

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

SIXTY-NINTH LEGISLATURE

OF THE

STATE OF MAINE

1899.

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

AUGUSTA
KENNEBEC JOURNAL PRINT
1899.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1899.

Chapter 154.

An Act to amend Chapter two hundred and twenty-six of the Private and Special Laws of eighteen hundred and forty-nine, as amended by Chapter five hundred and two of the Private and Special Laws of eighteen hundred and fifty-two, relating to the free bridge across Salt Pond in Bluehill.

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

Section 1. Section two of chapter two hundred and twenty-six of the private and special laws of eighteen hundred and forty-nine, as amended by chapter five hundred and two of the private and special laws of eighteen hundred and fifty-two, is hereby amended by striking out all of said section after the word "pass" in the third line thereof, so that said section, as amended, shall read as follows:

'Section 2. Said bridge shall be constructed of good materials, the abutments and pier to be of stone or wood, six feet above common tides in that part where gondolas may pass.'

Section 2. This act shall take effect when approved.

Approved March 15, 1899.

Section 2,
chapter 226,
special laws
1849, as
amended by
chapter 502,
laws 1852,
further
amended.

How bridge
shall be
constructed.

Chapter 155

An Act to amend Chapter four hundred and nineteen of the Private and Special Laws of eighteen hundred and ninety-seven, entitled "An Act to incorporate the Penobscot East Branch Log Driving Company."

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

Section 1. Section two of chapter four hundred and nineteen of the laws of eighteen hundred and ninety-seven is hereby amended by adding to said section the following words: 'Said corporation shall keep a true and itemized account of all the expenses incurred in making all the improvements herein provided and a separate account shall be kept for each place so improved. For removing obstructions, building dams and side dams, erecting piers and booms and making all the improvements to improve the navigation of said river as hereinbefore provided, all the logs or other lumber driven in said river between Grand Lake dam and the West branch at said Medway, whether driven by said corporation or by the owners of said logs or other lumber, shall be assessed for the payment of said improvements as hereinafter set out; and there shall be a lien upon all said logs or other lumber for the payment of the assessments so made to be enforced as hereinafter provided. The members of said corporation owning

Section 2,
chapter 419,
special laws
1897,
amended.

—shall keep
account of
expenses.

—owners of
logs shall
be assessed
for improve-
ments.

—lien on
logs for
payment.

CHAP. 155

—members shall file statement of logs driven, with clerk.

—when assessment shall be made.

—rates for logs driven from Mud Brook.

—if owner falls to file statement, delinquent may be assessed.

—clerk shall keep record of assessments.

—assessments, how enforced.

—collection of.

logs or other lumber to be driven down said East branch between said Grand Lake dam and said West branch, and the owner or owners of logs or other lumber to be driven down said East branch between said Grand Lake dam and said West branch who may drive their logs as hereinbefore provided shall on or before the fifteenth day of April in that year file with the clerk of said corporation a statement in writing signed by said member or members, owner or owners, his or their authorized agent, of all such logs or other lumber, the number of feet board measure, and the marks thereon together with the places from which the logs are to be driven and their destination, which said statement shall be under oath if required by the directors or any one of them; any one of said directors is hereby empowered to administer said oath. On or before the first day of September of each year, said directors shall assess upon all logs or other lumber driven down said east branch that year between said Grand Lake dam and said West branch all or such part of the amount expended in said improvements, before the date of said assessment, as the directors decide to be just and equitable; provided always, that no logs shall be assessed for on account of any improvements over which such logs do not pass. And provided further, that the assessment on logs driven from the northerly bank of Mud brook shall not exceed three cents per thousand feet and on logs driven from the foot of Bowlin falls shall not exceed five cents per thousand feet. If any owner or agent shall neglect or refuse to furnish or file said statement the directors may assess such delinquent or delinquents, for his or their proportion of such expenses. The directors shall give public notice before making said assessment, by publication in some newspaper printed in Bangor two weeks in succession, the last publication to be before making said assessment. When the owner or owners of any mark of logs or other lumber is unknown to the directors, the directors may set to the mark upon such logs or other lumber, any assessment or assessments herein provided. The clerk shall keep a record of all assessments and all expenses upon which such assessments are based, which shall be open to all persons interested. All assessments shall be made at the office of said corporation. The directors shall give the treasurer a list of all assessments by them made, with a warrant in due form under their hands; and said corporation shall have a lien on all logs and other lumber driven down said East branch for the expenses of said improvements as hereinbefore set out, which lien may be discharged by giving the bond provided in section seven of this act. All assessments shall be collected in the same manner that the assessments for driving said logs are collected as

provided in section seven. All the provisions of said section seven shall apply to the collection of the assessments herein provided for so far as the same may be applicable.

Section 2. Section three of said chapter four hundred and nineteen of the laws of eighteen hundred and ninety-seven is hereby amended, so as to read as follows :

Section 3, amended.

‘Section 3. Any person, persons or corporations, or their agents, owning wild land on the East branch of the Penobscot river or its tributaries, and any person, persons or corporations, or their agents, cutting logs or other lumber thereon, shall be a member of the Penobscot East Branch Log Driving Company, and shall so continue for one year at least, and shall have all the privileges and be subject to all the liabilities pertaining thereto.’

Qualification of members.

Section 3. Said act shall be further amended by adding thereto the following section :

Act further amended.

‘Section 11. After all improvements and repairs made by said company shall have been duly paid for by the proceeds received from assessments as hereinbefore authorized with six per cent interest thereon added thereto, no further assessments shall thereafter be made except for necessary repairs.’

When assessments shall cease.

Section 4. Section five of said chapter four hundred and nineteen is hereby amended by striking out the word “May” in the fourth line and inserting in place thereof the word ‘April,’ so that said section, as amended, shall read as follows :

Section 5, amended.

‘Section 5. The members of said corporation owning logs and other lumber to be driven down said East branch between said Grand Lake dam and said West branch, shall on or before the fifteenth day of April in that year file with the clerk a statement in writing, signed by such member or members, his or their authorized agent, of all such logs or other lumber the number of feet, board measure, of all such logs or other lumber, and the marks thereon, together with the place from which the logs are to be driven and their destination, and the directors, or one of them, shall require such owner or owners or agent presenting such statement to make oath that the same is in their judgment and belief true, which oath any one of the directors is hereby authorized and empowered to administer. And after the directors shall have ascertained the amount necessary to defray the cost of driving such logs and other lumber, and to pay other necessary expenses for the season, they shall have the right to assess the same as hereinafter provided, to the owners, if known, or to owner unknown, making such discount for logs driven less than the whole distance as in their opinion may be right and equitable. And if any such owner or agent shall neglect or refuse to file a statement in the manner herein prescribed, the

Owners of logs shall file with the clerk, a statement of all logs to be driven down East branch.

—directors shall assess cost of doing same.

—how delinquent may be assessed.

CHAP. 156

directors may assess such delinquent or delinquents for his or their proportion of such expenses, such sum or sums as may be by the directors considered just and equitable, and the directors shall give public notice of the time and place of making such assessments, by publishing the same in some newspaper printed in Bangor two weeks in succession, the last publication to be before making such assessment, and any assessment or assessments, when the owner or owners of any mark of logs or other lumber is unknown to the directors, may be set to the mark upon such logs or other lumber. And the clerk shall keep a record of all assessments and of all expenses upon which such assessments are based, which shall be open to the inspection of all persons interested.'

—clerk shall keep record of expenses.

Approved March 15, 1899.

Chapter 156.

An Act amendatory to Chapter one hundred and forty-four, Section two of the Special Laws of eighteen hundred and sixty-nine, relating to "An Act to incorporate the Sebois Dam Company."

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

Section 2, chapter 144, special laws 1869, amended.

Section two of chapter one hundred and forty-four of the special laws of eighteen hundred and sixty-nine is hereby amended by inserting in the fifth line thereof after the words, "for the purpose," the words 'of manufacturing and,' so that said section, as amended, shall read as follows:

Authorized to improve navigation of Sebois waters.

'Section 2. Said company are authorized to improve the navigation of the Sebois waters between township A in the eighth and ninth ranges, west of the east line of the state, and the Piscataquis river by deepening the channels, removing obstructions, erecting booms and piers, and building dams necessary for the purpose of manufacturing and of facilitating and driving of logs and timber and for those purposes to do whatever may be necessary in and upon said waters and the bed, shores and banks thereof to accomplish the objects aforesaid. All future damage for flowage, or otherwise, not already settled for shall be assessed by a commission of three men to be appointed by one of the justices of the supreme court and their report shall be final and binding between the parties.'

—damages for flowage, how assessed.

Approved March 15, 1899.