

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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# SEVENTY-FOURTH LEGISLATURE

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HOUSE.

No. 263

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## STATE OF MAINE.

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

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AN ACT to incorporate the Sandy Stream Dam and Improve-  
ment Company.

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*Be it enacted by the People of the State of Maine, as follows:*

Section 1. Elizabeth S. Haynes, J. Henry Sturgis, Frank  
2 E. Smith and George L. Smith, their associates, successors  
3 and assigns, are hereby incorporated under the name of the  
4 Sandy Stream Dam and Improvement Company, with all  
5 the powers and privileges of similar corporations.

Sect. 2. Said company is hereby authorized to erect and  
2 maintain dams on Sandy Stream and all the branches there-  
3 of, said waters being in the County of Somerset, and may

4 also erect and maintain all necessary side dams, piers and  
5 booms therein, and otherwise improve the same by removing  
6 rocks and trees, excavating ledges therefrom, and widening,  
7 deepening and otherwise improving the same for the pur-  
8 pose of raising a head of water, and of making said stream  
9 and its branches floatable, and of facilitating the driving of  
10 logs and lumber upon the same.

Said corporation is authorized to impound and restrain the  
12 natural flow of said waters only when and in so far as is  
13 necessary for log-driving purposes. No dam authorized by  
14 this act shall be used for power purposes.

All the property, rights and franchises within the State of  
16 Maine acquired, erected, owned, held or controlled by the  
17 said corporation, or its successors or assigns, at any time af-  
18 ter this act shall take effect, under and by virtue of the terms  
19 thereof, shall be subject to be taken over by, and become the  
20 property of, the State of Maine, whenever said State shall  
21 determine, by appropriate legislation, that the public inter-  
22 ests require the same to be done. Upon the taking effect of  
23 such legislation, the ownership of said property, rights and  
24 franchises shall immediately be transferred to, and vest in,  
25 said State of Maine, and said State shall pay to said corpora-  
26 tion the fair value of all the same, excepting, however, such  
27 franchises and rights as are conferred upon said corporation  
28 under and by virtue of the provisions of this act, which said  
29 franchises and rights shall be wholly excluded in the deter-  
30 mination of the amount to be paid to said corporation by said  
31 State of Maine.

The fair value of the property, rights and franchises so  
33 taken by the State of Maine, subject to the exceptions here-  
34 inbefore mentioned, shall be determined by agreement be-  
35 tween said corporation and such officers and agents of said  
36 State as shall be thereunto authorized to act in its behalf by  
37 the act which authorizes the taking of said property, rights  
38 and franchises; and such agreement failing within six months  
39 after said act takes effect, then by such fair and impartial  
40 tribunal and under such provisions as to the manner of pro-  
41 cedure and for full hearing of parties and payment of dam-  
42 ages awarded, as shall be provided in said act.

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

3 provements as follows: For all logs and lumber landed  
4 above the north line of Dennistown, and thence driven to  
5 the mouth of Sandy Stream, a toll of thirty-five cents per  
6 thousand feet; from the lower dam westerly branch to the  
7 mouth of Sandy Stream, a toll of twenty-five cents per thou-  
8 sand feet; from the lower dam easterly branch to the mouth  
9 of Sandy Stream, a toll of twenty-five cents per thousand  
10 feet; and from the forks of the stream to the mouth of Sandy  
11 Stream, a toll of fifteen cents per thousand feet; the above  
12 tolls to be reckoned by the surveyor's scale used by the Moose  
13 River Log Driving Company. The said company shall have  
14 a lien upon the logs and other lumber which may pass over  
15 and through any of its dams or improvements until the full  
16 amount of said toll is paid, to be enforced by attachment,  
17 but the logs of each mark shall be holden only for the unpaid  
18 tolls of such mark.

Sect. 5. The capital stock of said 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 re-  
3 pairs made up to that time, with six per cent interest there-  
4 on, then the tolls herein provided shall be reduced to a sum  
5 sufficient to keep said dams and other improvements in re-  
6 pair. Some suitable person shall be appointed by said cor-  
7 poration as auditor to audit the account and determine the  
8 cost of said 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 one, and mailed to each of the other incorporators  
4 at least seven days before the day of such meeting. Any  
5 incorporator may act at such meeting through power of at-  
6 torney.







STATE OF MAINE.

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HOUSE OF REPRESENTATIVES,

Augusta, Feb. 19, 1909.

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

E. M. THOMPSON, *Clerk*.