

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-NINTH LEGISLATURE

HOUSE

NO. 270

House of Representatives, Feb. 27, 1919.

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

CLYDE R. CHAPMAN, Clerk.

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.
2 Philbrick, W. J. Lanigan and George G. Weeks, their asso-
3 ciates and assigns, are hereby incorporated under the name
4 of the Chase Stream Improvement Company, with all the
5 powers and privileges of similar corporations.

Sect. 2. Said corporation is authorized to build dams,
2 side dams, remove rocks and make all other necessary im-
3 provements in Chase stream in Somerset county, to facili-
4 tate 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
15 laying out public highways. And for the damage occa-
16 sioned by flowing land, the said corporation shall not be
17 liable in an action at common law, but persons injured may
18 have a remedy by a complaint for flowing, in which the
19 same proceedings shall be had as when a complaint is made
20 under a statute of this state for flowing lands, occasioned
21 by raising a head of water for the working of mills. Said
22 corporation shall not acquire except by purchase or lease
23 any right to use the shores or bed of said stream for its
24 purposes beyond the period of ten years.

Sect. 3. The state of Maine reserves the right to take
2 over by proper legislation, the property, rights and fran-
3 chises of said company upon payment of just compensa-
4 tion to the owners thereof, but such compensation shall not
5 include 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

3 said dams and improvements as follows: Forty-five cents
4 per thousand feet for logs, twenty-five cents per cord for
5 pulp-wood, forty-five cents per thousand feet for ties, reck-
6 oning 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
3 for the payments of said tolls; but the logs of each par-
4 ticular 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
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. 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 corpora-
9 tion 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
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
4 as it may determine. The corporation may, by its by-laws,
5 provide for all its 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. 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
4 at least seven days before the day of such meeting.