

MAINE STATE LEGISLATURE

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Sixty-Eighth Legislature.

SENATE.

No. 34.

STATE OF MAINE.

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

AN ACT to incorporate Shin Pond Stream Dam and Improve-
ment Company.

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

Section 1. Edward Stetson, Isaiah K. Stetson, Frederick
2 H. Appleton, Henry A. Appleton, William Engel, Ira B.
3 Gardner and Don A. H. Powers, their associates, succes-
4 sors and assigns are hereby created a corporation by the
5 name of the Shin Pond Stream Dam and Improvement
6 Company with all the powers and privileges of similar cor-
7 porations.

Sect. 2. Said corporation is hereby authorized to take by
2 purchase or erect and maintain a dam at or near the outlet

3 of Upper Shin pond in the town of Mount Chase in the
4 county of Penobscot; and also to take by purchase or erect
5 and maintain a dam at or near the outlet of Lower Shin
6 pond in Township 5, Range 7, in said county; and also to
7 erect and maintain a sluice at Shin Pond Stream Falls in said
8 Township No. 6, Range 7, and a dam or dams below said
9 falls in Township No. 5, and in Township No. 6, Range 7,
10 in said county; and remove rocks and other obstructions in
11 said falls and below the same; and the said corporation are
12 authorized to enter upon and take such land, property and
13 material upon said townships and upon said town of Mount
14 Chase as the said corporation may find necessary to con-
15 struct their sluice and dams and erect the same; and also
16 to flow contiguous lands so far as may be necessary.

Provided, however, that said corporation shall pay the pro-
18 prietor or proprietors of land, property and material taken
19 and used such sums as may be agree on, and if the parties
20 cannot agree such damages shall be ascertained and deter-
21 mined by the county commissioners of the county of Penob-
22 scot in the same manner and under the same conditions and
23 limitations as are by law provided in the case of damage in
24 laying out public highways; and for lands flowed the
25 proprietor or proprietors may determine damages thereof
26 in the same mode and manner and to the same extent and
27 under the same conditions and limitations as are provided
28 in chapter 92 of the Revised Statutes, for damages where
29 lands are flowed by the erection of mills. And said cor-

30 poration may hold by purchase, other real estate to the value
31 of five thousand dollars.

Sect. 3. Said corporation may demand and receive as a
2 toll the sum of fifty cents for each and every thousand feet
3 board measure, wood scale of all logs and lumber put into
4 the lakes, ponds and streams above their sluice at or near
5 the head of Shin Pond Stream Falls and which may pass
6 over their sluice at or near the head of said Shin Pond
7 Stream Falls; and the said corporation shall have a lien
8 upon all logs and lumber which may pass over or through
9 their said sluice at or near the head of said Shin Pond
10 Stream Falls until the full amount of toll of all the logs and
11 lumber which may pass over and through said sluice at or
12 near the head of said Shin Pond Stream Falls is paid, but
13 the logs of each particular mark shall only be holden to pay
14 the toll of said mark, and if said toll is not paid within ten
15 days after said logs and lumber shall arrive at the Penobscot
16 boom or at their place of destination, said corporation may
17 sell at public auction in Bangor after ten days' notice in some
18 newspaper printed in said Bangor, so much of said logs and
19 lumber as may be sufficient to pay said toll and incidental
20 charges.

Sect. 4. When said corporation shall from tolls be reim-
2 bursed for all costs, expenses, and incidental charges for
3 erecting and maintaining all their dams, sluices and other
4 improvements including all sums paid for flowage, if any,
5 with twelve per cent. interest, the tolls shall be reduced to

6 a sum, sufficient in the opinion of the directors of said com-
7 pany to keep said dams, sluice and improvements in repair
8 and for protecting and preserving them.

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

STATE OF MAINE.

IN SENATE, January 28, 1897.

Presented by Mr. ENGEL of Penobscot, and on his motion laid on
table to be printed, pending reference to Committee on Interior Waters.

KENDALL M. DUNBAR, *Secretary.*