

MAINE STATE LEGISLATURE

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NEW DRAFT.

Seventy-first Legislature.

HOUSE.

No. 153

STATE OF MAINE.

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

AN ACT to authorize the erection of piers and booms in the
Mattawamkeag River, at Jenkins Cove.

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

Section 1. Marion E. Sprague of Drew, in the county of
2 Penobscot, his successors and assigns, are hereby authorized
3 and empowered to erect and maintain in the Mattawamkeag
4 river, at or near Jenkins Cove, so called, piers and booms
5 for the purpose of collecting, separating, sorting and holding
6 logs and other lumber coming down said river. Said piers
7 and booms shall be located as follows: a sorting boom at
8 said Jenkins Cove, and holding booms upon the northerly
9 side of said river extending from said sorting boom to a

10 point one hundred rods above the head of Ox Bow island
11 and from a point one-fourth of a mile above the mouth of
12 Mud Brook, so called, to the mills of said Sprague, situated
13 below said Jenkins Cove in Reed plantation. At least two
14 sorting gaps shall be constructed, maintained and used for
15 the passage of logs and other lumber through said booms.
16 Said piers and booms shall be so located, constructed, main-
17 tained and used that logs and other lumber running down
18 said river, belonging to other parties, and not destined for
19 use and manufacture at the mills of said Sprague, his suc-
20 cessors and assigns, shall not be unreasonably impeded or
21 delayed, and in no case shall logs or other lumber be delayed
22 longer than twenty-four hours, and the logs or lumber of
23 other parties, when stopped for sorting shall be turned by
24 as soon as they practically can be sorted and separated from
25 logs and other lumber destined for use and manufacture at
26 the mills of said Sprague, and any stray logs or other lumber
27 not destined for use and manufacture, at the mills of said
28 Sprague, if found in said booms, shall be turned out by him
29 upon written demand of the owner or owners thereof, at his
30 own charge and expense.

Sect. 2. Said Sprague, his successors and assigns, by aid
2 of such piers and booms are hereby authorized and empow-
3 ered to separate and sort out from the logs and other lumber
4 coming down said river, all logs and other lumber destined
5 and intended for use and manufacture at the mills of said
6 Sprague; provided, however, if upon the approach of the
7 rear of any drive of logs to the booms herein authorized to
8 be constructed and maintained, it shall appear to the person
9 in charge of such drive that said Sprague has not sufficient
10 men to sort and turn by the logs or other lumber arriving
11 at said booms, so that such drive may be unreasonably
12 impeded or delayed, such person, upon notice in writing to
13 said Sprague, shall have the right to put men of his own

14 selection upon said booms, to expedite the sorting and turn-
15 ing by of the logs and other lumber in such drive, who shall
16 be paid by said Sprague; and the additional cost, if any,
17 of making such drive through said booms in consequence
18 of such erections and piers of said Sprague shall be paid
19 by said Sprague; but nothing herein contained shall make
20 said Sprague liable for any delay caused by said piers and
21 booms. And said Sprague is also authorized and empow-
22 ered to hold within the piers and booms mentioned in this
23 act and located, erected and maintained as aforesaid, all logs
24 and other lumber coming down said Mattawamkeag river
25 which are destined and intended for use and manufacture
26 at the mills of said Sprague.

Sect. 3. The Mattawamkeag Log Driving Company, a
2 corporation existing under the laws of the State, shall have
3 the right at any time to appoint an agent who is hereby
4 authorized and empowered, and whose duty it shall be, to
5 take charge of and superintend the sorting of the logs and
6 other lumber running through the booms herein authorized,
7 and said Sprague at the beginning of every driving season,
8 or at the time of the appointment of such agent, shall furnish
9 such agent a list of marks upon all logs and other lumber
10 intended to be manufactured at the mills of said Sprague,
11 and such agent shall see to it that the logs and other lumber
12 not intended to be manufactured at the mills of said Sprague
13 are not unreasonably detained in or by said booms. The
14 compensation of such agent shall not exceed two dollars fifty
15 cents per day, and shall be paid by said Sprague.

Sect. 4. Said Sprague, his successors and assigns, may
2 enter upon, take and hold such lands as may be necessary
3 for the location, erection and maintenance of the piers and
4 booms mentioned in this act and connecting the same with
5 the shores, and may with their agents and teams, pass and
6 repass over said shores and to and from the same, over the

7 lands of other persons, for the purpose aforesaid, and for
8 the operation and management of said piers and booms, and
9 the damages for such taking shall be assessed and recovered
10 as follows: If any person sustaining damages as aforesaid
11 cannot agree with said Sprague upon the sum to be paid
12 therefor, either party on petition to the county commissioners
13 of the county in which the land so taken is situated, may
14 have the damages assessed by them, and subsequent pro-
15 ceedings and right of appeal thereon shall be had in the same
16 manner and under the same conditions, restrictions and
17 limitations as are by law prescribed in the case of damages
18 occasioned by the laying out of highways.

Sect. 5. This act shall take effect when approved.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES,

AUGUSTA, February 19, 1903.

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

W. S. COTTON, *Clerk.*