

MAINE STATE LEGISLATURE

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NEW DRAFT.

Seventy-first Legislature.

SENATE.

No. 183

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
2 P. 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 the
8 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, sluiceways, 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, 1846,
8 and of the East Branch Dam Company, incorporated by
9 special act of the legislature of Maine, approved April 26,
10 1852, which said companies are hereby authorized and
11 empowered to sell, assign and convey by deeds duly executed
12 by the presidents of the several companies, to said East
13 Branch Improvement Company such franchises, real estate,
14 canals, sluiceways, 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, and
23 the duties of the 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 upon its own land or land acquired for

7 that purpose, with suitable gates and sluiceways, repair or
8 rebuild any dams it may acquire from said companies as
9 aforesaid, increasing the height of the same, remove obstruc-
10 tions and erect necessary piers, booms, side booms and other
11 works, in the waters of the east branch of the Penobscot river
12 and its natural tributaries above Grand Lake dam, and said
13 company shall also have the power to rebuild the dam at the
14 foot of Grand lake, increasing the height of the same not
15 exceeding five feet and the additional damages for flowage
16 caused by such new dams or by the increased height of exist-
17 ing dams may be recovered in accordance with the provisions
18 of chapter ninety-two of the Revised Statutes; provided, how-
19 ever, after the drive in any year shall arrive in the Penobscot
20 boom, or the drive shall have been abandoned, the water
21 stored by such dams shall be allowed to flow so that the
22 volume and flow shall be, as nearly as practicable, equal and
23 continuous for the whole twenty-four hours of each day there-
24 after until such stored water has run through said dams.
25 Nothing in this act shall be construed as giving said company
26 the right to increase the height of the dam at the outlet of
27 Chamberlaine lake or enlarge the Telos canal as constructed
28 by the Telos Canal Company.

Sect. 5. Said company is hereby authorized and empowered
2 to make contracts with any person or corporation to drive logs
3 and other lumber into the Penobscot boom or to their place of
4 destination for sale or manufacture, charging such compen-
5 sation therefor as shall be agreed upon between said company
6 and such person or corporation; provided, however, said
7 company shall not drive logs or other lumber below said
8 Grand Lake dam except by virtue of a contract with the
9 Penobscot East Branch Log Driving Company. And said
10 company shall have a lien upon the logs driven by virtue of
11 such contract, which lien shall have precedence of all other
12 claims, except laborers' liens, and shall continue for ninety

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

Sect. 6. 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. 7. This act shall take effect when approved.

STATE OF MAINE.

IN SENATE, March 11, 1903.

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

KENDALL M. DUNBAR, *Secretary*.