

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.

AUGUSTA
KENNEBEC JOURNAL PRINT
1905

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1905.

CHAP. 257

Section 2. The Sanford Light and Power Company is hereby authorized to acquire by purchase or otherwise, the franchise and rights of the Atlantic Shore Line Railway to furnish electric light, heat and power in the town of Sanford, and said Atlantic Shore Line Railway is hereby authorized to sell and convey, or otherwise transfer to said Sanford Light and Power Company its franchise and rights to furnish electric light, heat and power in the town of Sanford, and all acts, transactions and contracts relating thereto, heretofore and hereafter, entered into by and between said corporations are hereby ratified and confirmed; provided nevertheless, that nothing herein contained shall prevent said Atlantic Shore Line Railway from furnishing electricity for light, heat and power to Sanford Mills, Goodall Worsted Company, and Maine Alpaca Company, only, corporations in said town of Sanford; and provided further, that said Atlantic Shore Line Railway and its constituent companies, Mousam River Railroad, Sanford and Cape Porpoise Railway Company, and Sanford Power Company, shall not furnish electricity for light, heat or power to any person or corporation in said Sanford other than said Sanford Mills, Goodall Worsted Company, and Maine Alpaca Company.

Authorized to acquire franchises of Atlantic Shore Line Railway.

--proviso.

Section 3. Sanford Light and Power Company is hereby authorized to sell, or otherwise dispose of, and convey, its stock and bonds, power plant, pole lines, property and assets, rights, privileges and franchises, or any part thereof, to the Atlantic Shore Line Railway.

Sanford Light and Power Co. authorized to sell franchises.

Section 4. This act shall take effect when approved.

Approved March 17, 1905.

Chapter 257.

An Act to incorporate the Roach River Dam Company.

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

Section 1. Frederick T. Bradstreet, Frank E. Boston and Samuel W. Philbrick, their associates and assigns, are hereby incorporated under the name of the Roach River Dam Company, with the powers and privileges of similar corporations.

Corporators.

--corporate name.

Section 2. Said company is hereby authorized to erect, purchase and maintain dams, side dams, and piers on Roach river, First Roach pond, Second Roach pond, Third Roach pond and Fourth Roach pond, so called, and their tributaries in townships numbered one, range fourteen, A. range thirteen, one range

Authorized to maintain dams, etc., on Roach river and other waters.

CHAP. 257

--to remove
rocks and
trees from
river.

thirteen, A. range twelve, one range twelve, A. range eleven, and one range eleven, all west of the east line of the state, and in the county of Piscataquis, to remove rocks and trees, and to excavate ledges therefrom, and to widen, deepen and otherwise improve the same, for the purpose of raising a head of water, and of making said river and its tributaries floatable and of facilitating the driving of logs and lumber upon the same.

May take
land and
materials.

Section 3. Said company for the above purposes may take all necessary land and materials for building said dams and piers and making improvements, and may flow contiguous lands so far as necessary to raise suitable heads of water; and if the parties cannot agree upon the damages the corporation shall pay the proprietors for the land and materials so taken, such damages shall be ascertained and determined by the county commissioners of the county of Piscataquis in the same manner and under the same conditions and limitations as provided by law in the case of damage by laying out of highways; and for the damage occasioned by flowing land said company shall not be liable to an action at common law, but the person injured may have a remedy by complaint for flowage, in which case the same proceedings shall be had as when a complaint is made under the statutes of this state for flowing lands occasioned by raising a head of water for the working of mills.

--damages,
how
determined.

--damage for
flowage.

Tolls for
passage of
logs and
lumber.

Section 4. Said company may demand and receive tolls for the passage of all logs and lumber over their dams and improvements, as follows: For all logs and lumber landed in or above said Third Roach pond, a sum not exceeding thirty-five cents per thousand feet; for all logs and lumber landed in Second Roach pond and between Second and Third Roach pond, a sum not exceeding twenty-five cents per thousand feet; for all logs and lumber landed in First Roach pond and between First and Second Roach pond, a sum not exceeding twenty cents per thousand feet; and for all logs and lumber landed on or driven or floated into Roach river below said First Roach pond, a sum not exceeding ten cents per thousand feet; all the above tolls to be reckoned at the survey or scale adopted by the Kennebec Log Driving Company. Said Roach River Dam Company shall have a lien upon all logs and lumber which may pass over any of its dams and improvements until the full amount of tolls is paid; but the logs of each particular mark shall only be holden to pay the toll on such mark; and if said toll is not paid within thirty days after said logs or lumber, or major part thereof, shall have arrived within the limits of the Kennebec Log Driving Company, said Roach River Dam Company may seize, hold and sell at public auction such part of said logs or lumber as shall be

--liens on logs
and lumber.

necessary to pay such tolls, with all incidental costs and charges thereon, after ten days' notice in writing of the time and place of said sale given to the owner of such logs or lumber.

Section 5. An account of the cost of said improvements shall be kept by the treasurer of said Roach River Dam Company, and also of its receipts for tolls, which shall be open to inspection at all reasonable times to any person interested in the same.

Treasurer shall keep account of expenditures and receipts.

Section 6. When said corporation shall have received from tolls its outlay on dams, improvements and repairs made up to that time, with six per cent interest thereon, then the tolls shall be reduced to a sum sufficient to keep the works in repair; and if from time to time thereafter it shall be necessary to build additional dams and improvements necessary to carry out the purposes of this charter, said company may, but in no case to exceed the limits hereinbefore specified, increase the tolls to and maintain them at a sum sufficient to pay for such outlays, with six per cent interest thereon; the treasurer of the Kennebec Log Driving Company, for the time being, is appointed to audit the accounts and determine the cost of dams, improvements and repairs.

Reduction of tolls provided for.

Section 7. Any or all owners of lands from which logs or lumber are cut which pass through or over said dams or improvements shall have a right to take an interest in said company.

Rights of owners of lands to take interest in company.

Section 8. The amount invested shall at all meetings be represented by a fixed, convenient number of votes which shall be cast by the owners of the lands from which logs or lumber are cut which pass through or over its dams or improvements; and each owner shall have the right to vote in proportion to his interest in said lands by paying his proportion of the cost of building and maintaining said dams and improvements.

Voting rights of owners.

Section 9. In case of any disagreement as to the rights of owners hereunder, the same shall be forthwith determined by referees agreed upon by the parties, or by the county commissioners of Piscataquis county if the parties cannot agree.

Rights, how determined.

Section 10. This act shall take effect when approved.