

MAINE STATE LEGISLATURE

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NEW DRAFT.

Sixty-Eighth Legislature.

SENATE.

No. 65.

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

Provided, however, that the rights hereby granted to said
20 corporation shall not be so exercised or held as to deprive
21 the owners of Township No. 6, Range 7, of the right, at any
22 time, to use the Falls above named and the lands imme-
23 diately adjoining the same, for the purpose of developing
24 the water power, and using, selling or leasing the same, for
25 manufacturing or mechanical purposes, and provided, also,
26 that said corporation shall pay the proprietor or proprietors
27 of land, property and material taken and used such sums as
28 may be agree on, and if the parties cannot agree such dam-

29 ages shall be ascertained and determined by the county
30 commissioners of the county of Penobscot in the same
31 manner and under the same conditions and limitations as are
32 by law provided in the case of damage in laying out public
33 highways; and for lands flowed the proprietor or proprietors
34 may determine damages thereof in the same mode and
35 manner and to the same extent and under the same condi-
36 tions and limitations as are provided in chapter 92 of the
37 Revised Statutes, for damages where lands are flowed by
38 the erection of mills. And said corporation may hold by
39 purchase, other real estate to the value of five thousand
40 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, February 11, 1897.

Reported by Mr. HINKLEY, from Committee on Interior Waters,
and laid on table to be printed under joint rules.

KENDALL M. DUNBAR, *Secretary.*