

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE

1897

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PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE.

1897.

CHAP. 483

Chapter 483.

An Act to incorporate the Machias Lake Dam and Improvement Company.

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

Corpora-
tors.

—corporate
name.

Authorized
to build
dams and
improve
Machias
lakes.

—may take
land and
materials.

—dam-
ages, how
ascertained
in
case of dis-
agreement.

Tolls
granted.

—shall have
lien on logs
for same.

—how en-
forced.

Sect. 1. John K. Ames, Frank S. Ames, Alfred K. Ames, Charles Bartlett Albee, Bion B. Albee, their associates and assigns, are hereby incorporated under the name of the Machias Lake Dam and Improvement Company, with all the powers and privileges of similar corporations.

Sect. 2. Said corporation is authorized to build dams, side dams, remove rocks and make all other necessary improvements in Machias lakes and Machias lake stream to facilitate the driving of logs and lumber down the same, and for this purpose the said corporation may take land and materials necessary to build such dams, and make such 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 of the land and materials so taken, such damages as shall be ascertained and determined by the county commissioners for the county of Washington, in such manner, and under the same conditions and limitations as are by law provided in the case of damage by laying out public highways. And for the damage occasioned by flowing land, the said corporation shall not be liable to an action at common law, but persons injured may have a remedy by a complaint for flowing, in which the same proceedings shall be had as when a complaint is made under a statute of this state for flowing lands, occasioned by raising a head of water for the working of mills.

Sect. 3. The said corporation may demand and receive a toll for the passage of logs over or through their said dams and improvements of twelve cents per thousand feet, board measure, woods scale, for all logs landed above the dam called the Machias lake dam. And said corporation shall have a lien upon all logs and lumber which may pass over any of its dams and improvements, for the payment of said tolls; but the logs of each particular mark shall be holden only for the tolls of such mark, and unless such toll is paid within twenty days after such logs or lumber, or a major part of the same, shall arrive at the place of manufacture or destination, said corporation may enforce said lien in the manner provided in sections

thirty-eight and thirty-nine of chapter ninety-one of the revised statutes for enforcing liens on logs and lumber. CHAP. 484

Sect. 4. When said corporation shall have received from tolls its outlay on dams and improvements, and the repairs made up to that time and eight per cent interest, then the tolls shall be reduced, pro rata, to a sum sufficient to keep the works in repair.

When tolls shall be reduced.

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

Approved March 20, 1897.

Chapter 484.

An Act to incorporate the Kittery and Eliot Street Railway Company, and to authorize the construction of the same across navigable tide waters.

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

Sect. 1. Frank E. Rowell, Horace Mitchell, Willard T. Spiney and James H. Walker of Kittery in the county of York, and J. L. M. Willis, H. I. Durgin and T. F. Staples of Eliot in said county, their associates, successors and assigns, are hereby made and constituted a body corporate, by the name of the Kittery and Eliot Street Railway Company, for the purpose of constructing and operating street railways.

Corporators.

—corporate name.

Sect. 2. The capital stock shall not exceed two hundred thousand dollars and be divided into shares of one hundred dollars each.

Capital stock.

Sect. 3. The company shall have the right, from the going into force of this act, of constructing, maintaining and operating a line or lines of single or double track railway, with the necessary side tracks, switches and turnouts, and other appliances for operating its cars upon and along the following streets, roads or highways of the towns of Kittery and Eliot, commencing at some convenient point on Government street in said town of Kittery, thence upon and along the highway leading to South Eliot, over the bridge across the navigable tide waters of Spiney's creek, and through said South Eliot in a northerly direction upon and along the main or shore road to Sturgeon creek, so called, in said town of Eliot.

Authorized to construct railway.

—location.

Sect. 4. Said company may purchase and hold or lease real estate in said towns of Kittery and Eliot for railway purposes, and also for the purpose of car houses, power houses and waiting

May hold real estate.