

MAINE STATE LEGISLATURE

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EIGHTY-THIRD LEGISLATURE

Senate Document

No. 243

S. P. 294

In Senate, Mar. 15, 1927.

Reported by Mr. Carter from Committee on Judiciary and
laid on table to be printed under joint rules.

ROYDEN V. BROWN, Secretary.

Presented by Senator Morrison of Franklin.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-SEVEN

AN ACT to Incorporate Lemon Stream Log Driving Company.

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

Section 1. Fred C. Luce, Almon B. Sargent and Blaine
2 S. Viles, their associates, successors and assigns, are hereby
3 made a body corporate under the name of Lemon Stream
4 Log Driving Company with all the rights, powers and privi-
5 leges of log driving companies.

Sect. 2. Said corporation may issue its capital stock to an
2 amount not exceeding ten thousand dollars to be divided
3 into shares of one hundred dollars each.

Sect. 3. Said corporation is hereby authorized and em-
2 powered to improve Lemon Stream, so-called, located in the
3 town of New Vineyard in the county of Franklin, and in

4 the town of New Portland in the county of Somerset, from
5 the source and tributaries of said stream to its mouth where
6 it enters the Carrabassett River, for the purpose of driving
7 logs, lumber and pulpwood, by widening, deepening and
8 removing obstructions from said stream, by the construc-
9 tion of dams, side dams and sluice ways therein, and by the
10 erection of booms, side booms and piers, and by making
11 or causing to be made such changes in existing dams as
12 may be necessary or proper therein, to facilitate the floating
13 of logs, lumber and pulpwood from a point below the Old
14 Daggett Mill and bridges immediately below said Daggett
15 Mill to the mouth of said stream where it enters the Carra-
16 bassett River.

Sect. 4. Said company, for the purposes aforesaid, may
2 take all necessary lands and materials for building said
3 dams, side dams, bunters, piers, booms, rack-booms, shore-
4 holds and fastenings and for making said improvements,
5 and may flow contiguous lands so far as is necessary to
6 raise suitable heads of water, and may attach its booms,
7 dams and other improvements and fixtures to land adjacent
8 to said stream, and may, with its servants, agents and teams,
9 pass and re-pass over and along its shores and to and from
10 the same for the purposes aforesaid, making compensation
11 therefor as provided in case of damages for lands taken in
12 laying out highways; and for the injuries arising from flow-
13 ing of lands said company shall not be liable in an action
14 at law, but those injured shall have remedy by complaint

15 for flowage in which the same proceedings shall be had as
16 in a complaint under the statutes of Maine for the recovery
17 of damages for flowing lands by a mill dam.

Sect. 5. Said company may demand and receive tolls for
2 the passage of logs, pulpwood and other lumber over and
3 through said stream in the amount of ten cents per cord
4 for cord of pulpwood and twenty cents per thousand feet for
5 logs and other lumber for the driving of said logs or pulp-
6 wood from the aforesaid point immediately below said Dag-
7 gett Mill and said bridges or any point below said point on
8 said stream to the Carrabassett River.

Sect. 6. Said company shall have a lien upon all logs,
2 lumber and pulpwood which may pass over, or enjoy the
3 benefit of, any of its dams and improvements on said stream
4 until the full amount of tolls is paid; but the logs, pulpwood
5 and other lumber of each mark shall be holden only for the
6 tolls of such mark. If any such toll is not paid within
7 thirty days after said logs, pulpwood and other lumber, or
8 the major part thereof, shall have arrived at the Carra-
9 bassett River, said company may seize said logs, pulpwood
10 and other lumber and sell at public auction so many or so
11 much thereof as shall be necessary to pay said tolls, costs,
12 and charges; said sale to be made only after ten days' notice
13 in writing of the time and place thereof to the owner of such
14 logs, lumber and pulpwood, or to the agent, servant or tenant
15 of said owner; or if none of the aforesaid is readily found
16 said notice shall be published three successive weeks in a

17 newspaper printed in Somerset county, the last publication
18 to be at least ten days before the date of same. The lien
19 hereby created shall have precedence over all other claims,
20 mortgages or liens except previous and existing statutory
21 liens for labor, but shall not deprive said company of the
22 right to collect its tolls by suit at law or other legal remedy.

Sect. 7. When said company shall have received from tolls
2 its outlays authorized by this act and for repairs made up to
3 that time, with six per cent interest thereon, the toll shall
4 be altered to a sum sufficient to pay the expense of maintenance including keeping the works in repair and if, from
5 time to time thereafter, it shall be necessary to make additional improvements to carry out the purposes of this charter
6 said company may increase the toll to, and maintain it at,
7 a sum sufficient to include such outlays with six per cent
8 interest thereon. The county commissioners of Somerset
9 county shall audit the accounts of said company for the
10 aforesaid purposes to determine the costs of dams, booms,
11 and other improvements, maintenance and repairs.