

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-SIXTH LEGISLATURE

HOUSE

NO. 337

House of Representatives, Feb. 26, 1913.

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

W. R. ROIX, Clerk.

STATE OF MAINE

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

AN ACT to incorporate the Pleasant River Gulf Improve-
ment Co.

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

Section 1. Moses L. Jordan, Henry Prentiss, Hosea B.
2 Buck, and Frank C. Hinkley, their associates, successors
3 and assigns, are hereby incorporated under the name of the
4 Pleasant River Gulf Improvement Company, with all the
5 powers and privileges of similar corporations.

Sect. 2. Said company is hereby authorized to erect and
2 maintain dams on the west branch of the Pleasant river in
3 Piscataquis county as follows: One at or near the foot of

4 Second lake, one at or near the foot of First lake, one at
5 or near the foot of Big Lyford pond and one above the
6 Gulf, so called, of said west branch of the pleasant river,
7 and any other dams that may be necessary on said west
8 branch of Pleasant river or on the branches thereof, said
9 waters being in the county of Piscataquis, and may also
10 erect and maintain all necessary side dams, piers and booms
11 therein, and otherwise improve the same by removing rocks
12 and trees, excavating ledges therefrom, and widening, deep-
13 ening and otherwise improving the same for the purpose
14 of raising a head of water, and of making said river and
15 its branches floatable, and of facilitating the driving of logs
16 and lumber upon the same.

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 such 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
6 said corporation for the land and material so taken, said
7 damages shall be ascertained by the county commissioners
8 of the county of Piscataquis, in the same manner and under
9 the same conditions and limitations as provided by law in
10 the case of damages occasioned by the laying out of high-
11 ways, and the amount of damages so ascertained shall be
12 paid by said company, and the damages arising from the
13 flowing of lands may be recovered in accordance with the
14 provisions of the statutes for recovering damages for flow-

15 ing land occasioned by raising a head of water for the work-
16 ing 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 or lumber, pulpwood
4 or railroad ties passing over any or all of the above dams,
5 or landed above the foot of the Gulf, and driven to Silver
6 lake, a toll of twenty-five cents (25c.) per thousand feet
7 board measure woods scale on all logs; twelve and one-half
8 cents per cord on all four-foot pulpwood and twenty-five
9 cents per thousand on all railroad ties reckoned at eighty
10 ties to a thousand, if the same have not been scaled. For
11 all logs and lumber landed below the foot of the Gulf, and
12 driven to Silver lake, a toll of five cents per thousand feet
13 board measure woods scale; and for all four-foot pulpwood
14 and railroad ties so landed below and driven as aforesaid,
15 two and one-half cents per cord for pulpwood and ten cents
16 per thousand for ties, reckoned as above. The said com-
17 pany shall have a lien upon the logs and other lumber which
18 may pass over and through any of its dams or improve-
19 ments or be landed and driven as above set forth, until the
20 full amount of said toll is paid, to be enforced by attach-
21 ment, but the logs of each mark shall be holden only for
22 the unpaid toll of such mark and the wood and ties shall
23 only be holden to pay the toll of such wood or ties.

Sect. 5. Said company may issue its capital stock to an
2 amount not exceeding ten 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 accounts 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 1, 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
6 attorney.

Sect. 8. Said corporation is authorized to impound and
2 restrain the natural flow of said waters only when and in so
3 far as necessary for log driving purposes, and as limited
4 by this act. No dam authorized by this act shall be used
5 for power purposes.

Sect. 9. All the property, rights and franchises within the
2 state of Maine acquired, erected, owned, held or controlled
3 by the said corporation, or its successors or assigns at any
4 time after this act shall take effect, under and by virtue of
5 the terms thereof, shall be subject to be taken over by, and
6 become the property of the state of Maine, whenever said
7 state shall determine by appropriate legislation that the pub-
8 lic interests require the same to be done. Upon the taking

9 effect of such legislation, the ownership of said property,
10 rights and franchises shall immediately be transferred to,
11 and vest in, said state of Maine, and said state shall pay
12 to said corporation under and by virtue of the provisions
13 of this act, which said franchises and rights shall be wholly
14 excluded in the determination of the amount to be paid to
15 said corporation by said state of Maine.

The fair value of the property, rights and franchises so
17 taken by the state of Maine, subject to the exceptions here-
18 inbefore mentioned shall be determined by agreement be-
19 tween said corporation and such officers and agents of said
20 state as shall be thereunto authorized to act in its behalf
21 by the act which authorizes the taking of said property,
22 rights and franchises; and such agreement failing within
23 six months after said act takes effect, then by such fair
24 and impartial tribunal and under such provisions as to the
25 manner of procedure and for full hearing of parties and
26 payment of damages awarded as shall be provided in said
27 act.