

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-THIRD LEGISLATURE
OF THE
STATE OF MAINE
1907.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1907.

Chapter 314.

An Act to incorporate the Upper Saint John River Improvement Company.

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

Corporators.

Section 1. Charles A. Milliken, Albert A. Burleigh, William H. Cunliffe, James W. Parker, John Costigan, Arthur W. Brown, George V. Cunliffe, Charles E. Oak, R. W. Conger, George A. Murchie, Allan E. Hammond, Stephen Longfellow, Clarence D. Farrar, Thomas J. Cochran, James Crawford, Walter B. Parker, Redfield Proctor, and Peter C. Keegan, their associates, successors and assigns, are hereby created a body politic and corporate by the name of the Upper Saint John River Improvement Company.

—corporate name.

Capital stock.

Section 2. The capital stock of said company shall be fixed by said company and shall not be less than fifty thousand dollars, and may be increased from time to time by a vote of a majority of the stock issued at any meeting of the shareholders held after proper notice has been given therefor to any amount not exceeding one million dollars.

When authorized to commence business.

Section 3. When this charter shall have been accepted by the corporators, and said company shall have been organized and subscriptions to the capital stock thereof to an amount at least of ten thousand dollars shall have been subscribed, and there shall have been paid in cash, into the treasury of said company, said sum of ten thousand dollars, said company shall be and hereby is authorized to commence business under and by virtue of this charter.

May erect dams, piers, etc.

Section 4. Said corporation is hereby authorized to build dams, side dams and piers and to maintain the same on the river Saint John and its tributaries from the mouth of the Allagash to the head waters of said river and its tributaries. 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, etc.

Section 5. 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 counties of Aroostook and Somerset in the same manner and under the same conditions and limitations as provided by law

—damages, how ascertained.

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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.

—damage for
flowage.

Section 6. Said corporation may demand and receive a toll for the passage of logs and lumber over their said dams and improvements of a maximum sum of not more than fifteen cents per thousand from any point in their limits and said maximum rate per thousand to be reduced on the various branches and streams from which logs are driven by an amount directly in ratio to the amount of money spent by this corporation on such branches and streams to the whole amount spent on all the waters in its charter. It being understood that the profits of this corporation shall consist of not more than six per cent interest on the amount of capital actually paid in and spent in improvements, six per cent annually for sinking fund, and an amount not to exceed six per cent for the administration and up-keep of the plant. Said corporation shall have a lien on all logs and lumber which may pass over their said dams and improvements 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 the main waters of the river Saint John, said corporation may seize 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 said 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 county of Aroostook.

Tolls for
logs and
lumber.

—lien on
logs and
lumber.

Section 7. When said corporation shall have received from tolls its outlay already made and to be made on said river and its tributaries for all dams, side dams, sluices, booms and other improvements and for the repairs made upon the same up to that time, and six per cent interest thereon then the tolls herein provided shall be fixed at a sufficient amount to keep said dams and other improvements in repair.

Readjust-
ment of
tolls.

Section 8. An itemized account of the cost of such improvements shall be kept by said corporation and also of its receipts for tolls and all operating expenses, which shall be open to inspection at all reasonable times to any log owner having logs driven or to be driven in the limits of this corporation.

Accounts to
be kept.

Section 9. The first meeting of said corporation shall be called at Van Buren in the county of Aroostook by a notice

First meet-
ing, how
called.

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signed by any two of the corporators named in section one, setting forth the time, place and purposes of said meeting, and such notice shall be mailed to each of the corporators, postage paid, seven days at least before the day of such meeting. Any corporator intending to become a member of the corporation may be represented at said first meeting by proxy.

Approved March 20, 1907.

Chapter 315.

An Act to incorporate the Thomas Brackett Reed Memorial Association.

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

- Corporators.** Section 1. Joseph W. Symonds, George M. Seiders, John Marshall Brown, John C. Small, Frank D. Marshall, Luther B. Roberts and George W. Beyer, all of Portland, state of Maine, and Augustus G. Paine of New York, state of New York, or such of them as may by vote accept this charter, with their associates, successors and assigns, are hereby made a body corporate to be known as the Thomas Brackett Reed Memorial Association, and as such shall be possessed of all the powers, privileges and immunities and subject to all the duties and obligations conferred on corporations by law, except as herein specified and provided.
- corporate name.**
- Location.** Section 2. The corporation hereby created shall be located at Portland, county of Cumberland, state of Maine, and may have its office for the transaction of business in said city of Portland.
- Purposes.** Section 3. The business and purpose of this corporation are as follows: To erect a suitable memorial to the late Thomas Brackett Reed in said city of Portland, and to this end, to solicit, collect and receive moneys and property, and to invest the same; to borrow money, contract loans and accept in trust bequests and gifts of every description, all of which moneys and property are to be used and expended for the purposes of this association and for no other.
- capital stock.** The amount of the capital which this corporation may acquire and hold shall not exceed one hundred thousand dollars.
- Officers.** Section 4. The officers of this corporation shall be a president, one or more vice-presidents, treasurer, board of directors, secretary and an executive committee, and such other officers and committees as the by-laws may prescribe or the board of directors may create. The number of vice-presidents, board of directors and executive committee shall be fixed by the by-laws.
- Board of directors.** Section 5. The corporate powers of this corporation shall be vested in the board of directors, a majority of whom shall be