

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

---

# Seventy-first Legislature.

---

HOUSE.

No. 6

---

## STATE OF MAINE.

---

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

---

AN ACT to incorporate the East Branch Improvement  
Company.

---

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

Section 1. Nathaniel M. Jones, Fred W. Ayer, Halbert P.  
2 Gardner, Herbert W. Marsh, James W. Sewall and George  
3 H. Hamlin, their associates, successors and assigns, are  
4 hereby incorporated under the name of the East Branch  
5 Improvement Company.

Sect. 2. The capital stock of said company shall not exceed  
2 one hundred thousand dollars, divided into shares of one  
3 hundred dollars each, and, in order to carry out the purposes  
4 for which said company is incorporated, it is hereby author-  
5 ized and empowered to issue its bonds in such form and  
6 amount and on such rates as it may deem expedient, not

7 exceeding the amount of its capital stock, and may secure  
8 the same by mortgage of its property and franchises.

Sect. 3. Said company is hereby authorized and empowered  
2 to take and hold by virtue of any conveyances made to it, the  
3 franchises, real estate, canals, sluice-ways, piers, dams, wing  
4 dams, side dams, booms, steamboats, improvements and other  
5 property of the Telos Canal Company and the Grand Lake  
6 Dam Company, both of which were incorporated by special  
7 acts of the legislature of Maine, approved August 7, 1849,  
8 and of the East Branch Dam Company, incorporated by spec-  
9 ial act of the legislature of Maine, approved April 26, 1852,  
10 which said companies are hereby authorized and empowered  
11 to sell, assign and convey by deeds duly executed by the  
12 presidents of the several companies, to said East Branch  
13 Improvement Company such franchises, real estate, canals,  
14 sluice-ways, piers, dams, wing dams, side dams, booms,  
15 steamboats, improvements, and other property owned or  
16 possessed by them at the time of such transfer, and upon  
17 receiving such conveyances said East Branch Improvement  
18 Company is hereby authorized and empowered to exercise all  
19 the powers and privileges of said Telos Canal Company, said  
20 Grand Lake Dam Company and said East Branch Dam Com-  
21 pany, including the assessment and collection of tolls, in  
22 accordance with all acts of the legislature relating thereto,  
23 and the duties of said several companies shall be and become  
24 the duties of said East Branch Improvement Company, which  
25 said company shall thereafter be holden to perform such  
26 duties.

Sect. 4. In addition to the rights and powers now possessed  
2 by said Telos Canal Company, said Grand Lake Dam Com-  
3 pany and said East Branch Dam Company, said East Branch  
4 Improvement Company, for the purpose of facilitating the  
5 driving of logs and other lumber, shall have the power to  
6 build additional dams, with proper gates and sluice-ways,

7 clear and deepen channels and canals, and remove obstruc-  
8 tions in the waters of the East Branch of the Penobscot river  
9 between Grand Lake Dam and the foot of Telos Lake,  
10 so-called, and the tributaries thereof, and to erect necessary  
11 piers, booms, side booms and other works. Said company  
12 shall also have the power to repair or rebuild any dams or  
13 other works which it may acquire as aforesaid from said  
14 Telos Canal Company, said Grand Lake Dam Company and  
15 said East Branch Dam Company, increasing the height of any  
16 such dams if it sees fit to do so, and the additional damages  
17 for flowage caused by such new dams, or by the increased  
18 height of existing dams, may be recovered in accordance  
19 with the provisions of chapter ninety-two of the Revised  
20 Statutes.

Sect. 5. If any person sustaining damages as aforesaid can-  
2 not agree with said company upon the sum to be paid there-  
3 for, either, on petition to the county commissioners of the  
4 county where the land taken is situated, may have said dam-  
5 ages assessed by them, and subsequent proceedings and right  
6 of appeal thereon shall be had in the same manner and under  
7 the same conditions, restrictions and limitations as are by law  
8 prescribed in the case of damages caused by the laying out of  
9 highways. Failure to apply for damages within twelve  
10 months from the time of such taking or the beginning of  
11 such use shall be held to be a waiver of the same.

Sect. 6. Said company is hereby authorized and empow-  
2 ered to make contracts with any person or corporation to  
3 drive logs and other lumber into the Penobscot boom or to  
4 their place of destination for sale or manufacture, charging  
5 such compensation therefor as shall be agreed upon between  
6 said company and such person or corporation. And said  
7 company shall have a lien upon the logs driven by virtue of  
8 such contract, which lien shall have precedence of all other  
9 claims except laborers' liens, and shall continue for ninety

10 days after the logs or lumber shall arrive at place of destina-  
11 tion for sale or manufacture, and may be enforced by attach-  
12 ment.

Sect. 7. The first meeting of said corporation shall be called  
2 at Bangor, in the county of Penobscot, by a notice signed by  
3 one of the corporators named in section one, setting forth the  
4 time, place and purposes of the meeting, and such notice shall  
5 be mailed to each of the corporators, postage paid, at least  
6 seven days before the day of such meeting.

Sect. 8. This act shall take effect when approved.

---

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES,

AUGUSTA, January 21, 1903.

Tabled pending reference in concurrence to the Committee on Interior  
Waters, by Mr. SMITH of Presque Isle, and ordered printed.

W. S. COTTON, *Clerk.*