

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-FIFTH LEGISLATURE

OF THE
STATE OF MAINE.

1911

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fifth
Legislature

1911

Section 12. The guaranty department of this corporation shall be kept separate and distinct from its other business, and shall be under the direction and control of the insurance commissioner to the same extent as insurance companies in this state now are.

CHAP. 149

Guaranty department kept separate and under control of insurance commissioner.

Approved March 20, 1911.

Chapter 149.

An Act to incorporate Carleton Stream Dam Co.

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

Section 1. Samuel H. Boardman, John W. Hinch, Horace A. Bennett, Crowell C. Hall and Frank E. Guernsey, their associates, successors and assigns, are hereby created a corporation under the name of the Carleton Stream Dam Company, with all the rights, powers and privileges of similar corporations.

Corporators.

—corporate name.

Section 2. Said company is hereby authorized to erect and maintain on the Carleton stream in the towns of Parkman and Wellington, of which the westerly part is sometimes known as Nutter brook, dams, side dams and piers, and to remove rocks and trees, and to excavate ledges, and to widen, deepen, and otherwise to improve said Carleton stream from the south branch of Piscataquis river to the head waters of said Carleton stream or said Nutter brook, for the purpose of raising a head of water to make said stream and said Nutter brook floatable, and to facilitate the driving of logs, lumber, poplar, and pulp wood, down the same.

May maintain dams, side dams, piers, etc., in Carleton stream, and improve the same.

Section 3. Said company, 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, which the corporation shall pay the owners for the lands and materials so taken, said damages shall be ascertained and determined by the county commissioners of the county of Piscataquis, in the same manner and under the same conditions and limitations as provided by law in case of damage by laying out of highways; and for the damage occasioned by flowing land, said company 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 the complaint is made under the statutes of this state for flowing land occasioned by raising a head of water for the working of mills.

May take necessary lands and materials. —may flow lands.

—how damages shall be ascertained, if parties cannot agree.

CHAP. 149

—may re-
strain natu-
ral flow of
water.

Said company 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. The dam or dams authorized by this act shall not be used for power purposes.

—restriction.

Said company shall not have the right under this charter to interfere with or take the existing dam, mill, mill rights, or water rights, now on said stream in Wellington owned by and under control of M. L. Burdin and known formerly as Randall's Mills.

Tolls on logs
and lumber
regulated.

Section 4. Said company may demand and receive a toll of twenty-five cents per thousand feet, board measure, on all logs, lumber, poplar, and pulp wood, which may pass through or over said dams and improvements in said towns of Wellington and Parkman, except those logs which shall be manufactured at the mill of said M. L. Burdin in said Wellington; and said company shall have a lien on all logs, lumber, poplar, and pulp wood, which may pass through or over any of its dams or improvements for the payment of said tolls and the costs and charges for enforcing the same, which shall continue for thirty days after such logs, lumber, poplar, and pulp wood, or the major part thereof, shall have arrived at their destination, and after demand of payment made upon the owner or person in charge thereof. If said toll is not paid within thirty days after said logs, lumber, poplar, or pulp wood, or the major part thereof shall have arrived at its destination as hereinbefore set out, said Carleton Stream Dam Company may seize, hold and sell at public auction such part of said logs, lumber, poplar, or pulp wood, as shall be necessary to pay such tolls with all incidental costs and charges thereon after ten days' notice in writing of the time and place of said sale given to the owner of such logs, lumber, poplar, or pulp wood. Said company is hereby authorized to pay to the Guilford Manufacturing Company the amount expended by said company in the fall of nineteen hundred and ten in improving said stream for driving logs or lumber down said stream.

—lien on
logs and lum-
ber.

—enforce-
ment of lien.

Readjust-
ment of tolls.

Section 5. When said corporation shall have received from tolls the amount hereby authorized to be paid to said Guilford Manufacturing Company, its outlay on dams, improvements and repairs, with six per cent interest thereon, including all damages paid for flowage or otherwise then the tolls herein provided shall be reduced to a sum sufficient to keep the said dams and other improvements in repair.

First meet-
ing, how
called.

Section 6. The first meeting of said company shall be called at Guilford, Maine, by a notice signed by any one of the incorporators named in section one setting forth the time, place and

purpose of the meeting, and such notice shall be mailed to each of the other incorporators, postage paid, seven days at least before the day of such meeting.

CHAP. 150

Approved March 21, 1911.

Chapter 150.

An Act to regulate fishing in the tributaries to Lake Sebasticook, so-called, in the town of Newport, in the County of Penobscot.

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

Section 1. In addition to the close season for fishing now provided by the general law of the state, it shall be unlawful to fish for, take, catch or kill any kind of fish at any time from April first to July first of each year in Folsom stream, so-called, a tributary to Lake Sebasticook, so-called, which lake is situated in the town of Newport, in the county of Penobscot, from the woolen mill dam in Corinna to its junction with said Lake Sebasticook, or in Stetson stream, so-called, a tributary to said Lake Sebasticook, from the lower mill dam in Stetson village to its junction with said Lake Sebasticook, or in any other tributary to said Lake Sebasticook in said town of Newport, or in that portion of Lake Sebasticook lying north and east of a straight line drawn from Sandy point, so-called, on the east shore of said lake, in a northeasterly direction; to the Maine Central Railroad Company's culvert on the west shore, or in Durham bridge cove, so-called, or at any point within six hundred yards from the center of Durham bridge, so-called.

fishing in tributaries to Lake Sebasticook regulated.

—Folsom stream.

—Stetson stream.

—certain portion of Lake Sebasticook.

It shall also be unlawful for any person to have in possession any kind of fish taken in violation of any provision of this section.

—unlawful to have fish in possession.

Section 2. Whoever violates any provision of this act shall be subject to the same penalty as is provided in the general law of the state for the illegal taking, catching or killing of trout or land-locked salmon.

Penalty.

Section 3. 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 judicial and superior courts, and all fines, forfeitures and penalties recovered by any person for any violation of this act shall be paid forthwith by the person receiving the same to the state treasurer.

Court jurisdiction.

Approved March 21, 1911.