

May collect tolls.

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—shall have
then on logs.

may pass over or through their said sluice at or near the head of said Shin pond stream falls until the full amount of toll of all the logs and lumber which may pass over and through said sluice at or near the head of said Shin pond stream falls is paid, but the logs of each particular mark shall only be holden to pay the toll of said mark, and if said toll is not paid within ten days after said logs and lumber shall arrive at the Penobscot boom or at their place of destination, said corporation may sell at public auction in Bangor after ten days' notice in some newspaper printed in said Bangor, so much of said logs and lumber as may be sufficient to pay said toll and incidental charges.

—may sell
logs after
due notice.

When tolls
shall be re-
duced.

Sect. 4. When said corporation shall from tolls be reimbursed for all costs, expenses and incidental charges for erecting and maintaining all their dams, sluices and other improvements including all sums paid for flowage, if any, with twelve per cent interest, the tolls shall be reduced to a sum, sufficient in the opinion of the directors of said company to keep said dams, sluice and improvements in repair and for protecting and preserving them.

Sect. 5. This act shall take effect when approved.

Approved February 24, 1897.

Chapter 369.

An Act to amend "An Act to amend the charter of the Waldoboro Water and Electric Light and Power Company."

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

Section 12,
chapter 107,
private
laws, 1895,
amended.

Sect. 1. Section twelve of chapter one hundred and seven of the private and special laws of eighteen hundred and ninety-five is hereby amended as follows: the word "four" in the second line of said section be stricken out and the word 'six' inserted therefor, so that said section, as amended, shall read as follows:

When act
shall be null
and void.

'Sect. 12. In case no portion of the works of this corporation shall have been put into operation within six years from the date of the approval of this act, the rights and privileges herein granted shall be null and void.'

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

Approved February 24, 1897.