

MAINE STATE LEGISLATURE

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SEVENTY-NINTH LEGISLATURE

HOUSE

NO. 46

House of Representatives, Jan. 29, 1919.

Referred to Committee on Interior Waters and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Nelson of Fairfield.

STATE OF MAINE

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

AN ACT to Incorporate the Chase Stream Improvement
Company.

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

Section 1. R. A. Braman, Gilbert Oakley, Samuel W. Philbrick, W. J. Lanigan and George G. Weeks, their associates and assigns, are hereby incorporated under the name of the Chase Stream Improvement Company, with all the powers and privileges of similar corporations.

Sect. 2. Said corporation is authorized to build dams, side dams, remove rocks and make all other necessary improvements in Chase stream in Somerset county, to facilitate the driving of logs and lumber down the same, and

5 for this purpose said corporation may take land and ma-
6 terials necessary to build such dams and make such im-
7 provements; and may flow contiguous lands so far as nec-
8 essary to raise suitable heads of water. And if the parties
9 cannot agree upon the damages, the corporation shall pay
10 the proprietors of the land and materials so taken such
11 damages as shall be ascertained and determined by the
12 county commissioners for the county of Somerset, in the
13 same manner and under the same conditions and limita-
14 tions as are by law provided in the case of damages by lay-
15 ing out public highways. And for the damage occasioned
16 by flowing land, the said corporation shall not be liable in
17 an action at common law, but persons injured may have a
18 remedy by a complaint for flowing, in which the same pro-
19 ceedings shall be had as when a complaint is made under
20 a statute of this state for flowing lands, occasioned by rais-
21 ing a head of water for the working of mills.

Sect. 3. The state of Maine reserves the right to take over
2 by proper legislation, the property, rights and franchises
3 of said company upon the payment of just compensation
4 to the owners thereof, but such compensation shall not in-
5 clude the value of the franchises hereby granted.

Sect. 4. Said corporation may demand and receive a toll
2 for the passage of logs and lumber over or through its said
3 dams and improvements as follows: Forty-five cents per
4 thousand feet for logs, twenty-five cents per cord for pulp-

5 wood, forty-five cents per thousand feet for ties, reckoning
6 fifty ties to a thousand feet, if not scaled.

And said corporation shall have a lien upon all logs
2 and lumber which may pass over its dams and improve-
3 ments for the payments of said tolls; but the logs of each
4 particular mark shall be holden only for tolls of such mark,
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
9 many and so much thereof as shall be necessary to pay such
10 tolls, costs and charges thereon, after ten days' notice in
11 writing of the time and place of said sale given to the
12 owner of such logs or lumber, or his agent.

Sect. 5. 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 corpo-
9 ration liable to pay tolls under this act.

Sect. 6. No dam built by said corporation under this act
2 shall be used for power purposes.

Sect. 7. The capital stock of said corporation may be fixed
2 by it from time to time, but not to exceed fifty thousand

3 dollars to be divided into shares of such par value as it
4 may determine. The corporation may, by its by-laws, pro-
5 vide for all its officers and for the management of its in-
6 ternal affairs in the same manner as corporations organized
7 under the general laws of the state.

Sect. 8. 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.