

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE.

1893.

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1893.

PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE.

1893.

Chapter 380.

An Act to amend the charter of the Caribou Water Company.

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

SECT. 1. The Caribou Water Company is authorized and empowered to carry on the business of furnishing light, heat and power by electricity in the towns of Caribou and Fort Fairfield, with all the powers and privileges and subject to all the liabilities of similar corporations and subject to the general laws of the state regulating the erection of posts and wires used for purposes of electricity.

Powers of Caribou Water Company.

SECT. 2. The acts and doings of the municipal officers of said towns in locating the posts and wires of said company in the locations thereunder are hereby ratified, confirmed and made valid.

Doings, ratified.

SECT. 3. Said towns and any municipal corporations therein are hereby authorized to contract with said company for public lighting for a term of years, and the contracts heretofore made between said company and said towns are hereby ratified, confirmed and made valid.

Towns, authorized to contract for light.

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

Approved February 9, 1893.

Chapter 381.

An Act to incorporate the Seboomook Dam Company.

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

SECT. 1. Eugene Hale, Daniel F. Davis, J. S. Bradstreet, F. T. Bradstreet, Clarence Hale and Lewis C. Moore, their associates and assigns are hereby incorporated under the name of the Seboomook Dam Company, with the powers and privileges of similar corporations.

Corporators.

—corporate name.

SECT. 2. Said company is hereby authorized to erect and maintain dams, side dams, piers and booms at, in, along and near Seboomook Falls, so called, on the west branch of the Penobscot river, but all to be within the limits of Seboomook township in the county of Somerset. Also to remove rocks and excavate ledges therefrom, and to widen, deepen and oth-

Powers.

CHAP. 381

erwise improve said stream for the purpose of raising a head of water, and for making said stream and its tributaries floatable, and facilitating the driving of logs, lumber and wood down the same.

May take land.

—damages, how ascertained, in case of disagreement.

SECT. 3. Said company for the above purposes may take all necessary land and materials for building said dams and piers and making said improvements, and may flow contiguous lands so far as necessary to raise suitable heads of water; and if the parties cannot agree upon the damages the corporation shall pay the proprietors for the land and materials so taken, such damages shall be ascertained and determined by the county commissioners of the county of Somerset in the same manner and under the same conditions and limitations as provided by law in case of damage by laying out of highways; and for the damage occasioned by flowing land, said company shall not be liable to an action at common law, but the person injured may have a remedy by complaint for flowage, in which case the same proceedings shall be had as when a complaint is made under the statutes of this state for flowing lands occasioned by raising a head of water for the working of mills.

Tolls.

—shall have a lien upon logs.

—tolls, how collected.

SECT. 4. Said company may demand and receive as a toll, the sum of five cents for every thousand feet of logs, stumpage scale, and two and a half cents for every cord of wood, on all logs and wood landed above said dam, and tolls at one half the above rates on all logs and wood landed below said dam which may pass over said improvements and dams on said stream. Said company shall have a lien upon all logs, lumber and wood which may pass over any of its dams and improvements until the full amount of toll is paid, but the logs of each mark shall only be holden to pay the toll on such mark, and the wood shall only be holden to pay the toll on such wood; and if said toll is not paid within thirty days after said logs, lumber or wood, or the major part thereof, shall have arrived within the limits of the Penobscot boom or their destination, said company may seize, hold and sell, at public auction, such part of said logs, lumber or wood as shall be necessary to pay such tolls with all incidental costs and charges thereon, after ten days' notice in writing of the time and place of said sale given to the owner of such logs, lumber or wood; but if said company shall not, by January one, eighteen hundred and ninety-five, expend three thousand dol-

lars in improvements below the head of said falls, then all right to take toll under this charter shall cease. CHAP. 382

SECT. 5. When said corporation shall have received from tolls, its outlay on dams, improvements and repairs made up to that time, including all damages paid for flowage or otherwise, and six per cent interest thereon, then the toll shall be reduced to a sum sufficient to keep the works in repair.

SECT. 6. Said company may issue its capital stock to an amount not exceeding six thousand dollars, and to be divided into shares of one hundred dollars each. Capital stock.

SECT. 7. In case logs are taken across from the West Branch to Moosehead lake by a carrier or otherwise, or are stored for that purpose, there shall not be on that account any detention of logs or lumber, or of the water of said West Branch, to the detriment of parties interested in logs or lumber below said dam or to be run over said dam, but parties taking logs across to Moosehead lake shall not be compelled to sort logs nights. All logs taken across to Moosehead lake as aforesaid shall pay a toll to said company of two and a half cents for every thousand feet of logs, and one-half that sum for every cord of pulp wood, stumpage scale, to be enforced as provided in section four of this act. Rights of parties below dam, shall not be impaired.
—tolls, for taking logs across Moosehead lake.

SECT. 8. 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. Shall keep account of cost.

SECT. 9. This act shall take effect when approved.

Approved February 9, 1893.

Chapter 382.

An Act to incorporate the Gorham Telephone Company.

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

SECT. 1. Isaac W. Dyer, John A. Waterman, Henry R. Millett, C. N. Hayes, Edward W. Guptill, their associates and successors, are hereby created a corporation by the name of the Gorham Telephone Company, with all the powers, rights and privileges, and subject to all the duties and obli- Corporators.
Corporate name.