

# 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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the day appointed therefor. At such meeting any corporator may be represented and act by proxy.

Section 15. This act shall take effect when approved.

Approved March 25, 1903.

### Chapter 268.

An Act to incorporate the South Branch Moose River Dam Company.

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

Section 1. Chauncey S. Skinner, Dean C. French and Carl D. French, their associates and assigns, are hereby incorporated under the name of the South Branch Moose River Dam Company, with all the powers and privileges of similar corporations.

Corporators.

—corporate name.

Section 2. Said company is hereby authorized to erect, purchase and maintain dams, side dams and piers on the South Branch of Moose river and its tributaries in Township one, Range seven, west of Bingham's Kennebec Purchase and in Lowelltown, so called, in the county of Franklin, and to widen, deepen and otherwise improve the same for the purpose of raising a head of water and of facilitating the driving of logs and lumber upon the same.

Powers.

Section 3. Said company for the above purposes may take all necessary land and materials for building said dams and piers and making improvements, and may flow contiguous lands so far as necessary to raise suitable heads of water; and if the parties cannot agree upon the damages, the corporation shall pay the proprietors for the land and materials so taken; such damages shall be ascertained and determined by the county commissioners of the county of Franklin, in the same manner and under the same conditions and limitations as provided by law in the case of damage by laying out of highways; and for the damage occasioned by flowing land said company shall not be liable to an action at common law, but the person injured may have a remedy by complaint for flowage, in which case the same proceedings shall be had as when a 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.

—may flow lands.

—proceedings for damages when parties cannot agree.

Section 4. Said company may demand and receive tolls for the passage of all logs and lumber over their dams and improvements as follows: For all logs and lumber landed in said South Branch above the upper dam, so called, a sum not exceeding

Tolls for passage of logs.

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fifty-five cents per thousand feet; for all logs and lumber landed on said stream between said upper dam and the next lower dam a sum not exceeding fifty cents per thousand feet; for all logs and lumber landed on said stream between said last mentioned dam and the next lower dam a sum not exceeding forty-five cents per thousand feet; and for all logs and lumber landed in said stream between said last mentioned dam and the lowest dam a sum not exceeding forty cents per thousand feet. All the above tolls to be reckoned at the survey or scale adopted by the Kennebec Log Driving Company. Said South Branch Moose River Dam Company shall have a lien upon all logs and lumber which may pass over any of its dams and improvements until the full amount of tolls is paid; but the logs of each particular mark shall only be holden to pay the toll on such mark; and if said toll is not paid within thirty days after said logs or lumber, or the major part thereof, shall have arrived within the limits of the Kennebec Log Driving Company, said South Branch Moose River Dam Company may seize, hold and sell at public auction such part of said logs as shall be necessary to pay such tolls, with all incidental costs and charges thereon, after ten days' notice in writing of the time and place of said sale given to the owner of such logs or lumber.

—scale at which tolls shall be reckoned.

—lien on logs driven.

Account of cost and toll receipts to be open for inspection.

Reduction of tolls, when to take effect.

Membership of company.

Voting rights of members.

Referees to determine voting rights

Section 5. An account of the cost of said improvements shall be kept by the treasurer of said South Branch Moose River Dam Company, and also of its receipts for tolls, which shall be open to inspection at all reasonable times to any person interested in the same.

Section 6. When said corporation shall have received from tolls its outlay on dams, improvements and repairs made up to that time, with six per cent interest thereon, then the tolls 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.

Section 7. Any or all owners of lands from which logs or lumber are cut which pass through or over said dams or improvements shall have a right to take an interest in said company.

Section 8. The amount invested shall at all meetings be represented by a fixed convenient number of votes which shall be cast by the owners of the lands from which logs or lumber are cut which pass through or over its dams or improvements; and each owner shall have the right to vote in proportion to his interest in said lands by paying his proportion of the cost of building and maintaining said dams and improvements.

Section 9. In case of any disagreement as to the rights of owners hereunder, the same shall be forthwith determined by

referees agreed upon by the parties, or by the county commissioners of Franklin county, if the parties cannot agree.

Section 10. This act shall take effect when approved.

Approved March 25, 1903.

**Chapter 269.**

An Act to incorporate the Ferguson Stream Improvement Company.

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

Section 1. Micajah Hudson, Samuel M. Gile and Henry Hudson, their associates and successors be and are hereby created a body politic and corporate under the name and style of the Ferguson Stream Improvement Company; and by that name may sue and be sued, prosecute and defend to final judgment and execution both in law and equity and may make and adopt all regulations and laws not repugnant to the constitution and laws of the state of Maine; adopt a common seal and may purchase and hold personal and real estate sufficient for carrying on the business of said Ferguson Stream Improvement Company; and may grant and raise money by loan or assessment for the same. Said company may erect and maintain a dam or dams with side booms on said Ferguson stream in the towns of Wellington and Cambridge at such points or places as may be desirable for the purpose of raising a head of water to facilitate the driving of logs and lumber down said Ferguson stream into Main stream, so called, and to raise a head of water to be held for manufacturing purposes when not required in the driving of logs or lumber. Said company for the purpose aforesaid may remove rocks and other obstructions in said Ferguson stream and may take land and material for building said dams and side dams and making said improvements by making compensation to the owners thereof. Said company shall have all the powers and privileges and be subject to all the liabilities incident to corporations of a similar nature.

Corporators.

—corporate name.

—powers.

—may erect dams on Ferguson stream.

—may remove obstructions.

—powers, privileges and restrictions.

Section 2. The officers of said company shall be a clerk, treasurer and a board of three directors to be chosen by ballot and such other officers as may be deemed necessary who may be appointed by said directors 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 faithfully perform all of their duties. The

Officers.

—tenure.