

# MAINE STATE LEGISLATURE

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SEVENTY-EIGHTH LEGISLATURE

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HOUSE

NO. 108

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*House of Representatives, Feb. 2, 1917.*

*Referred to Committee on Interior Waters and one thousand copies ordered printed. Sent up for concurrence.*

*W. R. ROIX, Clerk.*

*Presented by Mr. Ranney of Winn.*

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STATE OF MAINE

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

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AN ACT to Incorporate the Mattakeunk Stream Dam and  
Improvement Company.

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

Section 1. George M. Stearns, W. I. Butterfield, Edward  
2 B. Draper, Everett E. Amey, Gilbert Oakley, Harrison Mer-  
3 rill, their associates and assigns, are hereby incorporated  
4 under the name of the Mattakeunk Stream Dam and Im-  
5 provement Company, with all the powers and privileges of  
6 similar corporations.

Sect. 2. Said corporation is authorized to build dams, side  
2 dams, remove rocks and make all other necessary improve-

3 ments in Mattakeunk stream to facilitate the driving of  
4 logs and lumber down the same, and for this purpose said  
5 corporation may take land and materials necessary to build  
6 such dams, and make such improvements: and may flow  
7 contiguous lands so far as necessary to raise suitable heads  
8 of water. And if the parties cannot agree upon the dam-  
9 ages, the corporation shall pay the proprietors of the land  
10 and materials so taken, such damages as shall be ascertained  
11 and determined by the county commissioners for the county  
12 of Penobscot, in the same manner and under the same con-  
13 ditions and limitations as are by law provided in the case  
14 of damages by laying out public highways. And for the  
15 damage occasioned by flowing land, the said corporation  
16 shall not be liable in an action at common law, but persons  
17 injured may have a remedy by a complaint for flowing, in  
18 which the same proceedings shall be had as when a com-  
19 plaint is made under a statute of this state for flowing lands,  
20 occasioned by raising a head of water for the working of  
21 mills.

Sect. 3. Said corporation may demand and receive a toll  
2 for the passage of logs and lumber over or through their  
3 said dams and improvements as follows:

Twenty-five cents per thousand feet for logs.

Twelve and a half cents per cord for pulp wood.

Twenty-five cents per thousand feet for ties reckoning fifty  
2 ties to a thousand feet if not scaled.

And said corporation shall have a lien upon all logs and

2 lumber which may pass over its dams and improvements  
3 for the payments of said tolls; but the logs of each particu-  
4 lar mark shall be holden only for the tolls of such mark,  
5 and unless such toll is paid within twenty days after such  
6 logs or lumber, or a major part of the same, shall arrive at  
7 the place of manufacture or destination, said corporation  
8 may seize said logs and lumber and sell at public auction  
9 so many and so much thereof as shall be necessary to pay  
10 such tolls, costs and charges thereon, after ten days' notice  
11 in writing of the time and place of said sale given to the  
12 owner of such logs or lumber or his agent.

Sect. 4. When said corporation shall receive from tolls  
2 its outlay on all dams and improvements and for repairs  
3 made up to that time with six per cent interest thereon,  
4 then the tolls herein provided shall be reduced to a sum  
5 sufficient to keep said dams and improvements in repair.  
6 Said corporation shall keep correct and full account of all  
7 its receipts and expenditures and shall submit the same at  
8 any time for examination to any person, firm or corpora-  
9 tion liable to pay tolls under this act.

Sect. 5. No dam built by said corporation under this act  
2 shall be used for power purposes.

Sect. 6. The capital stock of said corporation shall not  
2 exceed twenty thousand dollars.

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, mailed to each of the other incorporators at  
4 least seven days before the day of such meeting.