

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
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1905.

CHAP. 191

Chapter 191.

An Act to authorize the Mainstream Lumber Company to erect a dam across Mainstream in the town of Harmony.

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

Dam authorized across Mainstream in town of Harmony.

Section 1. The Mainstream Lumber Company, a corporation organized under the general laws of Maine, and located in Portland in the state of Maine, is hereby authorized to erect, construct, maintain and repair and extend a dam across Mainstream, in the town of Harmony, with necessary side dams and canals appurtenant thereto across said Mainstream at any point between Mainstream bridge and the bridge of the Sebesticook and Moosehead Railroad Company across said Mainstream, and by means of such dam to flow any and all lands on said Mainstream or any of its tributaries above the proposed dam and below any dam now existing, and to erect, maintain and operate mills on or near said dam, for the purpose of grinding different kinds of grain, sawing and finishing all kinds of lumber and the manufacturing of woolen and cotton cloths, said mills to be furnished with power from said dam; also for the purposes, notwithstanding the rights of any other, of making, generating, selling and distributing and supplying electricity for heating, lighting, manufacturing or mechanical purposes in the town of Harmony in said county of Somerset, or to any inhabitant of said town, or any one doing business in said town, with the rights for any and all the above named purposes, to purchase or otherwise acquire any lands or real estate or any rights of flowage, or any other rights as may be necessary to accomplish the purposes above set forth, to purchase and otherwise acquire, distribute, sell and deal in electrical fixtures and apparatus and all other kinds of merchandise and personal property.

--location of dam.

--may operate mills on said dam.

--may supply electricity.

--may acquire land, flowage rights, etc.

May improve channel of Mainstream.

--may construct dams, piers and booms.

Section 2. Said corporation is hereby authorized to improve Mainstream and its tributaries in the counties of Somerset and Piscataquis for log driving purposes, and for this purpose to widen, deepen and remove obstructions from the channels of said Mainstream and its tributaries, and to construct dams and side dams, and sluiceways therein, to erect booms, side booms and piers therein, and to make such other improvements in said Mainstream and along any part thereof, down to Moose pond, in said county of Somerset, as may be necessary and proper to facilitate log driving, provided that such improvements shall not interfere with the reasonable and proper use of any mills or works now operating upon said stream.

Eminent domain.

Section 3. Said corporation is hereby empowered to take and hold as for public uses such lands and property as may be neces-

sary for the purpose of said corporation as herein provided, and in case said corporation cannot agree with the owner or owners as to the price to be paid therefor, the same shall be determined by the county commissioners of the county wherein the land taken is situated, upon application of any party interested to such county commissioners, in the same manner as damages are assessed for the location, alteration and discontinuance of highways, as provided in chapter twenty-three of the revised statutes of one thousand nine hundred and three, and acts amendatory thereof and additional thereto, and the same rights of appeal from the decision of said county commissioners shall exist and may be prosecuted in the same manner as provided in chapter twenty-three and acts amendatory thereof and additional thereto. Said corporation is hereby empowered also to flow such lands as may be necessary to carry out the purposes of this act, and said corporation shall be liable to all damages by said flowing, to be ascertained and determined in the manner described in chapter ninety-four of the revised statutes of one thousand nine hundred and three, and acts amendatory thereof and additional thereto.

--damages,
how
ascertained.

--flowage.

Section 4. After the improvements contemplated in this act in said stream, and its tributaries or any part thereof, and during such time as the same shall be kept in proper condition to facilitate the passage of logs and pulp wood, the said corporation may demand and receive twenty-five cents per thousand feet, wood scale, for all long lumber consisting of logs, masts or spars, and twelve and one-half cents per cord for all spruce, pine or poplar wood intended for pulp, that shall be placed in said stream or its tributaries, above said company's mills in the town of Harmony, for passage to or by said mills.

Tolls on logs.

Section 5. Said corporation shall have a lien on said lumber and wood for said toll, to be enforced by an attachment and suit to be begun within ninety days after the same shall have arrived at its destination.

Liens for toll.

Section 6. This act shall take effect when approved.

Approved March 15, 1905.