

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES  
OF THE  
SEVENTY-SECOND LEGISLATURE

OF THE  
STATE OF MAINE

1905.

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Published by the Secretary of State, agreeably to Resolves of  
June 28, 1820, February 18, 1840, and March 16, 1842.

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AUGUSTA  
KENNEBEC JOURNAL PRINT  
1905

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1905.

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Section 10. Should the fourth question referred to in section five of this act be decided in the affirmative, said revised charter is hereby declared to be thereupon amended by striking from section four thereof the words "street commissioners." Section nine thereof is thereupon amended by striking therefrom the words "commissioner of streets," and inserting instead thereof the words 'highway commissioners.' Said revised charter is also amended thereupon by inserting as a separate section immediately preceding the present section thirty-four of said revised charter, the provisions of section four of this act.

Effect of affirmative result on question 4.

Section 11. All existing acts, public and private, including said revised charter, and all ordinances of the city of Augusta inconsistent herewith, are hereby modified so as to conform to the provisions of this act; but this section shall take effect only as to such acts, parts of acts, revised charter and ordinances as are inconsistent with such of said first four sections as shall be accepted in the manner provided in this act, and when such accepted sections respectively take effect.

Modification of existing acts.

Section 12. Such of the provisions of this act as shall be accepted as herein provided, shall be incorporated in said revised charter only by way of amendment thereto as provided in sections six to ten inclusive of this act.

Accepted provisions of this act shall be by amendment.

Section 13. Except as qualified by sections five and eleven, this act shall take effect when approved.

Approved March 24, 1905.

**Chapter 379.**

An Act to incorporate the Fall Brook Dam and Improvement Company.

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

Section 1. Mark Savage, Albert Webster, Frank Hilton, Henry Merry, their associates and assigns, are hereby incorporated under the name of the Fall Brook Dam and Improvement Company, with all the powers and privileges of similar corporations.

Corporators.

—corporate name.

Section 2. Said corporation is hereby authorized to build dams, side dams and piers, and to maintain the same, on Fall brook and its tributaries in the townships of Solon, Bingham and Brighton in the county of Somerset. 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 stream and its tributaries

Authorized to maintain dams, etc., on Fall Brook and tributaries.

—to improve channel of.

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floatable and of facilitating the driving of logs and lumber upon the same.

May take land.

--may flow contiguous lands.

--damages, how ascertained.

Section 3. Said corporation 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 Somerset in the same manner and under the same conditions and limitations as provided by law in the case of damages by laying out of highways; and for the damage occasioned by flowing land said corporation 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.

polls for passage of logs.

--shall have lien for logs and lumber passing over dams.

--liens, how enforced.

--notice of sale shall be given.

Section 4. Said corporation may demand and receive a toll for the passage of logs and lumber over their said dams and improvements of fifteen cents for each thousand feet, board measure, according to the scale adopted by the Kennebec Log Driving Company and said corporation shall have lien upon all logs and lumber which may pass over any of their said dams and improvement for the payment of said toll, with all costs and charges, but the logs of each particular mark shall be holden only for the toll of such mark, and unless said toll is paid within twenty days after said logs or lumber or the major part thereof, shall have arrived at a point where the same may be controlled by the Kennebec Log Driving Company, said corporation may seize, hold and sell at public auction so much of said logs or lumber as may be necessary to pay such toll and costs and charges. Notice of the time and place of such sale shall be given at least ten days before the date of said sale by publication in some newspaper printed in part or in whole in said Somerset county.

Section 5. This act shall take effect when approved.

Approved March 24, 1905.