

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
SEVENTY-FIRST LEGISLATURE
OF THE
STATE OF MAINE
1903.

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

AUGUSTA
KENNEBEC JOURNAL PRINT
1903

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1903.

CHAP. 266First meeting,
now called.

Section 6. This first meeting of said corporators shall be called either by notice by him signed given in hand, or mailed, to the others at least seven days before such meeting. Any corporator may act at such meeting by proxy.

Section 7. This act shall take effect only when the directors of the Wiscasset, Waterville and Farmington Railroad Company, its successors and assigns, shall file a written assent hereto in the office of the secretary of state, and to empower the filing of such assent it shall take effect when approved by the governor.

When this
act shall take
effect.

Approved March 25, 1903.

Chapter 266.

An Act to incorporate the Ellis River Improvement Company.

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

Section 1. Frank P. Thomas, Richmond L. Melcher, Hollis C. Dunton and Y. A. Thurston, their associates and assigns, are hereby incorporated under the name of the Ellis River Improvement Company, with all the powers and privileges of similar corporations.

Corporators.

—corporate
name.

Section 2. Said corporation is authorized to build dams, booms, side dams, sheer booms, remove rocks, dredge, make embankments and other improvements on the Ellis river, and any or all of its tributaries, in the county of Oxford, Maine; as may be necessary to facilitate the driving of logs and lumber down the same, and for the purpose of carrying out the intentions herein provided said corporation may purchase and hold real and personal estate sufficient for carrying on the business of the corporation, and may grant and raise by loan or assessment for the same such sums of money and in such manner as the directors may from time to time vote. Said corporation may also make and adopt all necessary regulations and by-laws not repugnant to the constitution and laws of the state and adopt a common seal.

Powers.

May purchase
and hold
real and
personal
estate.—may raise
money by
loan or
assessment.

Section 3. The officers of said company shall be a clerk, treasurer, and a board of three or five directors, to be chosen by ballot, and such other officers as may be deemed necessary, who may be appointed by the directors, unless they shall be chosen at the annual meeting, all of whom shall hold their offices until the next annual meeting, or until others are chosen or appointed in their stead. The clerk, treasurer and directors shall be sworn to the faithful performance of their duties. The treasurer shall give a bond to the acceptance of the directors. The directors

Officers.

—tenure.

—election of
president.

CHAP. 266

shall, at their meeting, elect one of their number who shall be the president of the company. And no person shall be eligible to the office of director except he be a member of the corporation.

Who may
become
members of
the company.

Section 4. Any person, or corporation, or their agents, owning logs or other lumber to be driven on said river or its tributaries, at the date of the annual meeting in each year, may become members of the Ellis River Improvement Company, and shall so continue for two years at least, from that date, and shall have all the privileges and be subject to all the liabilities thereto.

—voting
powers of
members.

Said members shall be entitled to vote at any meeting of the company as follows; one vote each for any member having or representing fifty thousand feet of logs or lumber in the river to be driven; with an additional vote for each additional fifty thousand feet; the same to be determined by the directors. And it shall be the duty of the directors to keep an itemized account of all expenses incurred for all improvements made under this act; and ascertain the number of feet, full scale, and ownership of said logs and other lumber driven annually on said river or any of its tributaries, and assess thereon, to owners if known, or to owners unknown, making such discount for logs or lumber driven less than the whole distance as in their opinion may be right and equitable, a tax sufficient to pay interest on or cost of investment, expenses of maintenance, damages and losses for improvements made and such other expenses as may be voted by the company or the directors. And said company shall have a lien on all logs and other lumber that may be driven for the expense of such improvements as is herein contemplated, which shall not be discharged until all assessments shall be finally paid. The directors shall keep a record of the assessments in the office of the clerk, which shall be open to the inspection of all persons interested.

—directors
may assess an
equitable tax
on owners of
logs driven.

—company
shall have
lien on logs
driven.

Collection of
assessments,
how made.

Section 5. The directors shall give the treasurer a list of all assessments by them made, with a warrant in due form under their hands. And it shall be the duty of the treasurer immediately after he shall receive from the directors a list of assessments in due form, to notify in writing all the owners, where known, of the amount assessed upon their several marks, and all owners of logs and other lumber shall be required to pay or satisfactorily secure the amount of their several assessments on demand, and in default of payment of the whole or any part of any member's assessment, the treasurer shall have power to take possession of a sufficient quantity of the logs or other lumber of any mark owned or assessed to said member, and advertise the same for sale at public auction, by posting up in some conspicuous place in Rumford Falls, in the town of Rumford, also by publication in some newspaper published in Rumford Falls a notice of

such sale stating therein the names of the persons taxed, if known, with the mark or marks assessed, with the amount of the assessment unpaid, ten days at least before the day of the sale; and unless such assessments, with all expenses incurred, are previously paid, he may then proceed to sell to the highest bidder a sufficient quantity of such logs or other lumber to pay such assessment, with all proper costs, together with ten per cent interest from the date of said assessment; such sale to be at the office of the company, or where the logs are situated.

Section 6. Any owner or owners of logs and other lumber on said river, or its tributaries, may take and use on his or their logs or other lumber any mark not in use by any other person on said river, or tributaries, and such mark shall be left with the clerk of said company and shall be by him recorded in a book kept for that purpose which shall be at all time open to the inspection of all persons interested; and if any other person or corporation shall use such mark on any logs or other lumber on said river, or its tributaries, after such mark shall be recorded, or any mark so closely resembling such other mark already recorded and in use, as to be calculated to mislead or require more than ordinary care to identify and select such logs or other lumber in the usual course of handling the same, such offender or offenders shall forfeit and pay the sum of two dollars for every log so marked, to be recovered in action of debt in any court of competent jurisdiction, to the use of the person or corporation injured thereby.

Record of marks used shall be made by clerk of company.

Section 7. For the purpose of carrying out the provisions of this act, when there are no highways conveniently near leading to the river, or its tributaries, the company may have the right to cross on foot and with teams the land of private persons or corporations in some places reasonably convenient, and in such a location calculated to do the least damage to the owner thereof.

May cross private lands for purposes of this act.

Section 8. Any other person or corporation having logs or lumber to be driven on said river, or its tributaries, and not desirous of becoming a member of this corporation, may use said river, or its tributaries, for driving or floating their said logs or lumber, and reasonable compensation for the use of the same for driving or floating the same shall be determined and secured according to the provisions hereinbefore stated.

Persons not members of corporation, may use river for driving.

Section 9. In case of any disagreement as to the rights of owners hereunder the same shall forthwith be determined by referees agreed upon by the parties or after notice and hearing appointed by any judge of the supreme judicial court, sitting in term time or vacation, in either of the counties of Oxford or Androscoggin.

Proceedings in case of disagreement as to rights of owners.

CHAP. 267

Annual meeting.

—first meeting, how called.

Damages for carrying out provisions of this act, how recovered.

Section 10. The annual meeting of the corporation until otherwise provided, shall be held in the town of Rumford or Andover, in the county of Oxford, and the manner, place and time of calling annual and special meetings of the company and meetings of the directors may be determined by a vote of the company, at any meeting thereof. The first meeting of the company for the purpose of the acceptance of this act and for the organization of the same may be called at Rumford Falls by any associate named herein, on giving at least seven days' notice of the time and place of said meeting.

Section 11. Any person or corporation sustaining any damage by reason of the carrying out the provisions of this act shall be entitled to recover and receive the same in the manner as is now or may hereafter be provided by law, for recovering damages in the laying out of highways.

Section 12. This act shall take effect when approved.

Approved March 25, 1903.

Chapter 267.

An Act to incorporate the Buckfield Water, Power and Electric Light Company.

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

Corporators.

—corporate name.

Location.

Business of the company.

May take water in Buckfield,

Section 1. Horace A. Irish, Osborne McConathy, Cyrus M. Irish, Isaac W. Shaw, Ralph H. Morrill and Frederick R. Dyer, or such of them as shall vote to accept this charter, with their associates, successors and assigns are hereby made a body corporate by the name of the Buckfield Water, Power and Electric Light Company, and as such shall possess all the powers and be subject to all the duties and obligations conferred and imposed on corporations by law, except as otherwise provided herein.

Section 2. The place of business of said corporation shall be at Buckfield, in the county of Oxford and state of Maine and its business shall be confined to the town of Buckfield.

Section 3. The business to be carried on by said company shall be to furnish water for the extinguishment of fires and for domestic, sanitary and municipal uses, to said village of Buckfield and vicinity and the inhabitants thereof, to create, sell and lease water power for manufacturing purposes, to furnish electric lights for lighting streets of said village and to dispose of electric light to individuals and corporations.

Section 4. Said company is hereby authorized, for the purposes aforesaid, to take, detain and use the water of North pond