

# MAINE STATE LEGISLATURE

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# Sixty-Sixth Legislature.

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HOUSE.

No. 258.

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## STATE OF MAINE.

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

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AN ACT to incorporate the Lane Brook Dam and Improve-  
ment Company.

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

SECTION 1. F. M. Cunningham, D. Allston Sargent,  
2 William H. Sargent, their associates and assigns, are here-  
3 by incorporated under the name of the Lane Brook Dam  
4 and Improvement Company.

SECT. 2. Said company is hereby authorized to erect  
2 and maintain dams and make improvements on Lane brook,  
3 so called, in township two, range four, N. B. K. P.,  
4 Somerset county; also to remove rocks and excavate  
5 ledges therefrom, and to widen, deepen, and otherwise im-  
6 prove said stream for the purpose of raising a head of

7 water, and for making said stream floatable, and facilitat-  
8 ing the driving of logs, lumber and wood down the same.

SECT. 3. Said company for the above purposes may  
2 take all necessary land and materials for building said  
3 dams and making said improvements, and may flow con-  
4 tiguous lands so far as necessary to raise suitable heads  
5 of water; and if the parties cannot agree upon the dam-  
6 ages the corporation shall pay the proprietors for the  
7 land and materials so taken, such damages shall be as-  
8 certained and determined by the county commissioners  
9 of the county of Somerset, in the same manner and un-  
10 der the same conditions and limitations as provided by  
11 law in case of damage by laying out of highways; and  
12 for the damage occasioned by flowing land, said company  
13 shall not be liable to an action at common law, but the  
14 person injured may have a remedy by complaint for flow-  
15 age, in which case the same proceedings shall be had as  
16 when a complaint is made under the statutes of this  
17 State for flowing lands occasioned by raising a head of  
18 water for the working of mills.

SECT. 4. Said company may demand and receive as  
2 toll twenty-five cents for every thousand feet of logs,  
3 stumpage scale, and one-half the above rate for the every  
4 cord of wood landed above or below any of said dams and  
5 improvements which may pass over said improvements  
6 and dams on said stream; said company shall have a lien  
7 upon all logs, lumber and wood which may pass over any  
8 of its dams or improvements until the full amount of toll

9 is paid, but the logs of each particular mark shall only be  
10 holden to pay the toll on such mark, and the wood shall  
11 only be holden to pay the toll on such wood; and if said  
12 toll is not paid within thirty days after said logs, lumber  
13 or wood or the major part thereof shall have arrived  
14 within the limits of Penobscot boom, or their destination,  
15 said company may seize, hold and sell at public auction  
16 such part of said logs, lumber or wood as shall necessary  
17 to pay such tolls with all incidental costs and charges  
18 thereon, after ten days' notice in writing of the time and  
19 place of said sale given to the owner of such logs, lumber  
20 or wood.

SECT. 5. When said corporation shall have received  
2 from tolls its outlay on all dams, improvements and repairs  
3 made up to that time, including all damages paid for flow-  
4 age or otherwise, and six per cent interest thereon, then  
5 the toll shall be reduced to a sum sufficient to keep the  
6 works in repair.

SECT. 6. Said company may issue its capital stock to  
2 an amount not exceeding two thousand dollars and to be  
3 divided into shares of one hundred dollars each.

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

STATE OF MAINE.

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HOUSE OF REPRESENTATIVES, }  
March 3, 1893. }

Reported by Mr. PHILBROOK of Bethel, from Committee on Interior  
Waters, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*