

MAINE STATE LEGISLATURE

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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.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1901.

Chapter 378.

An Act to incorporate the Pistol Stream Dam Company.

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

Section 1. John Morison, John Cassidy, Horace D. Morison and James W. Cassidy, their associates, successors and assigns, are hereby created a body politic and corporate by the name of the Pistol Stream Dam Company, with all the powers, rights and privileges of similar corporations.

Corporators.
—corporate name.

Section 2. Said corporation may erect and maintain a dam on Pistol stream at the outlet of the second Pistol lake in township four, north division of Bingham's Penobscot Purchase, in Hancock county, to facilitate the driving of logs and other lumber from said second lake down said stream, and may remove rocks, excavate ledges, build dams and side dams, and make other improvements in said stream between said second lake and the mouth of said stream, including a dam at the outlet of the first Pistol lake in township three in said north division.

Authorized to maintain a dam.

Section 3. Said corporation may take land and materials necessary for building said dams and making said improvements, and may flow contiguous lands so far as necessary to raise suitable heads of water; and if the parties owning said land and materials and said corporation cannot agree upon the damages therefor, said corporation shall pay the owners of the land and materials so taken, such damages as shall be ascertained and determined by the county commissioners for the county of Hancock, in the same manner and under the same conditions and limitations as are provided by law in case of damage by laying out of highways. And for the damages caused by flowing lands said company 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 complaint is made, under the statutes of this state for flowing lands occasioned by raising a head of water for the working of mills.

May take land and materials.

—damages, how ascertained, in case of disagreement.

—damages for flowing lands.

Section 4. Said corporation may demand and receive a toll for the passage of logs and lumber through and over said dams and improvements of fifteen cents per thousand feet, board measure, woods scale, for all logs and lumber that pass through the dam at the outlet of the second Pistol lake aforesaid, and ten cents per thousand feet on all logs and lumber landed below said second lake dam and which shall pass over the dam at the outlet of said lower Pistol lake; and said company shall have a lien upon all logs and lumber which shall pass over any of its said

Tolls.

—shall have lien on logs and lumber passing over dams.

CHAP. 379

—how enforced.

dams and improvements for the payment of said tolls, but the logs of each particular mark shall be holden only for the tolls on such mark; and unless such toll is paid within twenty days after such logs or lumber, or a major part thereof, arrive at the Passadumkeag boom, or the place of manufacture or destination, said corporation may seize said logs and lumber and sell such part thereof as shall be necessary to pay such tolls and the costs and charges of such seizure and sale. Notice of the time and place of such sale shall be given ten days before such sale in some newspaper printed in Bangor.

When tolls shall be reduced.

Section 5. When said company shall have received from tolls as aforesaid, its outlay on dams and improvements, and repairs made up to that time, and six per cent interest thereon, then the toll shall be reduced pro rata to a sum sufficient to keep the works in repair.

Land owners shall have right to take stock of company.

Section 6. Any owner of land from which logs or other lumber is cut, which passes over and through said dams and improvements shall have the right to take an interest in the stock of said corporation in the proportion which his ownership bears to all such lands, by paying a like proportion of the cost of building said dams and making said improvements.

Section 7. This act shall take effect when approved.

Approved March 16, 1901.

Chapter 379.

An Act to regulate winter fishing and to close the tributaries to certain lakes and ponds in Somerset, Penobscot and Washington Counties.

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

Unlawful to fish through the ice in Somerset county.

Section 1. It shall be unlawful to fish through the ice at any time for any kind of fish in any of the lakes or ponds lying wholly or partly in the county of Somerset, except in the following named lakes and ponds, namely: Moosehead lake; Ellis, Round and Ten-thousand-acre ponds in township number one in the sixth range, west of Kennebec river of the Bingham's Kennebec Purchase, and known as the Ten-thousand-acre township, Rowell pond in Solon, Smith pond in Cornville, Pickerel pond in Flagstaff, Gilman pond in Lexington, Pierce pond in township number two, range four, Sibley pond in Canaan, Morrill pond in Hartland, Fahi and Sandy ponds in Embden, Wyman and Weeks' ponds in Brighton, Moose, Mud, Starbird and Stafford ponds in Hartland, Indian pond in Saint Albans,

—exceptions.