

MAINE STATE LEGISLATURE

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Seventieth Legislature.

HOUSE.

No. 306

STATE OF MAINE.

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

AN ACT to incorporate the Pistol Stream Dam Company.

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

Section 1. John Morison, John Cassidy, Horace B.
2 Morison and James W. Cassidy, their associates, succes-
3 sors and assigns, are hereby created a body politic and
4 corporate by the name of the Pistol Stream Dam Company,
5 with all the powers, rights and privileges of similar cor-
6 porations.

Sect. 2. Said corporation may erect and maintain a dam
2 on Pistol stream at the outlet of the second Pistol lake in
3 township four, North Division of Bingham's Penobscot
4 Purchase, in Hancock county, to facilitate the driving of

5 logs and other lumber from said second lake down said
6 stream, and may remove rocks, excavate ledges, build
7 dams and side dams, and make other improvements in said
8 stream between said second lake and the mouth of said
9 stream, including a dam at the outlet of the first Pistol
10 lake in township three in said North Division.

Sect. 3. Said corporation may take land and materials
2 necessary for building said dams and making said improve-
3 ments, and may flow contiguous lands so far as necessary
4 to raise suitable heads of water; and if the parties owning
5 said land and materials and said corporation cannot agree
6 upon the damages therefor, said corporation shall pay the
7 owners of the land and materials so taken, such damages
8 as shall be ascertained and determined by the county com-
9 missioners for the county of Hancock, in the same manner
10 and under the same conditions and limitations as are pro-
11 vided by law in case of damage by laying out of highways.
12 And for the damages caused by flowing lands said com-
13 pany shall not be liable to an action at common law, but
14 persons injured may have a remedy by a complaint for
15 flowing, in which the same proceedings shall be had as
16 when complaint is made, under the statutes of this state,
17 for flowing lands occasioned by raising a head of water for
18 the working of mills.

Sect. 4. Said corporation may demand and receive a
2 toll for the passage of logs and lumber through or over
3 said dams and improvements of fifteen cents per thousand
4 feet, board measure, woods scale, for all logs and lumber
5 that pass through the dam at the outlet of the second
6 Pistol lake aforesaid, and ten cents per thousand feet on
7 all logs and lumber landed below said second lake dam

8 and which shall pass over the dam at the outlet of said
9 lower Pistol lake; and said company shall have a lien
10 upon all logs and lumber which shall pass over any of its
11 said dams and improvements for the payment of said tolls,
12 but the logs of each particular mark shall be holden
13 only for the tolls on such mark; and unless such toll is
14 paid within twenty days after such logs or lumber, or a
15 major part thereof, arrive at the Passadumkeag boom, or
16 the place of manufacture or destination, said corporation
17 may seize said logs and lumber and sell such part thereof
18 as shall be necessary to pay such tolls and the costs and
19 charges of such seizure and sale. Notice of the time and
20 place of such sale shall be given ten days before such sale
21 in some newspaper printed in Bangor.

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

Sect. 6. Any owner of land from which logs or other
2 lumber is cut, which passes over and through said dams
3 and improvements shall have the right to take an interest
4 in the stock of said corporation in the proportion which
5 his ownership bears to all such lands, by paying a like
6 proportion of the cost of building said dams and making
7 said improvements.

Sect. 7. This act shall take effect when approved.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES,

AUGUSTA, March 6, 1901.

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

W. S. COTTON, *Clerk.*