

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
June 28, 1820, February 18, 1840, and March 16, 1842

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fourth
Legislature

1909

Oyford, any mill waste, slabs, edgings, sawdust, or any other mill waste of a fibrous nature created in the manufacture of any sawn or planed lumber, or shall place or deposit the same on the banks of said river in such negligent or careless manner that the same shall fall or be washed into said river, or with the intent that the same shall fall or be washed into said river.

Who ever shall violate any of the provisions of this section shall be subject to a penalty of not less than fifty dollars nor more than one hundred dollars and costs of prosecution for each offense.

—penalty.

Section 2. In all prosecutions arising under this act, municipal and police courts and trial justices, within their respective counties, shall have, upon complaint, original and concurrent jurisdiction with the supreme and superior courts, and all fines, forfeitures and penalties received for violation of this act shall be paid forthwith by the person receiving the same to the state treasurer, and credited to fines and license fees for the protection of birds and game.

Court jurisdiction.

Approved March 15, 1909.

Chapter 177.

An Act authorizing a change of grade in Pitt Street bridge in the city of Portland.

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

Section 1. Whenever the municipal officers of the city of Portland shall petition the railroad commissioners, setting forth substantially the facts in the case relating to the establishment of the present grade at which Pitt street in said Portland crosses the location of the Worcester division, so called, of the Boston and Maine railroad, between Forest avenue and Oakdale avenue, and that said grade as now existing is unreasonable and inconvenient for travelers using the same as a highway and is unnecessary for the protection of life and property by reason of changes in the manner of operating railroads since the establishment of said grade, the railroad commissioners may after notice and hearing alter and change said grade of said street at said railroad location in such manner and to such extent, consistent with public safety, as said commissioners shall determine public convenience requires, and shall determine by which party or parties, and in what proportion, the expense of making such change in said grade, if any be ordered, shall be borne. The burden of maintaining so much of said highway as is within the limits of said railroad location, however, shall not be chang-

On petition, and after notice and hearing, R. R. commissioners may change the grade in Pitt street bridge.

—burden of maintaining highway not changed.

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ed. The same proceedings shall be had as to filing the report of the decision of said commissioners, and serving notice of the same to all parties interested, with the same right of appeal therefrom, as is provided in section twenty-nine of chapter twenty-three of the revised statutes, relating to the original construction of highways across railroad locations.

Approved March 15, 1909.

Chapter 178.

An Act to incorporate the Wood Stream Improvement Company.

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

Section 1. Garrett Schenck, A. Ledyard Smith, Fred A. Gilbert, Samuel W. Philbrick and H. H. Pope, their successors and assigns, are hereby incorporated under the name of the Wood Stream Improvement Company, with the powers and privileges of similar corporations.

Corporators.

—corporate name.

Company may erect dams, side dams and piers in Wood stream and tributaries.

—remove rocks and trees, and improve stream.

Section 2. Said company is hereby authorized to erect and maintain on Wood stream, so called, and the tributaries flowing into said stream, in the townships of Forsythe, Dennistown and Attean, dams, side-dams, and piers, and remove rocks and trees, and excavate ledges, and widen, deepen, and otherwise improve said Wood stream throughout its length, in the said townships of Forsythe, Dennistown and Attean to Wood pond, so called, in said Attean township, and to maintain the dams, piers and side-dams, which they have already erected upon Wood stream, for the purpose of raising a head of water to make such stream floatable, and to facilitate the driving of logs, lumber and pulp wood down the same.

May restrain flow of water when necessary for log driving.

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.

Property rights and franchises, subject to be taken over by the state.

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