

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE

1903.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1903.

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**Chapter 193.**

An Act to incorporate the East Branch Improvement Company.

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

Section 1. Nathaniel M. Jones, Fred W. Ayer, Halbert P. Gardner, Herbert W. Marsh, James W. Sewall and George H. Hamlin, their associates, successors and assigns, are hereby incorporated under the name of the East Branch Improvement Company.

Corporators.

—corporate name.

Section 2. The capital stock of said company shall not exceed one hundred thousand dollars, divided into shares of one hundred dollars each, and, in order to carry out the purposes for which said company is incorporated, it is hereby authorized and empowered to issue its bonds in such form and amount and on such rates as it may deem expedient, not exceeding the amount of its capital stock, and may secure the same by mortgage of its property and franchises.

Capital stock.

—may issue bonds.

Section 3. Said company is hereby authorized and empowered to take and hold by virtue of any conveyances made to it, the franchises, real estate, canals, sluiceways, piers, dams, wing dams, side dams, booms, steamboats, improvements and other property of the Telos Canal Company and the Grand Lake Dam Company, both of which were incorporated by special acts of the legislature of Maine, approved August seven, eighteen hundred forty-six, and of the East Branch Dam Company, incorporated by special act of the legislature of Maine, approved April twenty-six, eighteen hundred fifty-two, which said companies are hereby authorized and empowered to sell, assign and convey by deeds duly executed by the presidents of the several companies, to said East Branch Improvement Company such franchises, real estate, canals, sluiceways, piers, dams, wing dams, side dams, booms, steamboats, improvements, and other property owned or possessed by them at the time of such transfer, and upon receiving such conveyances said East Branch Improvement Company is hereby authorized and empowered to exercise all the powers and privileges of said Telos Canal Company, said Grand Lake Dam Company and said East Branch Dam Company, including the assessment and collection of tolls in accordance with all acts of the legislature relating thereto, and the duties of the said several companies shall be and become the duties of said East Branch Improvement Company, which said company shall thereafter be holden to perform such duties.

May take and hold property of certain other corporations.

Section 4. In addition to the rights and powers now possessed by said Telos Canal Company, said Grand Lake Dam Company and said East Branch Dam Company, said East

May build additional dams.

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Branch Improvement Company, for the purpose of facilitating the driving of logs and other lumber, shall have the power to build additional dams upon its own land or land acquired for that purpose, with suitable gates and sluiceways, repair or rebuild any dams it may acquire from said companies as aforesaid, increasing the height of the same, remove obstructions and erect necessary piers, booms, side booms and other works, in the waters of the East branch of the Penobscot river and its natural tributaries above Grand Lake dam, and said company shall also have the power to rebuild the dam at the foot of Grand lake, increasing the height of the same not exceeding five feet and the additional damages for flowage caused by such new dams or by the increased height of existing dams may be recovered in accordance with the provisions of chapter ninety-two of the revised statutes; provided, however, after the drive in any year shall arrive in the Penobscot boom, or the drive shall have been abandoned, the water stored by such dams shall be allowed to flow so that the volume and flow shall be, as nearly as practicable, equal and continuous for the whole twenty-four hours of each day thereafter until such stored water has run through said dams. Nothing in this act shall be construed as giving said company the right to increase the height of the dam at the outlet of Chamberlain lake or enlarge the Telos canal as constructed by the Telos Canal Company.

—may rebuild and increase height of dam at foot of Grand lake.

Section 5. Said company is hereby authorized and empowered to make contracts with any person or corporation to drive logs and other lumber into the Penobscot boom or to their place of destination for sale or manufacture, charging such compensation therefor as shall be agreed upon between said company and such person or corporation; provided, however, said company shall not drive logs or other lumber below said Grand Lake dam except by virtue of a contract with the Penobscot East Branch Log Driving Company. And said company shall have a lien upon the logs driven by virtue of such contract, which lien shall have precedence of all other claims, except laborers' liens, and shall continue for ninety days after the logs or lumber shall arrive at place of destination for sale or manufacture, and may be enforced by attachment.

May make contracts to drive logs.

—compensation.

Section 6. The first meeting of said corporation shall be called at Bangor, in the county of Penobscot, by a notice signed by one of the corporators named in section one, setting forth the time, place and purposes of the meeting, and such notice shall be mailed to each of the corporators, postage paid, at least seven days before the day of such meeting.

First meeting, how called.

Section 7. This act shall take effect when approved.