

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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# SEVENTY-THIRD LEGISLATURE

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SENATE.

No. 100

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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 authorizing the erection and maintenance of piers  
and booms in the West Branch of the Penobscot River.

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

Section 1. Lewis Cass Ledyard, Garret Schenck and  
2 Payne Whitney, their heirs, successors and assigns, owners  
3 of the mills erected and to be erected on the east half of  
4 township "A", Range 7, W. E. L. S., in Penobscot County,  
5 State of Maine, are hereby authorized and empowered to  
6 locate, erect and maintain in the West Branch of the Penob-  
7 scot River between the mouth of Jerry Brook and the dam  
8 now in progress of construction at Burnt Land Rips on said

9 township, piers and booms for the purpose of collecting,  
10 holding, separating and sorting out logs, pulp-wood and  
11 other lumber coming down said West Branch of the Penob-  
12 scot River; provided however, that at least four sorting gaps  
13 are constructed, maintained and used for the passage of logs,  
14 pulp-wood and other lumber through said booms. Said  
15 piers and booms shall be so located, constructed, maintained  
16 and used that logs and lumber running down said West  
17 Branch belonging to other parties and not destined for use  
18 and manufacture at the aforesaid mills shall not be unreason-  
19 ably impeded or delayed, and such logs and lumber of other  
20 parties when stopped for sorting shall be turned by as soon  
21 as they can be practically sorted and separated from logs  
22 and lumber destined for use and manufacture at said mills,  
23 and any stray logs, pulp-wood and other lumber not destined  
24 for use and manufacture at said mills, if found in the afore-  
25 said booms, shall be turned out thereof by the owners of  
26 said booms upon the demand of the owner or owners of such  
27 logs in writing, free of charge or expense to the owners of  
28 such logs.

All logs, pulp-wood and other lumber without marks or  
30 means by which their ownership can be ascertained shall be  
31 subject to the provisions of Chapter 405, Private and Special  
32 Laws of 1903.

Sect. 2. Said Lewis Cass Ledyard, Garret Schenck and  
2 Payne Whitney, their heirs, successors and assigns, owners  
3 of the aforesaid mills, are hereby authorized and empowered

4 to separate and sort out from the logs, pulp-wood and other  
5 lumber coming down said river all logs, pulp-wood and other  
6 lumber destined and intended for use and manufacture at the  
7 aforesaid mills; provided, however, if upon the approach of  
8 the rear of any drive of logs to the booms herein authorized  
9 to be constructed and maintained it shall appear to the per-  
10 son in charge of such drive that there are not sufficient men  
11 to sort and turn by the logs arriving at said booms, so that  
12 such drive may be unreasonably impeded or delayed, such  
13 person upon notice to then owners of said booms left at the  
14 office of the Great Northern Paper Company, Bangor,  
15 Maine, by the Agent or Clerk of the Penobscot Log Driving  
16 Company shall have the right to put men of his own selec-  
17 tion upon said booms to expediate the sorting and turning  
18 by of the logs in such drives, who shall be paid by the then  
19 owners of said booms, and the additional cost, if any, of  
20 making such drive through said booms in consequence of  
21 said erections and piers authorized by this act, shall be paid  
22 by the then owners of said booms, but nothing herein con-  
23 tained shall make the owners of said piers and booms liable  
24 for the delay caused by said piers and booms. And the  
25 owners of said mills are hereby authorized and empowered  
26 to hold within the piers and booms mentioned in this Act  
27 and located, erected and maintained as aforesaid, all logs,  
28 pulp-wood and other lumber coming down said West Branch  
29 of the Penobscot River which are destined and intended for  
30 use and manufacture at the aforesaid mills.

Sect. 3. Said Lewis Cass Ledyard, Garret Schenck and  
2 Payne Whitney, their heirs, successors and assigns, owners  
3 of the aforesaid mills, may enter upon, take and hold such  
4 lands as may be necessary for the location, erection and  
5 maintenance of the piers and booms mentioned in this Act,  
6 and connecting the same with shore, and may themselves and  
7 their servants and their agents, on foot and with teams, pass  
8 and repass over said shores and to and from the same over  
9 the lands of other persons for the purposes aforesaid, and  
10 for the operation and management of said piers and booms,  
11 making compensation therefor. And if any person sustain-  
12 ing damage aforesaid shall not agree with the owners of said  
13 piers and booms upon the sum to be paid for such damages  
14 either party on petition to the commissioners of Penobscot  
15 County may have such damages assessed by them, and subse-  
16 quent proceedings and right to appeal thereon shall be had in  
17 same manner and under the same conditions, restrictions and  
18 limitations as are by law prescribed in the case of damages  
19 by the laying out of highways.

Sect. 4. This act shall take effect when approved.

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## STATE OF MAINE.

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IN SENATE, February 15, 1907.

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

F. G. FARRINGTON, *Secretary*.