

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.

Chapter 315.

An Act to incorporate the Madunkeunk Dam and Improvement Company.

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

Section 1. John G. Fleming, James F. Kimball, Nathaniel M. Jones, George W. Smith, Alvarius Hathaway, Samuel C. Fleming and George H. Haynes, their associates, successors and assigns, are hereby incorporated under the name of the Madunkeunk Dam and Improvement Company.

Corporators.
—corporate name.

Section 2. Said company is authorized to erect and maintain dams, sluices and side dams on the Madunkeunk stream, in the county of Penobscot, and its tributaries, to remove rocks therefrom, and to widen, deepen and otherwise improve said stream and its tributaries for the purpose of facilitating the driving of logs and other lumber down the same. Said dams to be located as follows: One at or near the mouth of the Ebhors stream, a tributary of said Madunkeunk; one on the east branch of said stream at or near the old dam; one at the foot of Beaver pond, so called; one on Trout brook, a tributary of said stream, at or near the foot of the meadows; and one on the Ebhors stream at a point to be hereafter determined by said company. Said company is hereby authorized to purchase any dams now constructed and in use at or near the aforesaid points. Said company is also authorized to locate, erect and maintain in the Penobscot river at or near the mouth of said Madunkeunk stream piers and booms for the purpose of affording owners of logs and other lumber coming down said stream facilities for collecting, holding and sorting out the same; provided, said piers and booms shall be so located, constructed, maintained and used that they will not in any way interfere with the free navigation of said Penobscot river or the passage of logs or rafts of lumber down said river. Said company, its successors and assigns, by aid of such piers and booms is hereby authorized to separate and sort out the logs and other lumber coming out of said stream and belonging to different owners whenever requested to do so by such owners, receiving such compensation therefor as may be agreed upon between such owners and said company. Said company is also hereby authorized and empowered to hold within the piers and booms mentioned in this act and located, erected and maintained as aforesaid, all logs, pulp wood and other lumber coming down said Madunkeunk stream when so requested by the owners thereof, or when necessary for the protection of such logs and other lumber.

Powers.

—location of dams.

—location of piers and booms.

—proviso.

—may sort logs.

—compensation for sorting.

—on request of owners may hold logs, etc.

CHAP. 315**Damages for
flowage.**

Section 3. Any damages arising from flowing of land by said dams may be recovered in accordance with the provisions of chapter ninety-two of the revised statutes.

Tolls.

Section 4. Said company may demand and receive a toll upon all logs and other lumber which may pass over or through said dams or other improvements, including said booms, to be fixed by said company, but not to exceed fifteen cents per thousand feet stumpage scale, or, when such logs or other lumber have not been scaled for stumpage, by the scale rendered at the place of destination of such logs and other lumber, and said company shall have a lien upon such logs and other lumber until the full amount of toll is paid, to be enforced by attachment, said lien to continue for ninety days after such logs and other lumber shall arrive at their place of destination.

**Reduction
of tolls.**

Section 5. When said company shall have received from tolls its outlay upon all dams, improvements and repairs made up to that time, including any damages paid for flowage or otherwise, together with six per cent interest thereon, then the tolls herein provided for shall be reduced to a sum sufficient to keep said dams and improvements in reasonable repair.

Capital stock.

Section 6. Said company may issue its capital stock to an amount not exceeding ten thousand dollars, to be divided into shares of one hundred dollars each.

**First meeting,
how called.**

Section 7. The first meeting of said company shall be called at Lincoln, in the county of Penobscot, by a notice signed by any 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 other corporators, postage paid, seven days at least before the day of such meeting.

Section 8. This act shall take effect when approved.

Approved March 26, 1903.