

MAINE STATE LEGISLATURE

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Sixty-Eighth Legislature.

HOUSE.

No. 211.

STATE OF MAINE.

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

AN ACT to incorporate the Old Stream Dam and Improvement
Company.

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

Section 1. John K. Ames, William C. Holway, Samuel M.
2 Holway, Frank S. Ames, Alfred K. Ames, their associates
3 and assigns, are hereby incorporated under the name of the
4 Old Stream Dam and Improvement Company, with all the
5 powers and similar corporations.

Sect. 2. Said corporation is authorized to build dams, side
2 dams, remove rocks and make all other necessary improve-
3 ments in Old stream to facilitate the driving of logs and
4 lumber down the same, and for this purpose the said cor-

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

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

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

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

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

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES,

March 3, 1897.

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

W. S. COTTON, *Clerk.*