

MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

Senate Document

No. 218

S. P. 368

In Senate, February 21, 1929.

Reported by Senator Greenleaf of Androscoggin from Committee on Interior Waters and laid on table to be printed under joint rules.

ROYDEN V. BROWN, Secretary.

Presented by Senator Page of Somerset.

STATE OF MAINE

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

AN ACT to Incorporate the Big Black River Dam Company.

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

Section 1. George B. Dunn, James C. Madigan, Blin W.
2 Page, Hosea B. Buck, George T. Carlisle, Jr., and Frederick
3 G. Quincy, their associates, successors and assigns are here-
4 by incorporated by the name of Big Black River Dam Com-
5 pany, with powers and privileges of similar corporations.

Sect. 2. Said company is hereby authorized to erect and
2 maintain a dam with a suitable sluice at the foot of dead
3 water on Big Black river, in township fourteen, range four-
4 teen, W. E. L. S., in Aroostook county, and to construct

5 and maintain necessary side dams, piers, booms, abutments
6 and other necessary appliances, and to remove rocks there-
7 from, for the purpose of facilitating the driving of pulp-
8 wood, logs and other lumber down said river.

Sect. 3. Said company for the above purposes may take
2 necessary land and materials for building said dam, piers
3 and abutments, and making said improvements, and may
4 flow contiguous lands so far as necessary to raise suitable
5 heads of water; and if the parties cannot agree upon the
6 damages, which the company shall pay the proprietors of
7 the land and material so taken, such damages shall be as-
8 certained and determined by the county commissioners of
9 Aroostook county in the same manner and under the same
10 conditions and limitations as provided by law in the case
11 of damage on account of laying out of highways, and for
12 the damage occasioned by flowing land, said company shall
13 not be liable in an action at common law but the person in-
14 jured may have a remedy by complaint for flowage, in
15 which case the same proceedings may be had as when a
16 complaint is made under the statutes of this state for flow-
17 ing land occasioned by raising a head of water under the
18 mill act.

Sect. 4. Said company may demand and receive a toll of
2 ten cents per cord on all pulpwood and twenty cents per
3 thousand feet on all logs and other lumber which may pass
4 through or over said dam, and shall have a lien on all pulp-
5 wood, logs and other lumber which may pass through or

6 over said dam for the payment of said tolls, and the costs
7 and charges for enforcing the same, which shall continue
8 for thirty days after such pulpwood, logs and other lum-
9 ber, or a major part thereof, shall have arrived at their
10 destination, and after demand of payment made upon the
11 owner or person in charge thereof. Said lien may be en-
12 forced by attachment in the same manner as the general
13 lien upon logs and lumber provided in chapter ninety-six,
14 revised statutes. The pulpwood, logs and lumber of each
15 particular mark to be holden for the tolls of such mark.

Sect. 5. When said company shall have received from
2 tolls the amount expended for constructing said dam and
3 other improvements and for repairs, up to that time, and
4 six per cent interest thereon, then the tolls herein provided
5 shall be fixed at a sufficient amount to keep the said dam
6 and other improvements in repair.

Sect. 6. The first meeting of said company shall be called
2 at Bangor, Maine, by notice signed by any one of the incor-
3 porators named in section one, setting forth the time, place
4 and purpose of the meeting, and such notice shall be mailed
5 to each of the other incorporators, postage paid, seven days
6 at least before the day of such meeting.