

MAINE STATE LEGISLATURE

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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.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1903.

Chapter 312

An Act to amend the charter of the Penobscot Lumbering Association.

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

Section 1. Chapter two hundred and ninety-eight of the private and special laws of eighteen hundred and fifty-four, approved April five, eighteen hundred and fifty-four, entitled "An Act to incorporate the Penobscot Lumbering Association and to amend the charter of the Penobscot Boom Corporation," is amended as follows:

Chapter 298,
private and
special laws
of 1854,
amended.

'Section eighteen of said chapter two hundred and ninety-eight of the private and special laws of eighteen hundred and fifty-four is amended so that said section eighteen, as amended, shall then read as follows: 'In order to meet all payments and expenses of every character due from the association, they shall have power and it shall be their duty to make and enforce assessments therefor, either after the payments or expenses or in anticipation of the same, which assessments shall be pro rata upon all logs or other lumber of which the same number of sticks make a thousand feet, board measure; but in making the assessment in each year said association shall first ascertain the average number of logs or other lumber out of the total quantity rafted for such year that will make a thousand feet, board measure, by adopting as a basis of calculation the average number required for a thousand feet, board measure, the previous year, and upon such average number of logs or other lumber making a thousand feet, board measure, there shall be one level, average rate of assessment, and in addition to said level, average rate of assessment there shall be an increase of one-half a cent per thousand feet, board measure, for every log or stick required to make a thousand feet, board measure, in excess of said average number, namely: logs or other lumber of which it takes to make a thousand feet, board measure, one more stick than said average number, shall have an additional assessment of one-half a cent per one thousand feet, board measure, two more sticks, one cent per thousand feet, board measure, three more sticks, one and one-half cents per thousand feet, board measure, and so on in a like manner of increase; and there shall be a similar rate of decrease from said level, average rate of assessment of one-half a cent per one thousand feet, board measure, when a less number than said average number of logs or other lumber make a thousand feet, board measure, all of which to be ascertained or estimated as the by-laws may prescribe. For all such assessments a lien upon the lumber shall exist enforceable as pointed out in the

Section 18,
chapter 298,
private and
special laws
of 1854,
amended.

—shall make
and enforce
assessments
to meet
payments
and expenses.

—pro rata.

—basis of
calculation.

—lien on
lumber for
assessment.

CHAP. 313

—proceedings if owner wishes to take lumber before assessment is made.

—remedy by action of assumpsit, in addition to lien.

seventh section of the charter of the Penobscot Boom Corporation, and in the sixth section of the act additional thereto approved March twenty-first, eighteen hundred and thirty-eight. If any owner shall wish to take his lumber before the assessment thereon has been made, he shall be permitted to do it upon paying to the treasurer in advance such sum as he shall prescribe, the amount to be made equal and just after the amount to have been assessed shall be ascertained. In addition to the lien aforesaid the association shall have a remedy by action of assumpsit against the owner or any person to whom the lumber so assessed may have been transferred by mortgage, pledge or other way of security.'

Section 2. This act shall take effect when approved.

Approved March 26, 1903.

Chapter 313.

An Act to limit the number of fish that may be taken from Spring lake, in Somerset County, in one day.

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

Spring lake, fish to be taken from in one day.

—penalty for violation.

No person shall take, catch, kill or carry away more than two fish of any kind, eels and suckers excepted, or ten pounds of fish, in any one day from Spring lake, so called, in Somerset county, under a penalty of not less than ten dollars nor more than thirty dollars and costs for each offense and a further penalty of one dollar for each fish caught, taken or killed in violation of this act.

Approved March 26, 1903.

Chapter 314.

An Act to repeal so much of chapter thirty of the Revised Statutes, as amended by Chapter forty-two, Section five, of the Public Laws of eighteen hundred and ninety-nine, as prohibits fishing in Parlin stream, in Somerset County, from the mouth of Bean brook to Long pond.

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

Fishing in Parlin stream, prohibition repealed.

Section 1. So much of chapter thirty of the revised statutes, as amended by chapter forty-two, section five, of the public laws of eighteen hundred and ninety-nine, as prohibits fishing in Parlin stream, in Somerset county from the mouth of Bean brook to Long pond, is hereby repealed.

Section 2. This act shall take effect when approved.

Approved March 26, 1903.