

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING THE SESSION

A. D. 1891.



AUGUSTA:
BURLEIGH & FLYNT, PRINTERS TO THE STATE.
1892.

NEW DRAFT.

Sixty-Fifth Legislature.

SENATE.

No. 75.

STATE OF MAINE.

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

AN ACT to incorporate the Swift River Improvement
Company.

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

SECTION 1. Hugh J. Chisholm, E. S. Coe, Galen C.
2 Moses, W. W. Brown, John Houghton and C. A. Brown,
3 their associates and successors, are hereby incorporated
4 into a company under the name of the Swift River Improve-
5 ment Company, with all the rights, powers and privileges
6 and subject to the liabilities of similar corporations.

SECT. 2. The capital stock of said corporation shall be
2 ten thousand dollars.

SECT. 3. Each owner of pine or spruce lands situated upon Swift river or its branches, or so located that the timber thereon would naturally be driven down said waters, may take the amount of stock in said company in proportion to the number of acres of said land owned by him there, and thereupon 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.

SECT. 4. Said corporation is hereby authorized to construct and maintain dams and side dams, booms and side booms and sluices, and make any other improvements on Swift river or its branches in the counties of Oxford and Franklin which will facilitate the transportation of logs and other lumber down said streams, to enter upon and take such land and material as may be necessary to make such improvements, and to flow such land so far as it may be necessary to accomplish its object ; provided, 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 damage as may be adjudged by the county commissioners of the county where the land or material so taken is situated, in the same manner and under the same conditions and liabilities as 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 for erection of dams for mills.

SECT. 5. Said corporation, after it shall have constructed the dams, side dams, booms or side booms, sluices and

3 other improvements contemplated by this act, may demand
4 and receive a toll of twenty-five cents per thousand feet,
5 board measure, for logs and lumber of all kinds, and five
6 cents per cord for pulp wood in lengths not exceeding
7 eight feet, that shall be put into said waters above Coos
8 bridge, fifteen cents per thousand feet for logs and lumber
9 put in between Coos bridge and Roxbury line and ten
10 cents for same put in below Roxbury line and for all pulp
11 wood in the above lengths put in below Coos bridge the
12 toll shall be two cents per cord. No toll shall be
13 demanded on any lumber or pulp wood put in below
14 Gammon falls. The above shall be in full for toll on all
15 logs, lumber and pulp wood that shall pass over or by
16 their dams and improvements on Swift river or its
17 branches. Said corporation shall have a lien on all such
18 logs, lumber and pulp wood until the full amount of toll
19 is paid, and if not paid within thirty days after the same
20 shall arrive at their place of manufacture or destination,
21 said corporation may sell at public action, after twenty
22 days' notice in some newspaper printed in the county
23 where said logs lie, so much of said logs, lumber and
24 pulp wood as may be necessary to pay said toll and all
25 incidental charges.

SECT. 6. By reason of the fact that George B. Staples
2 and James Irish have been operating on this river and
3 claim to have made certain permanent improvements, it
4 is hereby provided that they or either of them shall be
5 exempt from tolls on the lumber cut by them from the
6 Berlin Mills Company's land under a written permit which
7 expires in 1893. It is further provided that should said
8 Staples and Irish or either of them make any further perma-

9 nent improvements on the main Swift river to facilitate the
10 driving of the above lumber before reasonable improve-
11 ments have been made by this corporation they shall be
12 paid the amount that said improvements are worth to this
13 corporation, and in case the value of said improvements
14 cannot be agreed upon by said Staples and Irish and this
15 corporation said value shall be determined by a committee
16 of three experienced persons appointed by the supreme
17 judicial court for the county of Oxford whose decision
18 shall be final, said committee to be appointed on appli-
19 cation of either party and the expense attending said
20 committee shall be paid jointly by the said Staples and
21 Irish on the one part and this corporation on the other
22 part.

SECT. 7. Said company shall keep a true and accurate
2 account of the cost of such improvements as shall
3 be made, which shall be open to inspection at all
4 times to land owners or operators; and when the toll
5 received on said river and its branches shall have paid the
6 cost of improvements thereon and interest, then the toll
7 thereon shall be reduced to a sum sufficient to keep the
8 works in repair and make necessary improvements.

SECT. 8. Any two corporators may call the first meet-
2 ing by delivering in hand or mailing to the last known post
3 office address of their associates herein named a written or
4 printed notice signed by them, stating the time, place and
5 object of said meeting, seven days at least before said time
6 and a majority present may accept this charter.

SECT. 9. It is further provided that this corporation
2 shall expend three thousand dollars at least in improve-

3 ments on the main Swift River on or before January one,
4 A. D. 1893, and should it fail to do so all rights under this
5 charter are forfeited.

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

STATE OF MAINE.

IN SENATE, February 12, 1891.

Reported by Mr. THATCHER from Committee on Interior Waters, and on motion of the same senator, laid on table to be printed pending second reading.

KENDALL M. DUNBAR, *Secretary.*