

# 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.

---

---

shall not be submitted more than three times in either city. Such meetings shall be called in each city upon the application of one hundred or more of the qualified voters of said cities, and the board of mayor and aldermen of said cities shall upon the application of said one hundred voters forthwith issue warrants for said meeting. The same proceedings shall be had respecting the sorting, counting, declaring and recording the returns of said votes as is provided for the election of mayors; and the board of mayor and aldermen of said cities shall within five days after said meeting, meet and compare the returns of the ward officers, if it appears that the majority of all the votes given in on said annexation in each city is in favor thereof, the mayors of said cities shall forthwith make proclamation of the fact and thereupon this act shall take effect and the city of South Portland shall thereafterwards be annexed to and become a part of the city of Portland.

Section 14. So much of this act as authorizes the submission of the question of its acceptance of the legal voters of the said cities shall take effect upon its passage, but it shall not take further effect unless accepted by the legal voters of both of said cities as herein prescribed, in which case all acts and parts of acts inconsistent with this act are hereby repealed.

When act shall take effect.

Approved March 28, 1903.

---



---

### Chapter 404.

An Act to incorporate the Piscataquis River Storage Company.

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

Section 1. William M. Currier, Frank H. Drummond, Charles C. Emerson, Henry Hudson, Henry Douglass, David R. Straw, Edward J. Mayo, Walter J. Mayo, Stephen O. Brown, Crowell C. Hall, their heirs, successors and assigns, are hereby created a body corporate under the name of the Piscataquis River Storage Company, for the purpose of making such improvements in Piscataquis river and its tributary waters as will enable them to store or hold water for the purpose of increasing and rendering more constant the power or energy of said Piscataquis river, and for that purpose may acquire existing dams by purchase or otherwise, or erect and maintain new dams at the outlets of any of the ponds or bogs or upon any of the streams tributary to said Piscataquis river, above the East Dover dam on said river, on lands which it may acquire, but in such

Corporators.

—corporate name.

—may acquire or erect dams.

CHAP. 404

—may flow  
lands.

manner as not to impair the usefulness of any existing dams without the consent of the owners of the same, and said corporation is hereby empowered to flow such lands by the erection of such new dams as may be necessary to carry out the provisions of this act. Said corporation shall be liable for all damages caused by such flowage to be ascertained and determined in the manner prescribed in chapter ninety-two of the revised statutes, and in said corporate name may sue and be sued, plead and be impleaded, and shall enjoy all the proper remedies at law and in equity to secure and protect them in the exercise and use of their rights and privileges and in the performance of their duties.

May hold real  
and personal  
estate.

Section 2. Said corporation is hereby authorized to purchase and hold any estate, real and personal, including the right to purchase and hold shares in the capital stock of any other corporation owning rights or privileges in or to the waters or powers of said Piscataquis river and its tributaries, and to make and adopt by-laws not repugnant to the constitution and laws of the state of Maine, but all dams and other structures authorized herein shall be so constructed as to facilitate and not to impede or interfere with the proper driving or floating of logs and wood.

Capital stock.

Section 3. The capital stock of said corporation shall be ten thousand dollars divided into shares of one hundred dollars each, with the right to increase said capital stock at any time by a majority vote of the shareholders to any amount not exceeding fifty thousand dollars.

—allotment  
of shares.

Section 4. Previous to the first meeting of said corporation one share of its capital stock may be subscribed but paid for in full as follows: One share by the owners of the power or privilege at Blanchard in the county of Piscataquis and state of Maine; one share to the owners of the power or privilege at Abbot, on the north branch of the Piscataquis river; one share by the owners of the power or privilege at Abbot village on the south branch of the Piscataquis river; one share by the owners of the power or privilege at Guilford in said county of Piscataquis; one share by the owners of each power or privilege at Foxcroft in said county; one share by the owners of each power or privilege at Dover village in said county; one share by the owners of the power or privilege at East Dover in said county; one share by the owners of the power or privilege at Howland. Said share allotted to the owners of each of said dams or privileges shall be divided among the owners of each dam or privilege according to their ownership, and a majority ownership in each dam or privilege shall determine how said dam or privilege shall be voted at all meetings of said corporation. If any of the dams or privileges hereinbefore enumerated are owned equally

by two different persons or corporations, each shall be entitled to one-half vote of said share at any meeting of said corporation. No shares of said capital stock shall be at any time sold or owned by persons or corporations not owners in one of said powers or privileges enumerated or described above.

The first meeting of the corporation may be called by any two of the corporators named in this act, giving five days written notice by mail to each of the other corporators named in this act, stating time, place and purposes of such meeting, and at such meeting the necessary officers may be chosen, by-laws adopted and any other corporate business transacted. In choosing directors, one director shall be chosen from the owner or owners of each of the power or privileges hereinbefore enumerated which is represented by stock in the company.

First meeting,  
how called.

After said first meeting stock may be issued as subscribed and paid for to the owners of said powers or privileges but only in such amounts as have been voted to be raised for the purpose of expenditure under this charter by a majority vote of the board of directors at a regular or special meeting. Owners of the described water powers and privileges shall at all times have the rights to subscribe equally for stock to be issued. Any transfer of ownership of any of the powers or privileges described or enumerated shall carry with it a transfer of the capital stock in this corporation then standing in the name of the owner or owners of said water power or privileges so transferred; but should the owners of any of the described water powers or privileges refuse or neglect for ten days after said meeting of board of directors, to subscribe for his or their proportional part as herein set forth, then said stock shall be equally divided among the owners of each of the water powers or privileges hereinbefore enumerated.

Section 5. Said corporation is authorized through and by its directors to regulate the volume and flow of water released from any of its storage reservoirs and the time for releasing the same, and may by its by-laws, provide for the charge and collection of rates or payments of money by users for power of any of its artificially stored and released water. If any users there be whose stockholdings are less in amount than their proportional part of the whole stock issued, according to the apportionment of interest which shall be determined by vote of the stockholders, and said charges may be recovered by said corporation before any justice of the supreme judicial court under proceedings in equity for the purposes brought against the owner or owners of the power or privilege so delinquent in stockholding, but said charges or rates shall be made only for the artificially stored and released water actually used for power pur-

Use and flow  
of water.

CHAP. 404

poses, and not fully contributed to in stockholdings by said user or power owner, and shall in no case be at a rate greater than one dollar per additional horse power so furnished per month of two hundred and sixty hours, or at that rate for less time, provided, however, that the volume and flow of water from the storage reservoirs of the company shall be so regulated as to furnish as nearly as possible an equal continuous flow of water in the Piscataquis river, for the whole twenty-four hours of each and every day, except that the directors have the power to increase or decrease such equal daily flow to such extent and at such times and for such periods as may be assented to by all of the stockholders in this corporation, provided also, that said corporation through and by its directors shall not cause water to be held in any dams that it may construct or acquire on the north and south branches of said river, so as to interfere with the natural flow of water on said branches to the detriment of any of the existing water privileges on these branches.

—proviso.

—exception.

Stockholders may vote in person or by proxy.

Section 6. Any corporation, any co-partnership and any individual who becomes the owner of any stock in this corporation in accordance with this act, is or are hereby empowered to take and hold such stock, and at any meeting of their corporation or on any other occasion, may be represented, vote and act, respectively, by such person or committee as may be chosen for the purpose.

Use of river for driving.

Section 7. From the twentieth day of March to the fifteenth day of June in each year, whoever has logs in the north and south branches of the Piscataquis river and in the Piscataquis river, shall be entitled without charge to all the necessary water to drive such logs. The directors of said corporation shall determine in each case the reservoir or reservoirs from which said water shall be taken.

Jurisdiction of court over corporation.

Section 8. The supreme judicial court has equitable jurisdiction over this corporation, its successors and assigns, and all parties interested, including driving of logs on said river and its tributaries, to regulate the use of the water stored in the lakes and reservoirs held under this charter, and the rights of the members between themselves.

Injury to dams, etc., punishment for.

Section 9. If any person wantonly or maliciously injure any of the dams or structures which may be constructed by said corporation, he shall on conviction thereof, be punished by a fine not exceeding five hundred dollars, or by imprisonment not exceeding one year, and shall be liable also to pay the triple damages to said corporation to be recovered in an action before any court of competent jurisdiction.

Section 10. This act shall take effect when approved.