

# MAINE STATE LEGISLATURE

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# Sixty-Sixth Legislature.

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HOUSE.

No. 297.

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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 Mopang Dam and Improvement  
Company.

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

SECTION. 1. John K. Ames, Cyrus W. Beverly, Frank  
2 S. Ames, Alfred K. Ames, their associates and assigns,  
3 are hereby incorporated under the name of the Mopang  
4 Dam and Improvement Company, with all the powers and  
5 privileges of similar corporations.

SECT. 2. Said corporation is authorized to build dams,  
2 side dams, remove rocks and make all other necessary  
3 improvements in Mopang stream to facilitate the driving  
4 of logs and lumber down the same, and for this purpose  
5 the said corporation may take land and materials neces-

6 sary to build such dams, and make such improvements ;  
7 and may flow contiguous lands so far as necessary to raise  
8 suitable heads of water. And if the parties cannot agree  
9 upon the damages, the corporation shall pay the proprie-  
10 tors of the land and materials so taken, such damages as  
11 shall be ascertained and determined by the county com-  
12 missioners for the county of Washington, in the same  
13 manner, and under the same conditions and limitations as  
14 are by law provided in the case of damage by laying out  
15 public highways. And for the damage occasioned by  
16 flowing land the said corporation shall not be liable to an  
17 action at common law, but persons injured may have a  
18 remedy by complaint for flowing, in which the same pro-  
19 ceedings shall be had as when a complaint is made under  
20 a statute of this State for flowing lands, occasioned by  
21 raising a head of water for the working of mills.

SECT. 3. The said corporation may demand and receive  
2 a toll for the passage of logs over or through their said  
3 dams and improvements of ten cents per thousand feet,  
4 board measure, woods scale, for all logs landed above  
5 the Air Line road and six cents per thousand upon all  
6 logs landed below said road. And said corporation shall  
7 have a lien upon all logs and lumber which may pass over  
8 any of its dams and improvements, for the payment of  
9 said tolls ; but the logs of each particular mark shall be  
10 holden only for the tolls of such mark ; and unless such  
11 toll is paid within twenty days after such logs or lumber  
12 or a major part of the same, shall arrive at the place of

13 manufacture or destination, said corporation may seize  
14 said logs and lumber and sell at public action so many  
15 and so much thereof as shall be necessary to pay such  
16 tolls, costs and charges. Notice of the time and place of  
17 such sale shall be given fourteen days before such sale,  
18 in some newspaper printed in Machias.

SECT. 4. When said corporation shall have received  
2 from tolls its outlay on dams and imprvements, and the  
3 repairs made up to that time, and eight per cent interest,  
4 then the tolls shall be reduced, *pro rata*, to a sum sufficient  
5 to keep the works in repair.

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

STATE OF MAINE.

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HOUSE OF REPRESENTATIVES, }  
March 9, 1893. }

Reported by Mr. HARRIS, of East Machias, from Committee on Interior  
Waters, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*