

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE

1909

Published by the Secretary of State, agreeably to Resolves of
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fourth
Legislature

1909

Chapter 96.

An Act to incorporate the Sandy Stream Dam and Improvement Company.

Be it enacted by the People of the State of Maine, as follows:

Section 1. Elizabeth S. Haynes, J. Henry Sturgis, Frank E. Smith and George L. Smith, their associates, successors and assigns, are hereby incorporated under the name of the Sandy Stream Dam and Improvement Company, with all the powers and privileges of similar corporations.

Corporators.

Corporate name.

Section 2. Said company is hereby authorized to erect and maintain dams on Sandy Stream and all the branches thereof, said waters being in the county of Somerset, and may also erect and maintain all necessary side dams, piers and booms therein, and otherwise improve the same by removing rocks and trees, excavating ledges therefrom, and widening, deepening and otherwise improving the same for the purpose of raising a head of water, and of making said stream and its branches floatable, and of facilitating the driving of logs and lumber upon the same.

May maintain dams on Sandy stream.

—erect side dams, etc.

—remove obstructions and improve stream.

Said corporation is authorized to impound and restrain the natural flow of said waters only when and in so far as is necessary for log-driving purposes. No dam authorized by this act shall be used for power purposes.

May restrain natural flow of water, when necessary.

All the property, rights and franchises within the state of Maine acquired, erected, owned, held or controlled by the said corporation, or its successors or assigns, at any time after this act shall take effect, under and by virtue of the terms thereof, shall be subject to be taken over by, and become the property of the state of Maine, whenever said state shall determine, by appropriate legislation, that the public interests require the same to be done. Upon the taking effect of such legislation, the ownership of said property, rights and franchises shall immediately be transferred to, and vest in, said state of Maine, and said state shall pay to said corporation the fair value of all the same, excepting, however, such franchises and rights as are conferred upon said corporation under and by virtue of the provisions of this act, which said franchises and rights shall be wholly excluded in the determination of the amount to be paid to said corporation by said state of Maine.

Property may be taken over by state.

—when property shall be transferred.

—state shall pay fair value.

The fair value of the property, rights and franchises so taken by the state of Maine, subject to the exceptions hereinbefore mentioned, shall be determined by agreement between said corporation and such officers and agents of said state as

Value of property, how determined.

shall be thereunto authorized to act in its behalf by the act which authorizes the taking of said property, rights and franchises; and such agreement failing within six months after said act takes effect, then by such fair and impartial tribunal and under such provisions as to the manner of procedure and for full hearing of parties and payment of damages awarded, as shall be provided in said act.

May take necessary lands.

—flow lands.

—damages, how ascertained, if parties fail to agree.

Section 3. Said company for the above purposes may take all necessary lands and materials for the building of said dams and making said improvements, and may flow contiguous lands so far as necessary, and if interested parties cannot agree upon the amount of damages to be paid by said corporation for the land and material so taken, said damages shall be ascertained 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 occasioned by the laying out of highways, and the amount of damages so determined shall be paid by said company, and the damages arising from the flowing of lands may be recovered in accordance with the provisions of the statutes for recovering damages for flowing lands occasioned by raising a head of water for the working of mills.

Tolls for logs and lumber.

—rates of toll.

—lien on 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 above the north line of Dennistown, and thence driven to the mouth of Sandy stream, a toll of thirty-five cents per thousand feet; from the lower dam westerly branch to the mouth of Sandy stream, a toll of twenty-five cents per thousand feet; from the lower dam easterly branch to the mouth of Sandy Stream, a toll of twenty-five cents per thousand feet; and from the forks of the stream to the mouth of Sandy Stream, a toll of fifteen cents per thousand feet; the above tolls to be reckoned by the surveyor's scale used by the Moose River Log Driving Company. The said company shall have a lien upon the logs and other lumber which may pass over and through any of its dams or improvements until the full amount of said toll is paid, to be enforced by attachment, but the logs of each mark shall be holden only for the unpaid tolls of such mark.

Capital stock.

Section 5. The capital stock of said corporation shall be twenty-five thousand dollars.

Readjustment of tolls.

Section 6. When said corporation shall have received from tolls its outlay on all dams and improvements and for repairs made up to that time, with six per cent interest thereon, then

the tolls herein provided shall be reduced to a sum sufficient to keep said dams and other improvements in repair. Some suitable person shall be appointed by said corporation as auditor to audit the accounts and determine the cost of said dams, improvements and repairs.

—auditor.

Section 7. The first meeting of said corporation shall be called by a notice signed by one of the incorporators named in section one, and mailed to each of the other incorporators at least seven days before the day of such meeting. Any incorporator may act at such meeting through power of attorney.

First meeting, how called.

Approved March 11, 1909.

Chapter 97.

An Act to incorporate the Jonesport Central Railroad Company.

Be it enacted by the People of the State of Maine, as follows:

Section 1. George M. Hanson of Calais, George Mansfield of Jonesport, in the county of Washington, state of Maine, and William B. Pierce, Harry J. Chapman and Cyrus F. Stackpole of Bangor in the county of Penobscot, in said state, their associates, successors and assigns, are hereby made and constituted a body corporate, by the name of the Jonesport Central Railroad Company; and the said corporation is hereby authorized to locate, construct, equip and operate a railroad from some point at tide water in the town of Jonesport, through said Jonesport, the towns of Addison, Columbia, to a point in Township Number eighteen in said Washington county, and said corporation shall have all the powers, privileges and immunities, and be subject to all the duties and liabilities provided by the laws of the state, respecting railroads.

Corporators.

—corporate name.

—rights and powers.

Section 2. The said corporation is authorized to operate its railroad by steam, electricity, or any other power. It is further authorized to carry on the business of an express company, and to maintain telephone and telegraph lines for public use along its location and to its various offices in said towns.

Motive power.

—may engage in express business, and maintain telephone and telegraph lines.

Section 3. The capital stock of said corporation shall consist of not more than three hundred thousand dollars, divided into shares of one hundred dollars each, and the immediate government of its affairs shall be vested in a board of directors to be chosen as the by-laws of said company provide, who shall hold office until their successors are chosen and qualified

Capital stock.