

MAINE STATE LEGISLATURE

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SEVENTY-EIGHTH LEGISLATURE

HOUSE

NO. 109

House of Representatives, Feb. 2, 1917.

Referred to Committee on Interior Waters, five hundred copies ordered printed. Sent up for concurrence.

W. R. ROIX, Clerk.

Presented by Mr. Hammond of Van Buren.

STATE OF MAINE

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

AN ACT to incorporate the Musquacook Stream Dam &
Improvement Company.

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

Section 1. George M. Stearns, Haven Sawyer, H. B.
2 Buck, Everett E. Amey and Gilbert Oakley, their asso-
3 ciates and assigns, are hereby incorporated under the name
4 of the Musquacook Stream Dam and Improvement Com-
5 pany, with all the powers and privileges of similar corpora-
6 tions.

Sect. 2. Said corporation is authorized to build dams,
2 side dams, remove rocks and make all other necessary im-
3 provements in Musquacook Stream to facilitate the driving

4 of 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 con-
7 tiguous lands so far as necessary to raise suitable heads of
8 water. And if the parties cannot agree upon the damages,
9 the corporation shall pay the proprietors of the land and
10 materials so taken, such damage as shall be ascertained and
11 determined by the County Commissioners for the County of
12 Aroostook, in the same manner and under the same con-
13 ditions and limitations as are by law provided in the case of
14 damages by laying out public highways. And for the damage
15 occasioned by flowing land, the said corporation shall not be
16 liable in an action at common law, but persons injured may
17 have a remedy by a complaint for flowing, in which the same
18 proceedings shall be had as when a complaint is made under
19 a statute of this state for flowing lands, occasioned by rais-
20 ing a head of water for the working of mills.

Sect. 3. Said corporation may demand and receive a toll
2 for the passage of logs and lumber over or through their said
3 dams and improvements as follows: For all logs, pulpwood
4 and ties landed on said stream below the south line of
5 Township 13, Range 11, and driven out of said stream after
6 June first of each year fifteen cents per thousand feet for
7 logs—seven and one-half cents per cord for pulpwood—fif-
8 teen cents per thousand feet for ties, reckoning fifty to a
9 thousand feet, if not scaled. And for all logs, pulpwood and
10 ties landed and driven in said stream above the south line of

11 Township 13, Range 11, twenty-five cents per thousand feet
12 for logs—twelve and one-half cents per cord for pulpwood
13 and twenty-five cents per thousand feet for ties, reckoning
14 fifty 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 for
3 the payments of said tolls; but the logs of each particular
4 mark shall be holden only for the tolls of such mark, and
5 unless such toll is paid within twenty days after such logs
6 or lumber, or a major part of the same shall arrive at the
7 place of manufacture or destination, said corporation may
8 seize said logs and lumber and sell at public auction so many
9 and so much thereof as shall be necessary to pay such tolls,
10 costs and charges thereon, after ten days notice in writing
11 of the time and place of said sale given to the owner of such
12 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 suf-
5 ficient to keep said dams and improvements in repair. Said
6 corporation shall keep correct and full account of all its
7 receipts and expenditures and shall submit the same at any
8 time for examination to any person, firm or corporation
9 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 may be
2 fixed by it from time to time, but not to exceed fifty thou-
3 sand dollars, to be divided into shares of such par value as
4 it may determine. The corporation may, by its by-laws,
5 provide for all their officers and for the management of its
6 internal affairs in the same manner as corporations organ-
7 ized under the general laws of the state.

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.