

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

FIFTY-NINTH LEGISLATURE

OF THE

STATE OF MAINE.

1880.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

AUGUSTA:
SPRAGUE & SON, PRINTERS TO THE STATE.
1880.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1880.

Chapter 277.

CHAP. 277

An act to incorporate the Black Brook and Swift River Improvement Company.

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

SECT. 1. John Houghton, E. T. Nutter, Edward Plummer, Henry Nutter, W. B. Nutter, Daniel Hilton, Moses T. Cross, E. S. Coe, David Hammons, David R. Hastings, their associates and successors, are hereby incorporated into a company under the name of the Black Brook and Swift River Improvement Company, with all the rights, powers and privileges, and subject to the liabilities of similar corporations.

Corporators.

Corporate name.

SECT. 2. The capital stock of said corporation shall be ten thousand dollars.

Capital stock.

SECT. 3. Each owner of lands upon said streams or in the vicinity thereof, may take the amount of stock in said company in proportion to the number of acres of land owned by him there, and thereupon become a member of this corporation ; it being hereby intended that the benefits of this charter shall apply equally and fairly to all said land owners upon said waters.

Owners of land may take stock and become members.

SECT. 4. Said corporation is hereby authorized to construct and maintain dams and side dams, booms and side booms and sluices, and all other improvements on said Black brook and Swift river and their branches, which will facilitate the transportation of logs and other lumber down said streams, to enter upon and take such land and material as may be necessary to make its said improvements, and to flow such land so far as it may be necessary to accomplish its object ; *provided*, said corporation shall pay to the owners of said land and material so taken, such sums as the parties may agree upon, or, if they cannot agree, such damages as may be adjudged by the county commissioners of Oxford county, in the same manner and under the same conditions and liabilities as are provided in the case of damage by the laying out of public highways, and for lands flowed by said corporation, the owners shall be entitled to the same remedies as are now provided by law in cases of flowing lands for erection of dams for mills.

May construct dams, booms, sluices, etc.

Proviso.

Damages, how determined.

SECT. 5. Said corporation, after it shall have constructed the dams, side dams, booms or side booms, sluices and other improvements contemplated by this act, may demand and

CHAP. 277

Tolls fixed.

Liens for tolls,
how enforced.Account of cost
of improvements
to be kept.Authorized to
purchase im-
provements.Conditions under
which charter
may be void.

receive a toll of twenty-five cents per thousand feet, board measure, for all logs and lumber of all kinds that shall pass over or by their dams and improvements on Swift river, and fifteen cents per thousand feet, board measure, that shall pass over or by their dams and improvements on Black brook. Said corporation shall have a lien on all such logs and lumber until the full amount of toll is paid, and if not paid within thirty days after the same shall arrive at their place of manufacture or destination, said corporation may sell at public auction, after twenty days' notice in some newspaper printed in the county where said logs lie, so much of said logs and lumber as may be necessary to pay said toll and all incidental charges.

SECT. 6. Said company shall keep a true and accurate account of the cost of such improvements as shall be made, which shall be open to inspection at all times to land owners or operators; and when the toll received on either stream shall have paid the cost of improvements thereon and interest, then the toll thereon shall be reduced to a sum sufficient to keep the works in repair. The accounts for improvements and repairs on each stream shall be kept separate, and tolls collected separately.

SECT. 7. The "Swift River and Black Brook Improvement Company," incorporated by act approved March eight, eighteen hundred and sixty-four, and now represented by James Wood, may cause the present value of its improvements now on said waters to be made by referees to be agreed upon by the Black Brook and Swift River Improvement Company, and the Swift River and Black Brook Improvement Company, and in case no such referees are agreed upon, then by the county commissioners of Cumberland county, after due notice to this corporation hereby incorporated, and within sixty days after their report is made estimating the same aforesaid, the same shall be paid by this corporation, or its charter forfeited, and it is further provided, and this is a condition in the granting of this charter, that if the Swift River and Black Brook Improvement Company, so as aforesaid represented by said James Wood, shall, by or before September five next, make such improvements upon said streams, both Black brook and Swift river, as, in the judgment of said referees selected as aforesaid, or said county commissioners, are sufficient for the purposes under

which this charter is granted, then and in that case this CHAP. 278
 charter is null and of no effect.

Approved March 11, 1880.

Chapter 278.

An act to prevent the taking of Fish from Wilson Pond, in the town of Greenville,
 in the county of Piscataquis.

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

No fish of any kind shall be taken from Wilson pond, in
 the town of Greenville, and county of Piscataquis, with hook
 and line, or in any other way, from the first day of October,
 to the first day of June following, for the period of five
 years. The penalty of the violation of this act, shall be a
 fine of not more than ten dollars for each fish so taken, to be
 recovered on complaint before any trial justice, police, or
 municipal court in said county of Piscataquis, one half to the
 complainant, and the other half to the use of said town of
 Greenville.

Taking fish from
 Wilson pond
 restricted.

—penalty.

Approved March 11, 1880.

Chapter 279.

An act Incorporating the Dead River Log Driving Company.

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

SECT. 1. That Elias Milliken, Joseph Clark, J. M.
 Haynes, Franklin Smith, J. R. Bodwell, William B. Snow,
 Ira D. Sturgis and Abner Coburn, their associates and suc-
 cessors, be and they are hereby made a body politic and
 corporate, by the name and style of Dead River Log Driving
 Company, and by that name, may sue and be sued, prosecute
 and defend to final judgment and execution, both in law and
 in equity, and may make and adopt any and all regulations
 and by-laws not repugnant to the constitution and laws of
 the state, and may adopt a common seal, may hold real and
 personal estate sufficient to carry on successfully the business
 of the Dead River Log Driving Company, and may grant and

Corporators.

Corporate name,
 powers and
 purposes.