

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SIXTIETH LEGISLATURE

OF THE
STATE OF MAINE.

1881.

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.
1881.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1881.

run down said Scagg Rock stream shall cease, and said corporation shall have a lien on all logs and lumber which shall pass over said Scagg Rock Dam, for the payment of all tolls herein provided, but the logs of each particular mark shall be holden only for the tolls of logs of such mark; and unless such toll is paid within twenty days after such logs, or a major part of them, shall arrive at the Penobscot boom, or place of manufacture, said corporation may sell at public auction so much of said logs as shall be necessary to pay such tolls and costs and charges, notice of the time and place of such sale, ten days before such sale, being first given in some newspaper printed in Bangor.

SECT. 4. A separate account shall be kept of the cost of the dams and improvements on Jimmy Brook, but no appropriation of tolls shall be made to reimburse for such cost and expenses, until the Scagg Rock Dam and improvements below are paid for, and when said dam and said improvements below it, with the interest, are paid for, then the tolls afterward received shall be appropriated to pay for the dams and other improvements on Jimmy Brook, and when the latter are paid for, with ten per cent. interest as aforesaid, then the toll shall be reduced to a sum sufficient to keep all dams and works built by said company in repair.

Separate account to be kept of cost of dams and improvements.

SECT. 5. This act shall take effect when approved.

Approved March 9, 1881.

Chapter 116.

An Act to incorporate the Great Pond and Bog Dam Company.

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

SECT. 1. Joseph L. Grant and W. F. Milliken, their associates and assigns, are hereby created a body politic, by the name of Great Pond and Bog Dam Company, with all the rights, powers and privileges of similar corporations.

Corporators.

Corporate name.

SECT. 2. Said corporation shall have the right to erect dams and maintain those already erected, across Union River, in township number thirty-three, near the outlet of Great Pond, for the purpose of facilitating the passage of logs and lumber down said river, and are authorized to enter upon and

Authorized to erect and maintain dams.

CHAP. 116

take such land, timber or other material as it may find necessary to build and maintain said dams, or to rebuild or repair the same, and are empowered to flow lands, so far as may be necessary to accomplish said object, *provided, however*, that said corporation shall pay the proprietor or proprietors of land, property or material taken and used, such sums as may be agreed on, and if the parties cannot agree, such damages as shall be ascertained and determined by the county commissioners of the county of Hancock in the same manner, and under the same conditions and limitations as are by law provided in the case of damage in laying out public highways, and for lands flowed, the proprietor or proprietors may obtain damages thereof in the same mode and manner, and to the same extent, and under the same conditions and limitations as are provided in chapter ninety-two of the revised statutes for damages where lands are flowed by the erection of mills.

Tolls and collection thereof.

SECT. 3. Said corporation shall have the right to demand and receive on all logs or lumber that pass over or through said Great Pond and Bog dams, from the owners or mortgagees thereof a toll of ten cents per thousand feet, board measure, for all shingle and stave timber and railroad ties passing over or through Great Pond and Bog dams, from the owners or mortgagees thereof, a toll of five cents per cord, so long as they keep said dams in repair. It shall be the duty of owners of logs and other kinds of lumber passing said dams, to furnish the corporation with a written affidavit of the number of thousand feet, board measure, or cords of shingle or stave stuff or railroad ties, before they arrive at the Great Pond and Bog dams, and if they fail so to do, said corporation may estimate said amount and collect the toll accordingly; and said corporation shall have a lien on all logs or other kinds of lumber which may pass either of the before mentioned dams, for the payment of any toll, and all logs or lumber of any particular mark shall be holden for the toll on all logs and lumber of that mark, and unless the toll is paid within ten days after the logs or lumber passes the Great Pond and Bog dams, said corporation may sell, at public auction, so much of said logs or lumber as may be sufficient to pay said toll and incidental charges, by first giving ten days' notice in some paper published in Ellsworth.

SECT. 4. This act shall take effect when approved.

Approved March 10, 1881.