

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES  
OF THE  
SEVENTY-FOURTH LEGISLATURE  
OF THE  
STATE OF MAINE  
1909

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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

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**Chapter 142.**

An Act to legalize and make valid certain acts and doings of the town of Whitneyville.

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

Section 1. All the acts and doings of the town of Whitneyville, in the county of Washington, at its annual meeting held on March thirtieth, in the year of our Lord nineteen hundred and eight, whereby said town voted to ratify and accept the doings of its municipal officers on April twenty-ninth, nineteen hundred and seven, as recorded in book B, pages two hundred and forty-one and two hundred and forty-two, the same being a record of the municipal officers' return of proceedings on the petition of Edwin J. Miller and eleven other legal voters of said town praying for the taking of about three-fifths of an acre of land of adjacent owners of the Dunning field, so called, to enlarge the public cemetery in said Whitneyville for a public burying-ground, also to raise forty dollars to build a fence thereon, are hereby legalized and made valid, and orders drawn to the extent of forty dollars to pay towards building said fence shall be a legal obligation of the said town of Whitneyville.

Acts and doings of town of Whitneyville made legal.

Section 2. The purpose of this act being to legalize and make valid all acts, doings and proceedings appertaining to taking said land by said town of Whitneyville to enlarge its cemetery for a public burying-ground, and to confer upon said town full power and legal authority to withhold the payment of the whole or any part of the seventy-five dollars assessed and awarded by the municipal officers on April twenty-ninth, nineteen hundred and seven, as damages for thus taking said land, until the owners thereof, or their legal representative, present to the selectmen of said town a quit-claim deed, duly signed, sealed, witnessed and acknowledged, conveying said land to the inhabitants of the said town of Whitneyville, the act shall, in all respects, be so construed as may best effectuate that purpose.

Purposes of this act.

Approved March 13, 1909.

**Chapter 143.**

An Act to amend the charter of the Dead River Log Driving Company.

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

Section one of chapter two hundred seventy-nine of the private laws of eighteen hundred eighty, entitled "An Act incorporating the Dead River Log Driving Company," is hereby

Section 1, Chapter 279, special laws, 1880, amended.

amended by striking out all of said section one after the period following the word "same" in the thirteenth line thereof and inserting instead thereof the following: 'And said company shall drive all logs and other timber coming into said Dead river between the forks of Dead river and the Kennebec river and into Little Spencer stream between the Big Spencer pond and Big Spencer stream and into Big Spencer stream between its junction with Little Spencer stream and Dead river for the purpose of being driven to market, and said corporation is authorized to build dams, side dams, remove rocks, make embankments and other improvements on Little Spencer stream or Big Spencer stream between its junction with Little Spencer stream in Dead river and on Dead river, and build dams to raise a head of water on any and all the lakes and ponds on said streams or river or other tributaries, to facilitate the driving of logs and lumber down the same, and for this purpose the said corporation may take land and materials necessary to build such dams, embankments and improvements and may flow contiguous lands necessary to raise such head of water on such lakes and ponds, and if the parties cannot agree upon the damage the corporation shall pay the proprietors of the land and material so taken, such damages as shall be ascertained and determined by the county commissioners for the county of Somerset in the same manner and under the same conditions and limitations as are by law provided in the case of damage by laying out public highways, and for the damage occasioned by flowing land the said corporation shall not be liable for an action at common law, but the person injured may have a remedy by a complaint for flowing, in which the same proceedings shall be had as when a complaint is made under a statute of this state for flowing lands occasioned by raising a head of water for working of mills. Said corporation shall have all the powers and privileges and be subject to all the liabilities incident to corporations of similar nature,' so that said section as amended shall read as follows:

Corpora-  
tors.

—corpor-  
ate name,  
powers and  
purposes.

—seal.

'Section 1. That Elias Milliken, Joseph Clark, J. M. Haynes, Franklin Smith, J. R. Bodwell, William B. Snow, Ira D. Sturgis and Abner Coburn, their associates and successors, be and they are hereby made a body politic and corporate, by the name and style of Dead River Log Driving Company and by that name, may sue and be sued, prosecute and defend to final judgment and execution, both in law and in equity, and may make and adopt any and all regulations and by-laws not repugnant to the constitution and laws of the state, and may adopt a common seal, may hold real and personal estate sufficient to carry on successfully the business of the Dead River Log Driv-

ing Company, and may grant and vote money for the same. And said company shall drive all logs and other timber coming into said Dead river between the forks of Dead river and the Kennebec river and into Little Spencer stream between Big Spencer pond and Big Spencer stream and into Big Spencer stream between its junction with Little Spencer stream and Dead river for the purpose of being driven to market, and said corporation is authorized to build dams, side dams, remove rocks, make embankments and other improvements on Little Spencer stream or Big Spencer stream between its junction with Little Spencer stream in Dead river and on Dead river and build dams to raise a head of water on any and all the lakes and ponds on said streams or river or other tributaries, to facilitate the driving of logs and lumber down the same, and for this purpose the said corporation may take land and materials necessary to build such dams, embankments and improvements and may flow contiguous lands necessary to raise such head of water on such lakes and ponds, and if the parties cannot agree upon the damage the corporation shall pay the proprietors of the land and material so taken, such damages as shall be ascertained and determined by the county commissioners for the county of Somerset in the same manner and under the same conditions and limitations as are by law provided in the case of damage by laying out public highways, and for the damage occasioned by flowing land the said corporation shall not be liable for an action at common law, but the person injured may have a remedy by a complaint for flowing, in which the same proceedings shall be had as when a complaint is made under a statute of this state for flowing lands occasioned by raising a head of water for working of mills. Said corporation shall have all the powers and privileges and be subject to all the liabilities incident to corporations of a similar nature.'

—drive logs, etc.

—may build dams and side dams, and make improvements.

—may take land and materials.

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

Approved March 13, 1909.

## Chapter 144.

An Act to extend the charter of the Ossipee Valley Power Company.

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

Section 1. The rights, powers and privileges of the Ossipee Valley Power Company which were granted by chapter two hundred fifty-eight of the private and special laws of nineteen hundred seven, are hereby extended for two years from the approval of this act, and the persons named in said act, their

Charter extended.