

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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# Sixty-Ninth Legislature.

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SENATE.

No. 112

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## STATE OF MAINE.

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

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AN ACT to amend chapter 419 of the Private and Special  
Laws of 1897 entitled "An Act to Incorporate the Penobscot  
East Branch Log Driving Company."

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

Section 1. Section 2 of chapter 419 of the laws of 1897  
2 is hereby amended by adding to said section the following  
3 words:

4 'Said corporation shall keep a true and itemized account of  
5 all the expenses incurred in making all the improvements  
6 herein provided and a separate account shall be kept for each  
7 place so improved. For removing obstructions, building  
8 dams, side dams, erecting piers and booms and making all  
9 the improvements to improve the navigation of said river as  
10 hereinbefore provided, all the logs or other lumber driven in

11 said river between Grand Lake dam and the West Branch at  
12 said Medway, whether driven by said corporation or by the  
13 owners of said logs or other lumber shall be assessed for the  
14 payment of said improvements as hereinafter set out; and  
15 there shall be a lien upon all said logs or other lumber for the  
16 payment of the assessments so made to be enforced as here-  
17 inafter provided. The members of said corporation owning  
18 logs or other lumber to be driven down said East Branch  
19 between said Grand Lake dam and said West Branch, and  
20 the owner or owners of logs or other lumber to be driven  
21 down said East Branch between said Grand Lake dam and  
22 said West Branch who may drive their logs as hereinbefore  
23 provided shall on or before the fifteenth day of April in that  
24 year file with the clerk of said corporation a statement in  
25 writing signed by said member or members, owner or owners,  
26 his or their authorized agent, of all such logs or other lumber,  
27 the number of feet board measure, and the marks thereon  
28 together with the places from which the logs are to be driven  
29 and their destination, which said statement shall be under  
30 oath if required by the directors or any one of them; any one  
31 of said directors is hereby empowered to administer said oath.  
32 On or before the first day of September of each year, said  
33 directors shall assess upon all logs or other lumber driven  
34 down said East Branch that year between said Grand Lake  
35 dam and said West Branch all or such part of the amount  
36 expended in said improvements, before the date of said  
37 assessment, as the directors decide to be just and equitable;  
38 provided always that no logs shall be assessed for or on  
39 account of any improvements over which such logs do not  
40 pass. And provided further that the assessment on logs  
41 driven from the northerly bank of Mud brook shall not exceed  
42 three cents per thousand feet and on logs driven from the  
43 foot of Bowlin Falls shall not exceed five cents per thousand  
44 feet.

If any owner or agent shall neglect or refuse to furnish or  
46 file said statement the directors may assess such delinquent or  
47 delinquents, for his or their proportion of such expenses.  
48 The directors shall give public notice before making said  
49 assessment, by publication in some newspaper printed in  
50 Bangor two weeks in succession, the last publication to be  
51 before making said assessment. When the owner or owners  
52 of any mark of logs or other lumber is unknown to the direc-  
53 tors, the directors may set to the mark upon such logs or  
54 other lumber, any assessment or assessments herein provided.  
55 The clerk shall keep a record of all assessments and all ex-  
56 penses upon which such assessments are based, which shall  
57 be open to all persons interested. All assessments shall be  
58 made at the office of said corporation. The directors shall  
59 give the treasurer a list of all assessments by them made, with  
60 a warrant in due form under their hands; and said corpo-  
61 ration shall have a lien on all logs and other lumber driven  
62 down said East Branch for the expenses of said improve-  
63 ments as hereinbefore set out, which lien may be discharged  
64 by giving the bond provided in section seven of this act.  
65 All assessments shall be collected in the same manner that the  
66 assessments for driving said logs are collected as provided  
67 in section seven. All the provisions of said section seven  
68 shall apply to the collection of the assessments herein pro-  
69 vided for so far as the same may be applicable.

Sect. 2. Section 3 of said chapter 419 of the laws of 1897  
2 is hereby amended so as to read as follows:

'Sect. 3. Any person, persons or corporations or their  
4 agents, owning wild land on the East Branch of the Penob-  
5 scot river or its tributaries, and any person, persons or cor-  
6 porations or their agents cutting logs or other lumber thereon  
7 shall be a member of the Penobscot East Branch Log Driv-  
8 ing Company, and shall so continue for one year at least, and

9 shall have all the privileges and be subject to all the liabilities  
10 pertaining thereto.'

Sect. 3. Said act shall be further amended by adding  
2 thereto the following section :

'Sect. 11. After all improvements and repairs made by said  
4 company shall have been duly paid for by the proceeds  
5 received from assessments as hereinbefore authorized with  
6 six per cent interest thereon added thereto, no further assess-  
7 ments shall thereafter be made except for necessary repairs.'

Sect. 4. Section five of said chapter 419 is hereby amended  
2 by striking out the word "May" in the fourth line and insert-  
3 ing in place thereof the word 'April,' so that said section. as  
4 amended, shall read as follows :

'Sect. 5. The members of said corporation owning logs  
6 and other lumber to be driven down said east branch between  
7 said Grand Lake dam and said west branch, shall on or before  
8 the fifteenth day of April in that year file with the clerk a  
9 statement in writing, signed by such member or members,  
10 his or their authorized agent, of all such logs or other lum-  
11 ber the number of feet, board measure, of all such logs or  
12 other lumber, and the marks thereon, together with the place  
13 from which the logs are to be driven and their destination,  
14 and the directors, or one of them, shall require such owner  
15 or owners or agent presenting such statement to make oath  
16 that the same is in their judgment and belief true, which  
17 oath any one of the directors is hereby authorized and em-  
18 powered to administer. And after the directors shall have ascer-  
19 tained the amount necessary to defray the cost of driving such  
20 logs and other lumber, and to pay other necessary expenses  
21 for the season, they shall have the right to assess the same  
22 as hereinafter provided, to the owners, if known, or to owner  
23 unknown, making such discount for logs driven less than  
24 the whole distance as in their opinion may be right and equit-

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25 able. And if any such owner or agent shall neglect or refuse  
26 to file a statement in the manner herein prescribed, the direc-  
27 tors may assess such delinquent or delinquents for his or  
28 their proportion of such expenses, such sum or sums as may  
29 be by the directors considered just and equitable, and the  
30 directors shall give public notice of the time and place of  
31 making such assessments, by publishing the same in some  
32 newspaper printed in Bangor two weeks in succession, the  
33 last publication to be before making such assessment, and  
34 any assessment or assessments, when the owner or owners  
35 of any mark of logs or other lumber is unknown to the direc-  
36 tors, may be set to the mark upon such logs or other lumber.  
37 And the clerk shall keep a record of all assessments and of  
38 all expenses upon which such assessments are based, which  
39 shall be open to the inspection of all persons interested.'







STATE OF MAINE.

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IN SENATE, March 8, 1899.

Reported by Mr. YOUNG from Committee on Interior Waters,<sup>§</sup> and  
laid on table to be printed under joint rules.

KENDALL M. DUNBAR, *Secretary*.