

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-SECOND LEGISLATURE

OF THE
STATE OF MAINE

1905.

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.

1905.

the time, place and purpose of such meeting, and at such meeting the necessary officers may be chosen, by-laws adopted, and any other corporate business transacted.

Section 17. This act shall take effect when approved.

Approved March 7, 1905.

Chapter 142.

An Act to authorize the Passadumkeag Log Driving Company to acquire the property and franchises of the Grand Falls Dam Company.

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

Section 1. The Passadumkeag Log Driving Company is hereby authorized and empowered to acquire by purchase or by the exercise of the right of eminent domain which right is hereby expressly delegated to said company for said purpose, the property and franchises of the Grand Falls Dam Company which said company owns by virtue of chapter four hundred and seventy-three of the private and special laws of eighteen hundred and sixty, and said Grand Falls Dam Company is hereby authorized and empowered to sell and convey by proper conveyances, duly executed by its president, such property and franchises to said Passadumkeag Log Driving Company.

Passadumkeag Log Driving Company is authorized to acquire the Grand Falls Dam Company.

--Grand Falls Dam Co. authorized to convey.

Section 2. In case said companies fail to agree upon the terms of purchase of the above mentioned property, or upon some other means of determining such terms on or before June first, nineteen hundred and five, said Passadumkeag Log Driving Company is hereby authorized to take said property and franchises as for public uses by petition therefor in manner following. Said Passadumkeag Log Driving Company by its directors is hereby authorized on or before July first, nineteen hundred and five, to file a petition in the clerk's office of the supreme judicial court for the county of Penobscot, addressed to any justice of said court, who, after notice to said Grand Falls Dam Company, and a hearing, shall appoint three disinterested appraisers for the purpose of fixing the valuation of said property and franchises. The appraisers so appointed, after due notice and hearing, shall fix the valuation of said property and franchises. Their report shall be filed in said clerk's office within thirty days after their appointment, and any justice of said court, after notice and hearing, may confirm or reject the same or recommit it if justice so requires. The award of such appraisers shall be conclusive as to valuation, but any questions

Eminent domain, method of procedure.

--petition.

--appraisers.

--shall, after hearing, fix valuation.

--shall file report in clerk's office.

--award conclusive, as to valuation.

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--questions
of title, how
determined.

of title to property valued by him shall be determined by such single justice. Upon the confirmation of said report such single justice, after hearing, may make final decree upon the entire matter, including the application of the purchase money, discharge of liens and other incumbrances and transfer of the property, jurisdiction over which is hereby conferred with the same power to enforce said decree as in equity cases. The findings of such single justice shall be final.

Property
becomes
vested in
Passadum-
keag Log
Driving Co.
on payment
or tender of
amount fixed.

Section 3. Upon payment or tender by said Passadumkeag Log Driving Company to said Grand Falls Dam Company of the amount fixed in the report of said appraiser said property and franchises shall become vested in said Passadumkeag Log Driving Company, and shall be free from all liens and other encumbrances theretofore created by said Grand Falls Dam Company. In fixing the value of the property to be taken only the property which said Grand Falls Dam Company legally owns by virtue of said chapter four hundred and seventy-three of the private and special laws of eighteen hundred and sixty shall be valued by said appraisers. The costs and expenses arising under the provisions of this act shall be borne and paid as directed by the justice making the final decree.

--costs and
expenses.

May vote
money and
issue bonds
or notes, for
purposes of
this act.

Section 4. Said Passadumkeag Log Driving Company, for the purpose of carrying into effect the purposes of this act, is hereby authorized and empowered to grant and vote money, to issue its bonds or negotiable notes in such form and amounts and on such time and rates as it may deem expedient, and to secure such bonds or notes by mortgage of its property and franchises.

May repair
property and
improve
streams.

Section 5. From and after the time said Passadumkeag Log Driving Company shall take possession of said property, said company is hereby authorized to maintain and keep in repair the property acquired from said Grand Falls Dam Company and to improve the streams within the limits of its charter for driving purposes by the removal of rocks and other obstructions therefrom.

Tolls for
driving.

Section 6. Said company shall have the right to assess and collect a toll of six cents per thousand feet, board measure, woods scale, for all logs and other lumber which may pass over its dams and other improvements, and not driven by said Passadumkeag Log Driving Company and said company shall have a lien upon all logs and other lumber passing over said dams and other improvements as aforesaid and not driven by said company until the full amount of toll is paid, but logs of each particular mark shall only be holden to pay the toll of such mark. Said lien shall take precedence of all other claims except

--lien
established.

laborers' liens, and shall continue for ninety days after such logs and other lumber shall arrive at their place of destination for sale or manufacture and may be enforced by attachment, but such lien may be discharged by giving a bond with sufficient sureties to said company, approved by its board of directors, conditioned that such expenses shall be seasonably paid.

--precedence of lien.

--duration of lien.

Section 7. This act shall take effect when approved.

Approved March 8, 1905.

Chapter 143.

An Act to amend Section one of Chapter eighty-nine of the Private and Special Laws of nineteen hundred and three, entitled "An Act to authorize the Penobscot Chemical Fibre Company to make, generate, use, transmit and sell electricity."

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

Section one of chapter eighty-nine of the private and special laws of nineteen hundred and three entitled "An Act to authorize the Penobscot Chemical Fiber Company to make, generate, use, transmit and sell electricity," is hereby amended by striking out the word "county" in the eleventh line and in place thereof inserting the word 'counties,' and by adding after the word "Penobscot" in the eleventh line the words 'and Waldo except in the city of Belfast,' and by striking out the words "in units of not less than twenty-five horse power and also for heating purposes but not for electric lighting or street railway purposes," and inserting in place thereof the words 'except that in the county of Penobscot it shall not be sold in units of less than twenty-five horse power; and also may sell the same to any railroad operated by steam, to be used in propelling cars or trains upon the railroad, and also for heating purposes but not for electric lighting or for street railway purposes in the county of Penobscot except to the Public Works Company or its successors, nor in the town of Searsport, except to the Searsport Electric Light Company or its successors. But nothing herein contained shall prevent any corporation which may hereafter be organized under the general law from generating, selling, distributing or supplying electricity in any of the towns or cities in the county of Waldo,' so that said section as amended, shall read as follows:

Section 1, chapter 89, private and special laws 1903, amended.

'Section 1. The Penobscot Chemical Fibre Company is hereby specially authorized and empowered to make and generate electricity upon its property situated upon the Penobscot

Authorized to generate electricity within certain limits.