

# 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.

---

---

**Chapter 283.**

An Act to incorporate the Androscoggin Log Driving Company.

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

Corporators.

Section 1. Charles E. Oak, Edwin Riley, Frank P. Thomas, Richmond L. Melcher, Hollis C. Dunton and Waldo Pettingill, their associates and assigns are hereby incorporated under the name of the Androscoggin Log Driving Company with all the powers and privileges of similar corporations.

—corporate name.

Charter limits from state line to Livermore Falls.

Section 2. Said corporation is authorized to build side dams, shear booms, remove rocks, dredge, make embankments and other improvements on the Androscoggin river in the counties of Oxford, Franklin and Androscoggin from the boundary line between Maine and New Hampshire to the village of Livermore Falls in the town of East Livermore in the county of Androscoggin to facilitate the driving of logs and lumber down the same and said company shall drive to such places of destination on said Androscoggin river between the points aforesaid as may be designated by the owners of the same all logs, or other lumber belonging to said company or any other person or corporation represented by any member of said corporation that may be in said river between said points for the purpose of being driven or floated down the same together with such other logs or lumber as is hereinafter provided, 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 and change or renew the same at pleasure.

—shall drive logs and lumber.

—may hold real and personal estate.

Officers.

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 shall, at their first 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.

—tenure.

—shall be sworn.

—president.

## CHAP. 283

Membership,  
how made up.

Section 4. Any person, or corporation, or their agents, owning logs or other lumber to be driven on said river at the date of the annual meeting in each year, may become members of the Androscoggin Log Driving 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. Said members shall be entitled to vote at any meeting of the company as follows: One vote each for any member having or representing one hundred thousand feet of logs or lumber in the river to be driven, with an additional vote for every additional fifty thousand feet of logs or lumber, the same to be determined by the amount driven the year before on which they have paid taxes or dues provided any were so driven during the previous year.

—voting  
powers of  
members.

Section 5. The members of said company owning logs or other lumber to be driven down said rivers, shall, on or before the first day of May in that year, file with the clerk of the company, a correct statement in writing, signed by a sworn surveyor, of all such logs or timber of the number of feet, full scale, with the mark or marks thereon, together with the place from which the logs are to be driven and their destination. And it shall be the duty of the directors to keep a separate and distinct account of all expenses incurred for driving the logs and other lumber between the New Hampshire line and Rumford Falls, and between Rumford Falls, and each of the following mills, dams or booms, viz: The boom next below Canton Point, so called, the dam or mill at Riley, so called, the dam or mill at Jay Bridge, so called, the dam or mill at Otis Falls, so called, the dams or mills at Livermore Falls, so called, together with such other point of destination on said river between the two points first named and any other intermediate points and ascertain the number of feet, full scale, and ownership of said logs and other lumber driven between said points, and assess thereon, to owners if known, or to owners unknown, making such discount for logs driven less than the whole distance as in their opinion may be right and equitable, a distinct and separate tax sufficient to pay said expenses, with such further sums as may be necessary to pay interest or cost of investment in whole or in part, expense of maintenance, damages and losses for piers, booms, buoys, dams and such other expenses as may be voted by the company or the directors. And the directors shall have power whenever they may deem it necessary or expedient, to cause a survey to be made of any or all logs driven or secured by the company, and the expense of such survey shall be assessed on such logs in the same manner as is herein provided for assessing the expenses of driving and securing the same. If any owner or

Statement of  
logs to be  
driven shall  
be filed.—expense  
account, how  
to be kept.—directors  
shall assess  
such tax as  
shall pay  
expenses.—may cause  
survey to be  
made.

CHAP. 283

agent shall refuse or neglect to file such a statement in the manner herein prescribed, the directors may assess such delinquent or delinquents for his or their proportion of expenses, such sum or sums as may be by the directors considered just and equitable, and such assessment shall be final; said assessment to be made at any time after the first day of July at the discretion of the directors. And said company shall have a lien on all logs and other lumber by them driven for the expense of driving, booming and securing, 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.

Assessments shall be given to treasurer.

—treasurer shall notify owners of logs.

—proceedings when assessment is not paid.

Section 6. 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 the 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 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 twelve per cent, interest from the date of said assessment; such sales to be at the office of the company, or where the logs are situated.

Unmarked logs may be disposed of.

—proviso.

Section 7. All logs or other lumber, after coming within the limits of the corporation, and not having thereon some mark designating the owner or owners thereof, shall be the property of said company; and said logs or other lumber shall be disposed of by order of the directors, and the proceeds paid into the treasury of said company to defray expenses; provided, however, that nothing in this or the following section shall be construed to impair the right of any person to claim any log or other lumber which he may have put into said river without such mark of

ownership. And any such person, upon furnishing reasonable proof of such ownership, shall be entitled to receive all logs or other lumber which, at any time before the sale thereof he may so prove to be his, or to receive the proceeds of the sale of the same, provided they have been sold by said company; all such claims to be made and proof to be furnished within one year from the date of sale of the same by the company.

Section 8. It shall not be lawful for any person or corporation, other than the Androscoggin Log Driving Company, to mark, or cause to be marked, any log or other lumber put into said rivers or their tributaries, usually called prize logs. And if any person or corporation shall take any, carry away or otherwise convert to his or their use, without the consent of said company, any prize log or prize lumber, he or they shall be subject to all the liabilities provided for similar offenses in the laws of the state, which specially provide for securing to owners their property in logs, masts, spars and other lumber.

Prize logs.

Section 9. Any owner or owners of logs or other lumber on said rivers or their 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 times 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.

Marks shall be recorded by clerk.

Section 10. Whenever the directors of the Androscoggin Log Driving Company shall judge it for the interest of the owners of logs and other lumber remaining in the booms or in any place exposed to loss to collect and deposit them in suitable and convenient places and properly secure the same they are hereby authorized so to collect and deposit such logs and lumber thus situated and to use all reasonable care safely to keep the same, until removed by the owners thereof or are otherwise disposed of in the manner provided in this act.

Logs exposed to loss may be secured, and held for owners.

Section 11. Upon all logs and other timber thus collected and deposited, the directors shall assess the expense actually

Expense on logs collected

## CHAP. 283

and secured,  
how  
assessed.

incurred thereon, with such additional sums as may be deemed necessary to cover necessary future expenditures upon them while in charge; and said company shall have a lien upon the logs and other lumber and may hold the same and sell as provided in section five for the full payment of all expenses; or the treasurer may recover such assessments, and all other assessments, made by virtue of this act, in an action of debt in the name of the Androscoggin Log Driving Company in any court in the counties of Oxford or Androscoggin competent to try the same, to the use of the person prosecuting therefor.

Proceedings  
when logs  
are not called  
for  
by owners.

Section 12. If any logs or other lumber shall remain in the depositories upon the first day of September next ensuing, upon which the assessments have not been paid, the directors may immediately thereafter advertise for three weeks successively in newspapers printed in the city of Lewiston and at Rumford Falls notifying all owners of logs and other lumber deposited under this act, to remove the same within thirty days from said first day of September; and all logs not removed before the expiration of thirty days, and upon which the assessments have not been paid, may be sold at public auction, and the proceeds therefor, after deducting all unpaid assessments and necessary expenses of sale, shall be paid upon demand by the treasurer of the company to the owners of logs and other lumber then sold; provided, however, this shall not apply to logs that are in booms the first day of September or that may come in after that date by reason of a late drive of such logs.

May cross  
private lands.

Section 13. For the purpose of carrying out the provisions of this act, when there are no highways conveniently near leading to the river, the company may have the right to cross on foot and with teams the land of private persons or corporations in some place reasonably convenient, and in such a location calculated to do the least damage to the owner thereof, and for all damages sustained by any person or corporation under the provisions of this act unless otherwise herein provided, they shall be estimated and determined in the same way as damages for the laying out of highways.

Restrictions.

Section 14. This corporation is not authorized to make any change in the river bed or in any dam now existing in said river, or put any obstructions that will change the flow of the water at any point at or near any mill, dam or boom on the same, without the written approval of the owner of said mill, dam or boom.

Persons not  
members of  
this company,  
may have  
logs driven.

Section 15. Any other person or corporation having logs or lumber to be driven on said river, and not desirous of becoming a member of this corporation, may have the same driven to their place of destination within the limits of this corporation, after



CHAP. 284

having given reasonable notice in writing of this said request, and the service for driving the same shall be determined and secured according to the provisions hereinbefore stated.

Section 16. 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, Androscoggin or Cumberland.

Referees in cases of disagreement.

Section 17. The annual meeting of this corporation until otherwise provided, shall be held in the town of Rumford, in the county of Oxford, and the manner, place and time of calling annual and special meetings of the company and meeting 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.

Annual meeting.

First meeting how called.

Section 18. This act shall take effect when approved.

Approved March 25, 1903.

## Chapter 284.

An Act to incorporate the Sullivan Harbor Water Company.

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

Section 1. Moses Hawkins, Charles P. Simpson, Stanislaus Wilson, Emery B. Dunbar, Harvey W. Dunbar, Fred W. Bridg-ham, Spiro V. Bennis and William O. Emery, and such persons as they may associate with themselves in the enterprise, their successors and assigns, are hereby made a corporation under the name of the Sullivan Harbor Water Company, for the purpose of supplying the town of Sullivan, in the county of Hancock, Maine, and the inhabitants of said town, with pure water for domestic, sanitary, municipal and public uses, including the extinguishment of fires.

Corporators.

—corporate name.

Section 2. Said Sullivan Harbor Water Company may take and hold by purchase or otherwise, real and personal estate necessary and convenient for the purposes aforesaid.

May hold real and personal estate.

Section 3. Said Sullivan Harbor Water Company is hereby authorized for the purposes aforesaid to take, collect, store, flow,

May take water from Long pond.