

MAINE STATE LEGISLATURE

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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.

CHAP. 168

—warrants,
how issued.

Section 3,
chapter 237,
laws 1895,
repealed.

Section 15,
chapter 486,
laws 1889,
revived.

or other boards having authority to issue such warrants, shall run to him and his successors in office, and shall be in the form prescribed by law, changing such parts only as by this act are required to be changed.'

Section 3. Section three of chapter two hundred and thirty-seven of the private and special laws of eighteen hundred and ninety-five, is hereby repealed and section fifteen of chapter four hundred and eighty-six of the private and special laws of eighteen hundred and eighty-nine, is hereby revived.

Section 4. This act shall take effect when approved.

Approved March 16, 1899.

Chapter 168.

An Act to incorporate the Enchanted Stream Dam and Improvement Company.

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

Corporators.

Section 1. Charles Lawrence, Greenleaf Lawrence, Hiram Lawrence, all of Gardiner, J. Manchester Haynes of Augusta, S. W. Philbrick and William Snow of Skowhegan, their associates and assigns, are hereby incorporated under the name of the Enchanted Stream Dam and Improvement Company, with all the powers and privileges of similar corporations.

—corporate
name.

Authorized
to build
dams, etc.

Section 2. The said corporation is authorized to build dams, side dams, remove rocks, make embankments and other improvements on Enchanted stream, so called, in Upper and Lower Enchanted towns in the county of Somerset, and build dams to raise a head of water on said stream and on any and all the lakes and ponds on said stream or its tributaries, 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, embankments and improvements, and may flow contiguous lands necessary to raise such head of water on such lakes and ponds, and if the parties cannot agree upon the damages the corporation shall pay the proprietors of the land and materials so taken, either party on petition to the county commissioners of Somerset county may have the damages assessed by them; and subsequent proceedings and rights of appeal thereon shall be had in the same manner and under the same conditions, restrictions and limitations as are by law prescribed in case of damages by laying out highways; and for the damage occasioned by flowing land the said corporation shall not be liable to an action at common law, but the person injured may have a remedy by a complaint for flowing, in which the

—may take
land and
material.

—damages,
how as-
sessed.

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.

Section 3. The said corporation may demand and receive a toll for the passage of logs over their said dams and improvements, of sixty cents for each thousand feet, full scale; and said corporation shall have a lien upon all logs which may pass over any of their said dams and improvements for the payment of said toll, but the logs of each particular mark, shall be holden only for the toll of such mark, and unless said toll is paid within twenty days after such logs or a major part of them shall arrive within the limits of the Kennebec Log Driving Company, said corporation may sell at public auction so much of said logs as shall be necessary to pay such toll and costs and charges, notice of the time and place of such sale being first printed in some newspaper printed in said county.

Tolls.

—lien on logs to enforce payment.

Section 4. When said corporation shall have received from tolls its outlay on dams, improvements and repairs, made up to that time, and six per cent interest thereon, then the toll shall be reduced to a sum sufficient to keep the works in repair. The treasurer of the Kennebec Log Driving Company, for the time being, is appointed to audit the accounts and determine the cost of said dams, improvements and repairs, subject to appeal, as provided in section seven.

When tolls shall cease.

—accounts, how audited.

Section 5. Any or all owners of land from which logs, lumber or wood is cut which passes through or over its dams or improvements, shall have a right to take an interest in said company.

Owners, shall have right to take an interest.

Section 6. The amount invested shall at all meetings be represented by a fixed convenient number of votes, which shall be cast by the owners of land from which logs, wood or lumber is cut, which passes through or over its dams or improvements, and each owner shall have the right to vote in proportion to his interest in said land, by paying his proportion of the cost of building and maintaining the dams and improvements.

Owners shall have right to vote.

Section 7. In case of any disagreement as to the right of owners hereunder, the same shall be forthwith determined by referees agreed upon by the parties, or by the county commissioners of Somerset county, if the parties cannot agree.

Rights, how determined in case of disagreement.

Section 8. The cost of the improvements already erected upon said stream by Lawrence Brothers Company shall be included in the cost of improvements designated in this act.

Cost of improvements.

Section 9. This act shall take effect when approved.