

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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# SEVENTY-SECOND LEGISLATURE

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SENATE.

No. 153

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## STATE OF MAINE.

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

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

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*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  
8 the Sebacook and Moosehead Railroad Company across  
9 said Mainstream, and by means of such dam to flow any and  
10 all lands on said Mainstream or any of its tributaries above  
11 the proposed dam and below any dam now existing, and to

12 erect, maintain and operate mills on or near said dam, for the  
13 purpose of grinding different kinds of grain, sawing and fin-  
14 ishing all kinds of lumber, and the manufacturing of woolen  
15 and cotton cloths, said mills to be furnished with power from  
16 said dam; also for the purposes, notwithstanding the rights  
17 of any other, of making, generating, selling and distributing  
18 and supplying electricity for heating, lighting, manufactur-  
19 ing or mechanical purposes in the town of Harmony in said  
20 county of Somerset, or to any inhabitant of said town, or any-  
21 one doing business in said town, with the rights for any and  
22 all the above named purposes, to purchase or otherwise  
23 acquire any lands or real estate or any rights of flowage, or  
24 any other rights as may be necessary to accomplish the pur-  
25 poses above set forth, to purchase and otherwise acquire, dis-  
26 tribute, sell and deal in electrical fixtures and apparatus and  
27 all other 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 purpose  
4 to widen, deepen and remove obstructions from the channels  
5 of said Mainstream and its tributaries, and to construct dams  
6 and side dams, and sluiceways therein, to erect booms, side  
7 booms and piers therein, and to make such other improve-  
8 ments in said Mainstream and along any part thereof, down  
9 to Moose pond, in said county of Somerset, as may be neces-  
10 sary and proper to facilitate log driving, provided that such  
11 improvements shall not interfere with the reasonable and  
12 proper use of any mills or works now operating upon said  
13 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 in case said corporation cannot agree with the  
5 owner or owners as to the price to be paid therefor, the same

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

Sect. 4. After the improvements contemplated in this act  
2 in said stream and its tributaries or any part thereof, and dur-  
3 ing such time as the same shall be kept in proper condition to  
4 facilitate the passage of logs and pulp wood, the said corpo-  
5 ration may demand and receive twenty-five cents per thou-  
6 sand feet, wood scale, for all long lumber consisting of logs,  
7 masts or spars, and twelve and one-half cents per cord for  
8 all spruce, pine or poplar wood, intended for pulp, that shall  
9 be placed in said stream or its tributaries, above said com-  
10 pany's mills in the town of Harmony, for passage to or by  
11 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.

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IN SENATE, March 3, 1905.

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

KENDALL M. DUNBAR, *Secretary*.