

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

OF THE

FIFTIETH LEGISLATURE,

OF THE

STATE OF MAINE.

1871.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 26, 1840, and March 16, 1842.

AUGUSTA:
SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.
1871.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1871.

appoint, and the net income or profits thereof shall be divided among the persons making such deposits, their executors, administrators or assigns in just proportions.

SECT. 3. And George K. Hatch, named herein, is authorized to call the first meeting of said corporation, by giving seven days notice, in writing, to each of the other corporators, of the time and place of such meeting, at which meeting, and every subsequent annual meeting, said corporation may elect by ballot, any person or persons as members thereof; may choose such officers as to them may seem proper for their organization and government, who shall so continue in office one year and until others are chosen and qualified in their stead; and the persons elected secretary and treasurer, before entering upon their official duties shall be sworn to the faithful performance thereof, and the treasurer shall also give bonds satisfactory to said corporation for the faithful discharge of his duties; *provided however*, that the offices of treasurer and secretary shall be, if deemed advisable, united in one person.

SECT. 4. All deeds of conveyance, covenants and grants made in behalf of said corporation, shall be sealed with the corporate seal, and when made in pursuance of any vote of the corporation shall be valid and effectual to convey real or personal property, or bind the corporation.

SECT. 5. The annual meeting shall be holden in the month of May, and at that meeting and all other meetings, it shall require seven persons at least to constitute a quorum for the transaction of business; and meetings may be directed at other times by the president or the corporation; and said corporation may provide in what manner their meetings shall be notified and called.

SECT. 6. This act shall take effect when approved.

Approved February 9, 1871.

CHAP. 587.

Income and profits, division of.

First meeting, how called.

Members, election of.
Officers.

Tenure of office.

Secretary and treasurer.
Oaths.

Bonds.

Deeds of conveyance.

Annual meeting.

Quorum.

Chapter 587.

An act to incorporate the Penobscot Pond Stream Dam Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. T. W. Baldwin, A. D. Manson, Frederick H. Dillingham, George F. Dillingham, Caleb Holyoke and Henry E. Prentiss, their associates, successors and assigns, are hereby incorporated under the name of the Penobscot Pond Stream Dam Company, with all the powers and privileges of similar corporations, with authority to improve the navigation of the stream running from Penobscot pond, near the Canada line, in the county of Somerset,

Corporators.

Name.

Powers and privileges.
Purpose.

CHAP. 587.

into the south branch of the west branch of Penobscot river, to facilitate the driving of logs, by clearing said stream and building and maintaining such dams, sluices, wing-dams, rolling-dams, or other works as may be found necessary.

May take land and materials for improvements.

SECT. 2. Said company may take any land and materials necessary, and shall pay the value thereof, to be decided in case the parties do not agree, in the same manner as damages for taking land for highways are by law decided. And if any damages are done by flowing the lauds of any person, the same shall be determined and paid in the same manner as is provided by law for the damages by flowage occasioned by dams erected for mills.

Damages.

Flowage and damages to land

Toll granted.

SECT. 3. A toll is hereby granted, to be determined in amount each year by the directors of said company on equitable principles, so as to repay eventually the cost of the works and interest, the repair of the same, and the care thereof, but in no case exceeding one dollar per thousand feet board measure, woods scale, for all logs put into the upper Penobscot pond or into the stream between the two ponds, and seventy cents on all logs put into the lower pond or stream above the falls, a short distance below said lower pond; payable when said logs arrive at the Penobscot boom. And a lien is hereby created on said logs, of each particular mark, to secure the toll of all logs of that mark, and in case of non-payment within ten days after the arrival of the majority of said logs at said boom, the treasurer of said company, after ten days notice in one of the daily newspapers of Bangor, may sell at public auction, so many of the logs of any particular mark as may be necessary to pay the tolls due on that mark and all expenses.

Limitation of toll.

Lien to secure payment of toll.

Non-payment of toll, proceedings in case of.

Reduction of toll, when to be made.

SECT. 4. When all the cost of the works and expenses of the company, with twelve per centum annual interest thereon, have been received from tolls, the tolls are to be reduced by the directors to a sum barely sufficient to keep the works in repair and take care of them. The company shall keep an accurate account of all their receipts and expenditures in proper books, to be at all times open to the examination of any person interested in land or lumber operations on said stream, and in case one-fourth in interest of the stockholders request it in writing, said accounts shall be audited and allowed by the land agent of the state, who shall also have power to reduce the tolls according to this act, should said directors neglect or refuse to do it.

Account of receipts and expenditures, examination of same.

Accounts shall be audited in certain cases.

Stock, division of.

SECT. 5. Any person owning land on said stream, shall be entitled to take his proportion of the stock of said company according to the land he owns on the stream, provided he applies before the works are commenced.

SECT. 6. This act shall take effect when approved.