

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1887.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1887.

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to ordinary care in the construction of said works, and reasonable diligence in so holding and keeping such logs, spars and other lumber.

Authorized to take lands.

SECT. 3. The parties named in the first section of this act, their associates, successors, assignees or lessees, may take such lands as may be necessary for the erection and maintenance of said dams, booms and piers, and for connecting the same with the shores, and may, with their agents and teams, pass and repass over said shores, to and from them, over the lands of other persons, for the purposes aforesaid, and for managing said booms and dams, making compensation therefor, as is provided in the case of damages for lands taken in laying out highways.

—damages, how ascertained.

Approved February 21, 1887.

Chapter 125.

An Act relating to Ponds Sheer Boom Company

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

Charter amended.

SECT. 1. The act entitled "An Act to incorporate Ponds Sheer Boom Company," approved March eleven, eighteen hundred and eighty, and an act amendatory thereof, approved February twenty-three, eighteen hundred and eighty-five, are hereby amended as follows : All powers and rights given by said acts, shall and may be had, held and enjoyed by the said Ponds Sheer Boom Company, their successors and assigns, entirely independent of and without any reference to any legislation had or to be had, in the province of New Brunswick.

All rights under charter shall be independent of any legislation in Province of N. B.

Sec. 2, repealed.

SECT. 2. The second section of the second hercinbefore mentioned act, is hereby repealed, and in lieu thereof, it is enacted as follows :

Tolls established.

'SECT. 2. The tolls mentioned in the acts aforesaid, are and shall be hereby changed in manner following, namely ; on all unrafted logs, timber and lumber that may come into the Aroostook river from the Presque Isle stream and the boundary line between the state of Maine and the province of New Brunswick, the said tolls shall be seven cents per thousand superficial feet, board measure, from said Presque Isle stream and point or place to said boundary line, and on all logs, timber

and lumber that may come into the Aroostook river from Beaver brook, and between said brook and Presque Isle stream, the said tolls shall be the sum of eight cents per thousand superficial feet, board measure, from said Beaver brook, and between said brook and Presque Isle stream to said boundary line, and on all logs, timber and lumber that may come into the Aroostook river from the Machias river, and from any point or place between the Machias river and Beaver brook the said tolls shall be the sum of nine cents per thousand superficial feet, board measure, from said Machias river and said last mentioned point or place to said boundary line, and on all logs, timber and lumber that may come into the Aroostook river from above the Machias river, the said tolls shall be the sum of ten cents per thousand superficial feet, board measure, from above said Machias river to said boundary line '.

SECT. 3. The tolls mentioned in the acts aforesaid are and shall be changed in manner following, namely; on all unrafted logs, timber and lumber that may come into the Saint John river from the state of Maine from a point opposite to the mouth of Green river, and from any point or place between said point opposite Green river to said boundary line, the said tolls shall be three cents per thousand superficial feet, board measure, from said point opposite Green river and said point or place between the point opposite Green river and said boundary line to said boundary line. And on all logs, timber and lumber that may come into the Saint John River from the state of Maine from a point opposite to the Madawaska river from any point or place between said point opposite Madawaska river and said point opposite Green river, the said tolls shall be six cents per thousand superficial feet, board measure, from said point opposite Madawaska river and said point or place between said point opposite Madawaska river and said point opposite Green river to said boundary line. And on all logs, timber and lumber that may come into the Saint John river from the state of Maine, from a point opposite to Baker brook and from any point or place between said point opposite Baker brook and said point opposite Madawaska river, the said tolls shall be the sum of seven cents per thousand superficial feet, board measure, from said point opposite Baker brook and said point or place between said point opposite Baker brook and said point opposite Madawaska river to said

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lished.

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boundary line. And on all logs, timber and lumber that may come into the Saint John river from the state of Maine from the Fish river and from any point or place between said Fish river and said point opposite Baker Brook the said tolls shall be the sum of eight cents per thousand superficial feet, board measure, from said Fish river and said point or place between said Fish river and point opposite Baker brook to said boundary line. And on all logs, timber and lumber that may come into the Saint John river from the State of Maine by the way of the Saint Francis river and from a point on the Saint John river opposite the mouth of the Saint Francis river, and from any point or place between the point opposite the mouth of the Saint Francis river and the mouth of the said Fish river, the said tolls shall be the sum of ten cents per thousand superficial feet, board measure, from said Saint Francis river and from said point opposite the mouth of said Saint Francis river and said point or place between said point opposite said Saint Francis river and said mouth of said Fish river to said boundary line near to the Grand falls. And on all logs, timber and lumber that may come into the Saint John river from the state of Maine above the mouth of the Saint Francis river, the said tolls shall be the sum of eleven cents per thousand superficial feet, board measure, from above said mouth of Saint Francis river to the said boundary line near the Grand falls.

Lien to secure
payment of tolls.

SECT. 4. The lien given by section three of the second act hereby amended, is hereby extended to and declared to cover all the tolls given, granted and created by this act to the same extent in every particular as if the said hereinbefore last mentioned tolls had been created by and mentioned in the act hereby amended, or by or in any act heretofore passed by the senate and house of representatives in legislature assembled, relating in any way to Ponds Sheer Boom Company, and the said lien shall attach to said logs, timber and lumber in any place or country into which said logs, timber and lumber may pass or be taken until said tolls shall be fully paid, and a smaller quantity than the whole of any logs, timber and lumber marked with any particular mark shall be liable for the tolls due upon other logs, timber and lumber of a similar mark, and all laws of this state for the enforcement of the said lien, may be applied in and out of this state for the pur-

pose of enforcing such lien and compelling the payment of said tolls, without any steps being taken or thing done in this state to perfect said lien. CHAP. 125

SECT. 5. All tolls made payable by this act or that may be coming to Ponds Sheer Boom Company or their lessee shall be ascertained by the scale usually denominated the woods scale, and if there shall be no woods scale, then the owner of any said logs, timber and lumber shall, before the lapse of twenty days after a major part of the same pass out of the state of Maine, file with the company or their lessee, a sworn statement in writing of the marks and quantities of said logs, timber and lumber concerning which there has been no woods scale, and failing the filing aforesaid, the said company or their lessee may estimate the amount of said tolls as best they can. Tolls, how ascertained.

SECT. 6. In addition to all the rights and powers hereinbefore given and granted to the said company, the said company and its lessee may apply in the Province of New Brunswick, all the powers of the ninth section of the act of the legislature of the Province of New Brunswick, passed on the fifteenth day of April, in the year of our Lord one thousand eight hundred and seventy-nine, for the enforcement of such lien and collecting said tolls and said ninth section as far as reasonably the same can be done, may apply and be applied to the tolls by this act given, including the lien and other rights and powers given and granted by said ninth section. Lien, enforcement of, in Province of N. B.

SECT. 7. There shall be added to section ten of the said second act hereby amended, at the end thereof, the words following, to wit; 'except such logs, timber and lumber as may be carried to such places by ice or in consequence of ice.' Exceptions.

SECT. 8. The tolls herein referred to and created, shall fall due and be payable on the expiration of twenty days after the said logs, timber and lumber or a major part thereof shall reach the said boundary line. Tolls, when due and payable.

SECT. 9. If the legislature of the province of New Brunswick has passed or hereafter shall pass any act or acts, giving any toll or tolls for the same services as hereinbefore referred to, or for any part of such services then and in any such case the New Brunswick tolls shall not be considered in addition to the foregoing tolls, and it is hereby declared to be the true intent and meaning of this act, that the tolls by this act created Tolls created by this act, shall be the only tolls to be paid.

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and given, shall be the only tolls to be paid for the services hereinbefore mentioned or referred to.

Additional associates.

SECT. 10. George B. Dunn, Franklin Stetson, Frank Gilman, John P. Donworth, William W. Thomas, Junior; Llewellyn Powers, F. A. Powers, William Engel, A. L. Lumbert, Simon Friedman, Thomas H. Phair, John L. Cutler, I. H. Page, William H. Cunliffe, L. F. Stratton, D. F. Davis and Joseph P. Bass are hereby added as associates to the number of associates named in the first section of the original act.

Conditions on which tolls are granted.

SECT. 11. The tolls are granted on condition that all corporations, persons or firms owning mills situated on the Aroostook or Saint John river, above Grand Falls, shall have the right to build and maintain Ponds Sheer booms for their own use, for the purpose of sheering their logs into their side booms on said river, and the tolls for such use to be collected by the Ponds Sheer Boom Company or their assigns, shall not exceed the sum of five cents per thousand feet, board measure.

Legislature may abolish or reduce toll.

SECT. 12. If the working and management of said booms or if the number, facility or location of said booms shall prove unsatisfactory, the legislature has full power to reduce or abolish the toll.

SECT. 13. This act shall take effect when approved.

Approved February 22, 1887.

Chapter 126.

An Act to incorporate the Western Northeast Harbor Steamboat Wharf Company.

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

Corporators.

SECT. 1. Hermon L. Savage and D. J. Manchester, their associates, successors and assigns, are hereby constituted a corporation by the name of the Western Northeast Harbor Steamboat Wharf Company, with all the powers and privileges, and subject to all liabilities provided or imposed on similar corporations by the laws of this state.

Corporate name.

Authorized to build wharf in Mt. Desert.

SECT. 2. Said corporation is authorized to build and maintain a steamboat wharf on the east side of Somes' Sound, in the town of Mount Desert, in the county of Hancock, with