

MAINE STATE LEGISLATURE

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Sixty-Fourth Legislature.

HOUSE.

No. 163.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
EIGHTY-NINE.

AN ACT to amend "An Act to incorporate the
Penobscot River Dam and Improvement Company,"
approved February 14, 1883.

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

SECTION 1. Section two of said original act is
2 hereby amended by adding after the word "Green-
3 bush" in the fourth line of said act the following
4 words, 'also in that part of the east branch of the
5 Penobscot river which is between the junction of
6 the east and west branches of the Penobscot river
7 at Medway and Grand Lake dam,' so that the
8 whole section as amended shall read as follows:

‘SECT. 2. Said corporation may build dams, side
10 dams, piers, booms, remove rocks, and make any
11 other improvements to facilitate log-driving in that
12 part of the main Penobscot river above Green-
13 bush; also in that part of the east branch of the
14 Penobscot river which is between the junction of
15 the east and west branches of the Penobscot river
16 at Medway and Grand Lake Dam; and said cor-
17 poration may take land and material necessary to
18 construct their said works and improvements, and
19 said corporation shall pay the proprietors of the
20 land and material so taken, such sum for damages
21 as said corporation and said proprietors may agree
22 upon; and if said corporation and said proprietors
23 cannot agree, the damages shall be ascertained and
24 determined by the county commissioners for the
25 county of Penobscot in the same mode and manner,
26 and under the same conditions and limitations, as
27 is now provided by law in case of damage by
28 laying out of public highways.’

SECT. 2. Section three of said original act is
2 amended as follows, by inserting after the word
3 “river” in the fifteenth line of said section the
4 words ‘and in addition to the foregoing tolls, for
5 each thousand feet, board measure, on all logs and

6 lumber driven from Grand Lake Dam and between
7 Grand Lake Dam and the mouth of Sebois to
8 Medway, four cents; on all logs and lumber that
9 are driven from the mouth of the Sebois and be-
10 tween the mouth of the Sebois and the mouth of
11 Mud Brook to Medway, three cents; on all logs and
12 lumber driven from the mouth of Mud Brook and
13 between the mouth of Mud Brook and the head of
14 Grindstone Falls to Medway, two cents; and there
15 shall be no tolls on all logs driven from below the
16 head of Grindstone Falls to Medway,' so that said
17 section as amended shall read as follows:

'SECT. 3. The said corporation may demand and
19 receive a toll on logs and lumber intended to be
20 driven into the limits of the Penobscot boom, so
21 called, and that may pass over any of the dams or
22 other improvements made by said corporation, as
23 follows: three cents for each thousand feet, board
24 measure, on all logs and lumber that may come
25 down said Penobscot river from above the outlet of
26 the Mattawamkeag river; two cents for each thou-
27 sand feet, board measure, on all logs and lumber that
28 may come into the said Penobscot river out of said
29 Mattawamkeag river and between said Mattawam-
30 keag river and the outlet of the Piscataquis river;

31 and one-half cent for each thousand feet, board
32 measure, on all logs and lumber that may come out
33 of said Piscataquis river and between said Piscata-
34 quis river and the foot of Passadumkeag falls, so
35 called, into said Penobscot river; and in addition
36 to the foregoing tolls, for each thousand feet, board
37 measure, on all logs and lumber driven from Grand
38 Lake Dam and between Grand Lake Dam and the
39 mouth of Sebois to Medway, four cents; on all
40 logs and lumber that are driven from the mouth of
41 the Sebois and between the mouth of the Sebois
42 and the mouth of Mud Brook to Medway, three
43 cents; on all logs and lumber driven from the
44 mouth of Mud Brook and between the mouth of
45 Mud Brook and the head of Grindstone Falls to
46 Medway, two cents; and there shall be no tolls on
47 all logs driven from below the head of Grindstone
48 Falls to Medway; and said corporation shall have
49 a lien on all such logs and lumber for the payment
50 of said toll, but the logs of each particular mark
51 shall only be holden for the toll of such mark,
52 and if the toll of any particular mark of logs
53 or lumber shall not be paid within twenty days
54 after the logs or lumber of such mark, or a major
55 part thereof, shall have arrived within the limits

56 of said Penobscot boom, then the said corporation
57 may sell at public auction so many feet, board
58 measure, sale scale, of such logs and lumber, as
59 may be necessary to pay such toll and incidental
60 charges, the said corporation first giving more than
61 ten days' notice of the time and place of sale, in
62 some newspaper published in the city of Bangor.'

SECT. 3. Section 6 of said original act is hereby
2 amended as follows: By adding after the word
3 "public," in the sixth line of said section, the
4 words, 'And Joseph M. Hodgkins and George S.
5 Chalmers, both of Bangor, are hereby appointed
6 auditors, whose duty it shall be to annually audit
7 the books, accounts and expenditures of the said
8 Penobscot River Dam and Improvement Company,
9 to determine when the tolls created and imposed
10 under this act shall cease. And in case of any
11 vacancy in said board of auditors from any reason,
12 said vacancy or vacancies shall be filled by the
13 board of directors of the company. The com-
14 pensation to the auditors for the services herein
15 provided to be performed shall be paid by the
16 treasurer of the company,' so that the whole section
17 as amended shall read as follows:

'Sect. 6. The said corporation may construct
19 works and make improvements from time to time

20 and from year to year, according to their discretion,
21 and when the tolls shall have reimbursed the cor-
22 poration for their expenditures with ten per cent
23 annual interest, the toll shall cease, and the said
24 works and improvements be free for the use of the
25 public.' And Joseph M. Hodgkins and George S.
26 Chalmers, both of Bangor, are hereby appointed
27 auditors, whose duty it shall be to annually audit
28 books, accounts and expenditures of the said
29 Penobscot River Dam and Improvement Company,
30 to determine when the tolls created and imposed
31 under this act shall cease. And in case of any
32 vacancy in said board of auditors from any reason,
33 said vacancy or vacancies shall be filled by the
34 board of directors of the company. The com-
35 pensation to the auditors for the services herein
36 provided to be performed shall be paid by the
37 treasurer of the company.

Nothing in this act shall be construed to
39 authorize said corporation to impair said Penobscot
40 river for the navigation of rafts, or impair the right
41 of individuals or corporations to secure rafts or
42 logs on the shores of said river as said right has
43 heretofore been used and enjoyed.'

SECT. 4. This act shall take effect when ap-
2 proved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES. }
February 14, 1889. }

Tabled pending third reading and ordered printed on motion of Mr.
ENGEL of Bangor.

NICHOLAS FESSENDEN, *Clerk.*