

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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# SEVENTY-THIRD LEGISLATURE

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HOUSE.

No. 386

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## STATE OF MAINE.

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

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AN ACT to incorporate the Baker and Spencer Brook 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. Elizabeth S. Haynes, J. Henry Sturgis, Frank  
2 E. Smith, George L. Smith, Fred H. Appleton, William J.  
3 Lanigan, Frank E. Boston, Chauncy S. Skinner, E. Payson  
4 Viles, Samuel W. Philbrick and Guy Hume, their associates,  
5 successors and assigns are hereby incorporated under the  
6 name of Baker and Spencer Brook Dam and Improvement  
7 Company, with all the powers and privileges of similar cor-  
8 porations.

Sect. 2. Said company is hereby authorized to erect and  
2 maintain dams on Baker brook in township 5, range 6, B.  
3 K. P. at the outlet of Baker pond, so called, and at the Falls  
4 above Baker pond; also at the outlet of Rock pond, so called,  
5 and on Spencer brook in said township at what is known as  
6 Blakslee dam and Morris dam in said township, and may  
7 also erect and maintain necessary side dams, piers and booms  
8 therein and otherwise improve said Baker brook and Spencer  
9 brook to the junction thereof in townships 5, range 6, 4 range  
10 5, 4 range 6 and 6 range 7, B. K. P., by removing rocks and  
11 trees, excavating ledges therefrom and widening, deeping  
12 and otherwise improving same for the purpose of raising a  
13 head of water, and of making said brooks and their tribu-  
14 taries floatable and of facilitating the driving of logs and  
15 lumber upon the same.

Sect. 3. Said company for the above purposes may take all  
2 necessary lands and materials for building of said dams, and  
3 making said improvements and may flow contiguous lands  
4 so far as necessary, and if interested parties cannot agree  
5 upon the amount of damages to be paid by said corporation  
6 for the land and material so taken, said damages shall be  
7 ascertained by the county commissioners of the county of  
8 Somerset in the same manner and under the same conditions  
9 and limitations as provided by law in the case of damages  
10 occasioned by the laying out of highways, and the amount  
11 of damages so determined shall be paid by said company,  
12 and the damages arising from the flowing of lands may be

13 recovered in accordance with the provisions of the statute  
14 for recovering damages for flowing lands occasioned by rais-  
15 ing a head of water for the working of mills.

Sect. 4. Said company may demand and receive tolls for  
2 the passage of all logs and lumber over their dams and  
3 improvements, as follows:

For all logs and lumber landed in Baker brook above the  
5 head of the Falls seventy-five cents per thousand feet. For  
6 all logs and lumber landed in said Baker brook below said  
7 Falls forty cents per thousand feet. For all logs and lum-  
8 ber landed in Spencer brook above Blakslee dam fifty cents  
9 per thousand feet, and for all logs and lumber landed in said  
10 brook below said Blakslee dam to the junction of said brook  
11 with Baker brook thirty-five cents per thousand feet. The  
12 above tolls to be reckoned by the surveyors scale adopted by  
13 the Kennebec Log Driving Company. The said company  
14 shall have a lien upon the logs and other lumber which may  
15 pass over and through any of its dams or improvements  
16 until the full amount of said toll is paid, to be enforced by  
17 attachment, but the logs of each mark shall only be holden  
18 for the unpaid tolls of such mark.

Sect. 5. The capital stock of this corporation shall be  
2 twenty-five thousand dollars.

Sect. 6. When said corporation shall have received from  
2 tolls its outlay on all dams and improvements and for repairs  
3 made up to that time with six per cent interest thereon, then  
4 the tolls herein provided shall be reduced to a sum sufficient

5 to keep said dams and other improvements in repair. Some  
6 suitable person shall be appointed by said corporation an  
7 auditor to audit the account and determine the cost of said  
8 dams, improvements and repairs.

Sect. 7. The first meeting of said corporation shall be  
2 called by a notice signed by one of the incorporators named  
3 in section 1, mailed to each of the other incorporators at  
4 least seven days before the day of such meeting.

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

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STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, March 5, 1907.

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

E. M. THOMPSON, *Clerk.*