

# MAINE STATE LEGISLATURE

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# Seventy-first Legislature.

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HOUSE.

No. 418

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## STATE OF MAINE,

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

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AN ACT to incorporate the Madunkeunk Dam and Improvement  
Company.

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

Section 1. John G. Fleming, James F. Kimball, Nathaniel  
2 M. Jones, George W. Smith, Alvarius Hathaway, Samuel C.  
3 Fleming and George H. Haynes, their associates, successors  
4 and assigns, are hereby incorporated under the name of the  
5 Madunkeunk Dam and Improvement Company.

Sect. 2. Said company is authorized to erect and maintain  
2 dams, sluices and side dams on the Madunkeunk stream, in  
4 the county of Penobscot, and its tributaries, to remove rocks  
5 therefrom, and to widen, deepen and otherwise improve said  
6 stream and its tributaries for the purpose of facilitating the  
7 driving of logs and other lumber down the same. Said dams

8 to be located as follows: One at or near the mouth of the  
9 Ebhors stream, a tributary of said Madunkeunk; one on the  
10 east branch of said stream at or near the old dam; one at the  
11 foot of Beaver pond, so called; one on Trout brook, a tribu-  
12 tary of said stream, at or near the foot of the meadows; and  
13 one on the Ebhors stream at a point to be hereafter deter-  
14 mined by said company. Said company is hereby authorized  
15 to purchase any dams now constructed and in use at or near  
16 the aforesaid points. Said company is also authorized to  
17 locate, erect and maintain in the Penobscot river at or near  
18 the mouth of said Madunkeunk stream piers and booms for  
19 the purpose of affording owners of logs and other lumber  
20 coming down said stream facilities for collecting, holding and  
21 sorting out the same; provided, said piers and booms shall  
22 be so located, constructed, maintained and used that they will  
23 not in any way interfere with the free navigation of said  
24 Penobscot river or the passage of logs or rafts of lumber  
25 down said river. Said company, its successors and assigns,  
26 by aid of such piers and booms is hereby authorized to sep-  
27 arate and sort out the logs and other lumber coming out of  
28 said stream and belonging to different owners whenever  
29 requested to do so by such owners, receiving such compensa-  
30 tion therefor as may be agreed upon between such owners  
31 and said company. Said company is also hereby authorized  
32 and empowered to hold within the piers and booms mentioned  
33 in this act and located, erected and maintained as aforesaid  
34 all logs, pulp wood and other lumber coming down said  
35 Madunkeunk stream when so requested by the owners  
36 thereof, or when necessary for the protection of such logs  
37 and other lumber.

Sect. 3. Any damages arising from flowing of land by said  
2 dams may be recovered in accordance with the provisions of  
3 chapter ninety-two of the Revised Statutes.

Sect. 4. Said company may demand and receive a toll upon  
2 all logs and other lumber which may pass over or through  
3 said dams or other improvements, including said booms, to  
4 be fixed by said company, but not to exceed fifteen cents per  
5 thousand feet stumpage scale, or, when such logs or other  
6 lumber have not been scaled for stumpage, by the scale ren-  
7 dered at the place of destination of such logs and other lum-  
8 ber, and said company shall have a lien upon such logs and  
9 other lumber until the full amount of toll is paid, to be  
10 enforced by attachment, said lien to continue for ninety days  
11 after such logs and other lumber shall arrive at their place  
12 of destination.

Sect. 5. When said company shall have received from tolls  
2 its outlay upon all dams, improvements and repairs made up  
3 to that time, including any damages paid for flowage or other-  
4 wise, together with six per cent interest thereon, then the  
5 tolls herein provided for shall be reduced to a sum sufficient  
6 to keep said dams and improvements in reasonable repair.

Sect. 6. Said company may issue its capital stock to an  
2 amount not exceeding ten thousand dollars, to be divided into  
3 shares of one hundred dollars each.

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

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

STATE OF MAINE.

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IN HOUSE OF REPRESENTATIVES,

AUGUSTA, March 18, 1903.

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

W. S. COTTON, *Clerk.*