

# 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-SECOND LEGISLATURE

---

---

SENATE.

No. 56

---

---

## STATE OF MAINE.

---

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

---

AN ACT to authorize the Mainstream Lumber Company to  
erect a dam across Mainstream in the town of Harmony.

---

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

Section 1. The Mainstream Lumber Company, a corpora-  
2 tion organized under the general laws of Maine, and located  
3 in Portland in the State of Maine, is hereby authorized to  
4 erect, construct, maintain and repair and extend a dam across  
5 Mainstream, in the town of Harmony, with necessary side  
6 dams and canals appurtenant thereto across said Mainstream  
7 at any point between Mainstream bridge and the bridge of the  
8 Sebasticook and Moosehead Railroad Company, across said  
9 Mainstream, and by means of such dam to flow any and all  
10 lands on said Mainstream or any of its tributaries above the  
11 proposed dam and below any dam now existing, and to erect,  
12 maintain and operate mills on or near said dam, for the pur-

13 pose of grinding different kinds of grain, sawing and finish-  
14 ing all kinds of lumber, and the manufacturing of woolen and  
15 cotton cloths, said mills to be furnished with power from said  
16 dam; also for the purposes, notwithstanding the rights of any  
17 other, of making, generating, selling and distributing and  
18 supplying electricity for heating, lighting, manufacturing or  
19 mechanical purposes in the town of Harmony in said county  
20 of Somerset, or to any inhabitant of said town, or anyone  
21 doing business in said town, with the rights for any and all  
22 the above named purposes, to purchase or otherwise acquire  
23 any lands or real estate or any rights of flowage, or any other  
24 rights as may be necessary to accomplish the purposes above  
25 set forth, to purchase and otherwise acquire, distribute, sell  
26 and deal in electrical fixtures and apparatus and all other  
27 kinds of merchandise and personal property.

Sect. 2. Said corporation is hereby authorized to improve  
2 Mainstream and its tributaries in the counties of Somerset  
3 and Piscataquis for log driving purposes, and for this pur-  
4 pose to widen, deepen and remove obstructions from the  
5 channels of said Mainstream and its tributaries, and to con-  
6 struct dams and side dams, and sluiceways therein, to erect  
7 booms, side booms and piers therein, and to make such other  
8 improvements in said Mainstream and along any part there-  
9 of, down to Moose pond, in said county of Somerset, as may  
10 be necessary and proper to facilitate log driving, provided  
11 that such improvements shall not interfere with the reason-  
12 able and proper use of any mills or works now operating  
13 upon said stream.

Sect. 3. Said corporation is hereby empowered to take and  
2 hold as for public uses such lands and property as may be  
3 necessary for the purpose of said corporation as herein pro-  
4 vided, and such material as may be needed for erecting and  
5 maintaining its dams and structures, and in case said corpora-  
6 tion cannot agree with the owner or owners as to the price to

7 be paid therefor, the same shall be determined by the county  
8 commissioners of the county wherein the land or the personal  
9 property taken is situated, upon application of any party  
10 interested to such county commissioners, in the same manner  
11 as damages are assessed for the location, alteration and dis-  
12 continuance of highways, as provided in chapter twenty-three  
13 of the Revised Statutes of one thousand nine hundred and  
14 three, and acts amendatory thereof and additional thereto,  
15 and the same rights of appeal from the decision of said  
16 county commissioners shall exist and may be prosecuted in  
17 the same manner as provided in chapter twenty-three and  
18 acts amendatory thereof and additional thereto. Said cor-  
19 poration is hereby empowered also to flow such lands as may  
20 be necessary to carry out the purposes of this act, and said  
21 corporation shall be liable to all damages by said flowing, to  
22 be ascertained and determined in the manner described in  
23 chapter ninety-four of the Revised Statutes of one thousand  
24 nine hundred and three, and acts amendatory thereof and  
25 additional thereto.

Sect. 4. After the improvements contemplated in this act in  
2 said stream and its tributaries or any part thereof, and during  
3 such time as the same shall be kept in proper condition to  
4 facilitate the passage of logs and pulp wood, the said corpora-  
5 tion may demand and receive twenty-five cents per thousand  
6 feet, wood scale, for all long lumber consisting of logs, masts  
7 or spars, and twelve and one-half cents per cord for all  
8 spruce, pine or poplar wood, intended for pulp, that shall be  
9 placed in said stream or its tributaries, above said company's  
10 mills in the town of Harmony, for passage to or by said mills.

Sect. 5. Said corporation shall have a lien on said lumber  
2 and wood for said toll, to be enforced by an attachment and  
3 suit to be begun within ninety days after the same shall have  
4 arrived at its destination.

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

STATE OF MAINE.

---

IN SENATE, February 7, 1905.

Presented by Mr. BAILEY of Somerset, and pending reference to the Committee on the Judiciary, on motion by the same Senator, laid on the table to be printed.

KENDALL M. DUNBAR, *Secretary*.