

MAINE STATE LEGISLATURE

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NEW DRAFT.

Seventy-first Legislature.

SENATE.

No. 199

STATE OF MAINE.

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

AN ACT to amend chapter four hundred seven of the Private
and Special Laws of 1846, entitled "An Act to incorporate the
Penobscot Log Driving Company."

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

Section 1. Section one of chapter four hundred seven of
2 the Private and Special Laws of 1846, entitled "An Act to
3 incorporate the Penobscot Log Driving Company," as
4 amended by chapter two hundred forty- three of the Private
5 and Special Laws of 1849 is hereby further amended by
6 striking out of said section everything between the period in
7 the thirteenth line and the period in the eighteenth line, and
8 inserting in place thereof the following: 'Said company shall
9 drive all logs and other timber that may be in the west branch

10 of the Penobscot river for that purpose between the head of
11 Shad pond and the east branch of said river to such place of
12 destination on said river as may be designated by the owners
13 of such logs and other timber or by the directors of said
14 company, such place not to be below the Penobscot boom
15 where logs are usually sorted and rafted,' so that said section
16 as amended shall read as follows :

'Sect. 1. That Ira Wadleigh, Samuel P. Strickland,
18 Hastings Strickland, Isaac Farrar, William Emerson, Amos
19 M. Roberts, Leonard Jones, Franklin Adams, James Jenkins,
20 Aaron Babb and Cyrus S. Clark, their associates and suc-
21 cessors, be, and they are hereby made and constituted a body
22 politic and corporate, by the name and style of the Penobscot
23 Log Driving Company, and by that name may sue and be
24 sued, prosecute and defend, to final judgment and execution,
25 both in law and in equity, and may make and adopt all neces-
26 sary regulations and by-laws not repugnant to the constitution
27 and laws of this State, and may adopt a common seal, and the
28 same may alter, break, and renew at pleasure, and may hold
29 real and personal estate not exceeding the sum of fifty thou-
30 sand dollars at any one time and may grant and vote money.
31 Said company shall drive all logs and other timber that may
32 be in the west branch of the Penobscot river for that purpose
33 between the head of Shad pond and the east branch of said
34 river to such place of destination on said river as may be
35 designated by the owners of such logs and other timber or by
36 the directors of said company, such place not to be below the
37 Penobscot boom where logs are usually sorted and rafted.
38 And said company may for the purposes aforesaid clear out
39 and improve the navigation of the river between the points
40 aforesaid, remove obstructions, break jams and erect booms,
41 where the same may be lawfully done, and shall have all the
42 powers and privileges, and be subject to all the liabilities in-
43 cident to corporations of a similar nature.'

Sect. 2. Section three of said chapter four hundred seven 2 is hereby amended by striking out in the second and third 3 lines of said section the words "Between said Chesuncook 4 dam and said east branch," and by inserting after the word 5 "Branch" in the fourth line the words 'Below Shad pond,' so 6 that said section as amended shall read as follows:

'Sect. 3. Every owner of logs or other timber which may 8 be in said west branch or which may come therein during the 9 season of driving and intended to be driven down said west 10 branch below Shad pond, shall on or before the fifteenth day 11 of May, in that year, file with the clerk a statement in writing, 12 signed by such owner or owners, his or their authorized 13 agent, of all such logs or timber, of the number of feet, board 14 measure, of all such logs and other timber, and the marks 15 thereon, and the directors, or one of them, shall require such 16 owner or owners or agents presenting such statement, to make 17 oath that the same is, in his or their judgment and belief, 18 true, which oath the directors, or either of them, are hereby 19 empowered to administer. And if any owner shall neglect 20 or refuse to file a statement in the manner herein prescribed, 21 the directors may assess such delinquent or delinquents for 22 his or their proportion of such expenses, such sum or sums 23 as may be by the directors considered just and equitable. 24 And the directors shall give public notice of the time and 25 place of making such assessments, by publishing the same in 26 some newspaper printed in Bangor, two weeks in succession, 27 the last publication to be before making such assessments. 28 And any assessment or assessments when the owner or 29 owners of any mark of logs or other timber is unknown to the 30 directors, may be set to the mark upon such logs or other 31 timber. And the clerk shall keep a record of all assessments, 32 and of all expenses upon which such assessments are based, 33 which shall at all times be open to all persons interested.

Sect. 3. Said chapter four hundred seven is further
2 amended by striking out all of section five and inserting in
3 place thereof the following section.

‘Sect. 5. The directors annually shall give the treasurer a
5 list of the assessments made by them, and owners of logs and
6 other timber shall be required to pay or satisfactorily secure
7 the amount of their several assessments within thirty days
8 from the date of such assessment, and said company shall
9 have a lien on all logs and other timber by it driven for the
10 expense of driving the same and for the other expenses of
11 the company, which lien shall have precedence of all other
12 claims, except laborers’ liens, and shall continue for ninety
13 days after the logs or other timber shall arrive at their place
14 of destination for sale or manufacture and may be enforced
15 by attachment, but such lien may be discharged by a bond
16 with sufficient sureties given to the company conditional that
17 all such expenses shall be seasonably paid.’

Sect. 4. Said chapter four hundred seven is hereby further
2 amended by adding thereto the following section :

‘Sect. 6. Every person or corporation owning timberlands
4 on the west branch of the Penobscot river, or its tributaries,
5 and every owner of logs or other timber cut upon said west
6 branch, or its tributaries, and intended to be driven down said
7 river below Shad pond, shall be members of this company.
8 Every such timberland owner shall be entitled to one vote,
9 and every such owner of logs or other timber shall be entitled
10 to one vote for every one hundred thousand feet of logs or
11 other timber intended to be driven to any point on said river
12 between Shad pond and the Penobscot boom.’

Sect. 5. All acts, or parts of acts, inconsistent herewith are
2 hereby repealed.

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

STATE OF MAINE.

IN SENATE, March 12, 1903.

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

KENDALL, M. DUNBAR, *Secretary*.