

MAINE STATE LEGISLATURE

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Seventieth Legislature.

SENATE.

No. 80

STATE OF MAINE.

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

AN ACT to amend chapter 419 of the Private and Special Laws of 1897 as amended by chapter 155 of the Private and Special Laws of 1899 relating to the Penobscot East Branch Log Driving Company.

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

Section 2 of chapter 419 of the Private and Special Laws of 1897 is hereby amended by striking out the following in the twelfth, thirteenth and fourteenth lines thereof, viz.,

4 "Any owners of logs landed below Grand Lake Dam may
5 drive their own logs landed below said dam."

Said section 2 of chapter 419 as amended by chapter 155 of the Private and Special Laws of 1899 is hereby amended

8 by striking out after the word "Medway" in the eleventh line
9 of said chapter 155 the following words "whether driven by
10 said corporation or by the owners of said logs or other lum-
11 ber," and in the eighteenth line thereof by striking out after
12 the words "west branch" the following words, viz: "and the
13 owner or owners of logs or other lumber to be driven down
14 said east branch between said Grand Lake dam and said
15 west branch who may drive their logs as hereinbefore pro-
16 vided," so that said section as amended shall read as fol-
17 lows:

'Sect. 2. Said corporation shall drive all logs and other
19 lumber belonging to said corporation, or any of the members
20 thereof, that may be in the east branch of the Penobscot river
21 for that purpose, between Grand Lake dam and the west
22 branch at said Medway, to such place of destination on the
23 Penobscot river as may be designated by the owners of such
24 logs and other lumber, or by the directors of said corpora-
25 tion, such place not to be below the Penobscot boom where
26 logs are usually sorted. Provided, however, said corporation
27 shall be under no obligation to drive logs or other lumber
28 coming into said east branch unless seasonably delivered for
29 that purpose below said Grand Lake dam. And said corpora-
30 tion for the purposes aforesaid, may clear out and improve
31 the navigation of the river between the points aforesaid,
32 remove obstructions, break jams, build dams and side dams,
33 erect piers and booms, and make all other necessary improve-
34 ments.

Said corporation shall keep a true and itemized account of
36 all the expenses incurred in making all the improvements

37 herein provided and a separate account shall be kept for each
38 place so improved. For removing obstructions, building
39 dams and side dams, erecting piers and booms and making
40 all the improvements to improve the navigation of said river
41 as hereinbefore provided, all the logs or other lumber driven
42 in said river between Grand Lake dam and the west branch
43 at said Medway shall be assessed for the payment of said
44 improvements as hereinafter set out; and there shall be a lien
45 upon all said logs or other lumber for the payment of the
46 assessments so made to be enforced as hereinafter provided.
47 The members of said corporation owning logs or other lum-
48 ber to be driven down said east branch between said Grand
49 Lake dam and said west branch shall on or before the fif-
50 teenth day of April in that year file with the clerk of said
51 corporation a statement in writing signed by said member or
52 members, owner or owners, his or their authorized agent, of
53 all such logs or other lumber, the number of feet board
54 measure, and the marks thereon together with the places
55 from which the logs are to be driven and their destination,
56 which said statement shall be under oath if required by the
57 directors or any one of them; any one of said directors is
58 hereby empowered to administer said oath. On or before
59 the first day of September of each year, said directors shall
60 assess upon all logs or other lumber driven down said east
61 branch that year between said Grand Lake dam and said
62 west branch all or such part of the amount expended in said
63 improvements, before the date of said assessment, as the
64 directors decide to be just and equitable; provided always,
65 that no logs shall be assessed for on account of any improve-

66 ments over which such logs do not pass. And provided
67 further, that the assessment on logs driven from the northerly
68 bank of Mud brook shall not exceed three cents per thousand
69 feet and on logs driven from the foot of Bowlin falls shall
70 not exceed five cents per thousand feet. If any owner or
71 agent shall neglect or refuse to furnish or file said statement
72 the directors may assess such delinquent or delinquents, for
73 his or their proportion of such expenses. The directors shall
74 give public notice before making said assessment, by publica-
75 tion in some newspaper printed in Bangor two weeks in suc-
76 cession, the last publication to be before making said assess-
77 ment. When the owner or owners of any mark of logs or
78 other lumber is unknown to the directors, the directors may
79 set to the mark upon such logs or other lumber, any assess-
80 ment or assessments herein provided. The clerk shall keep
81 a record of all assessments and all expenses upon which such
82 assessments are based, which shall be open to all persons
83 interested. All assessments shall be made at the office of
84 said corporation. The directors shall give the treasurer a
85 list of all assessments by them made, with a warrant in due
86 form under their hands; and said corporation shall have a
87 lien on all logs and other lumber driven down said east
88 branch for the expenses of said improvements as herein-
89 before set out, which lien may be discharged by giving the
90 bond provided in section seven of this act. All assessments
91 shall be collected in the same manner that the assessments for
92 driving said logs are collected as provided in section seven.
93 All the provisions of said section seven shall apply to the

94 collection of the assessments herein provided for so far as
95 the same may be applicable.'

STATE OF MAINE.

IN SENATE, February 22, 1901.

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

KENDALL M. DUNBAR, *Secretary*.