

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

SEVENTIETH LEGISLATURE

OF THE

STATE OF MAINE

1901.

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

AUGUSTA
KENNEBEC JOURNAL PRINT
1901

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1901.

CHAP. 364

'Section 7. All weirs on said river now built or which shall be built, shall be constructed with a suitable gate, which gate the owner or occupant of said weir shall keep open from sunrise on Sunday of each week until sunrise on Monday of each week, under a penalty of ten dollars, to be forfeited by said owners or occupants for each and every day they shall refuse or neglect so to keep open said gate.'

How weir shall be constructed.

Approved March 13, 1901.

Chapter 364.

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

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

Section 1. Edward H. Blake, John Ross, Harry F. Ross, and their associates, successors and assigns, are hereby incorporated under the name of the Sandy Stream Dam and Improvement Company.

Corporators.
—corporate name.

Section 2. Said company is authorized to erect and maintain dams, sluices and side dams on Sandy stream, so called, a tributary of Millinocket lake; to remove rocks therefrom, and to widen, deepen and otherwise improve said stream for the purpose of facilitating the driving of logs and other lumber down the same, and for the above purposes, may take necessary land and materials for building such dams and making such improvements, and may flow contiguous lands so far as necessary; and if interested parties cannot agree upon the amount of damages to be paid by said company for the land and materials so taken, such damages shall be ascertained and determined by the county commissioners of Piscataquis county for the time being, in the same manner and under the same conditions and limitations as is provided by law in the case of damages occasioned by laying out of highways, and the amount of damages so determined shall be paid by said company; and for the damages arising from flowing of land, said company shall not be liable in an action at law, but the person injured shall have a remedy by complaint for flowage in which the same proceedings shall be had as when a complaint is made under chapter ninety-two of the revised statutes of Maine providing for the recovery of damages for flowing lands occasioned by a mill dam.

Authorized to erect dams, etc.

—may take land and material.

—damages how determined in case of disagreement.

Section 3. Said company may demand and receive a toll upon all logs and other lumber which may pass over or through said dams and improvements, to be fixed by the directors of said

Tolls.

CHAP. 364

company, but not to exceed the following prices per thousand feet, stumpage scale; above the Hersey dam, as now located, a sum not exceeding forty cents; between said dam and the mouth of Togue stream, a sum not exceeding twenty-five cents; and below the mouth of Togue stream, a sum not exceeding ten cents, provided no toll shall be demanded upon any logs landed in said stream, cut south of the center line running east and west of township number two, range eight, and said company shall have a lien upon all logs and other lumber which may pass over or through any of its dams or improvements until the full amount of toll is paid, to be enforced as herein provided, but the logs of each particular mark shall only be holden to pay the toll on such mark. Unless said toll is paid within twenty days after such logs and other lumber, or a major part thereof, shall have arrived at the place of destination, said company may seize and take possession of a sufficient quantity of any and all marks of logs and other lumber upon which the tolls have not been paid, and retain possession of the same until disposed of as herein-after provided, unless before such disposition the tolls, with all incidental costs and charges thereon, have been paid. All marks of logs and other lumber upon which said tolls have not been paid, and which have been seized as aforesaid, said company shall cause to be advertised three weeks in succession in some newspaper published in Bangor, Maine, the first publication to be within at least thirty days of such seizure, such advertisement to state that unless the tolls due on such logs and other lumber, together with costs and charges, are paid, the same will be sold at public auction, and if, within ten days after the last publication, such tolls with the necessary costs and expenses incident to such seizure and publication have not been paid, the company shall give notice of the sale at public auction of such logs and other lumber by posting in some conspicuous place in Bangor and the place of destination of such logs and other lumber notice of such sale, with a list of all the marks on said logs and other lumber and the amount of tolls due on each mark, ten days at least before the day of sale, and if said charges and expenses are not paid before the time fixed for such sale, said company shall then cause to be sold to the highest bidder a sufficient quantity of such logs or other lumber of the different marks seized and taken as aforesaid to pay the tolls and expenses of such notices and sale, selling each mark of logs separately, the place of sale shall be at the offices of the company, in Bangor, Maine; the lien hereby created shall have precedence of all other liens, but shall not deprive said company of any other legal remedy it may have to collect its tolls.

—shall have
lien on all
logs.

—how
enforced.

—lien has
precedence
of all other
liens.

CHAP. 365

Section 4. When said company shall have received from tolls its outlay on all 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 tolls herein provided for shall be reduced to a sum sufficient to keep said dams and improvements in reasonable repairs.

When tolls shall be reduced.

Section 5. Said company may issue its capital stock to an amount not exceeding five thousand dollars, to be divided into shares of one hundred dollars each.

Capital stock.

Section 6. This act shall take effect when approved.

Approved March 14, 1901.

Chapter 365.

An Act to establish a Municipal Court in the Town of Fairfield.

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

Section 1. There is hereby established in and for the town of Fairfield, in the county of Somerset, a court, to be denominated the Municipal Court of Fairfield.

Fairfield municipal court established.

Section 2. Said court shall be a court of record, and have a seal, to be affixed to all original processes issuing therefrom.

Seal and court of record.

Section 3. Said court shall consist of one judge, to be appointed in the manner and for the term provided by the constitution, who shall be a member of the bar in Somerset county, and who shall reside during his continuance in office in said town of Fairfield.

Judge and qualification.

Section 4. Said court shall have concurrent jurisdiction with supreme judicial court in the county of Somerset of the offenses described in chapter one hundred and twenty, sections one, six, seven, eight and nine of the revised statutes, when the value of the property is not alleged to exceed fifty dollars; and also of the offenses described in chapter one hundred and thirty-two, section four of the revised statutes; and also of the offenses described in chapter one hundred and eighteen, section twenty-eight of the revised statutes, and may punish in all such offenses by fine not exceeding fifty dollars or by imprisonment for a time not exceeding four months; also of the offenses described in chapter one hundred and twenty-four, section six of the revised statutes. Said court shall have exclusive jurisdiction of all offenses arising in said town of Fairfield, which are by any law or statute within the jurisdiction of a trial justice, and concur-

Jurisdiction.