

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-FIFTH LEGISLATURE

OF THE
STATE OF MAINE.

1911

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-fifth
Legislature

1911

CHAP. 155

Section 17. All fines and forfeitures and fees of the judge and recorder of said court, imposed and collected by said court, in all criminal cases, and all fees of said judge and recorder of said court in civil and criminal cases received by either or both, shall be accounted for and paid over quarterly into the treasury of said county of Aroostook, for the use of said county; and all fees of said court paid after any commitment to any jailer shall be paid by him monthly into said treasury.

Fines, forfeitures and fees, how disposed of.

Section 18. Trial justices in said town of Houlton are hereby prohibited from exercising any jurisdiction in said town over any matters, civil or criminal, except such as are within the jurisdiction of justices of the peace, provided that until such judge and recorder of said court shall enter upon the duties of their offices, any trial justices shall have and exercise the same jurisdiction, as though this said municipal court had never been established; and all actions entered and pending before any trial justice, at the time said judge and recorder of said court enter upon the duties of their office as aforesaid, shall be finally disposed of by said trial justices; and nothing in this act shall be construed to interfere with such actions returnable before a trial justice as shall be commenced before this act takes effect.

Trial justices, jurisdiction restricted.

Section 19. Before entering upon the duties of his office, the recorder shall give a bond to the county of Aroostook in the sum of one thousand dollars, to be approved by the county commissioners of said county. The condition of said bond shall be the faithful performance of the duties of his office. Neither the judge or recorder shall act as attorney nor give counsel in any cause or matter within the exclusive jurisdiction of said court.

Recorder shall give bond.

Approved March 21, 1911.

Chapter 155.

An Act to incorporate Moxie Dam Company.

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

Section 1. Fred A. Gilbert, Frank P. Thomas, Frank E. Boston, Samuel W. Philbrick, Charles H. Clark, John P. Clark, Arthur E. Moore and Clyde H. Smith, their associates, successors and assigns are hereby incorporated under the name of Moxie Dam Company, with the powers and privileges of similar corporations.

Corporators.

—corporate name.

Section 2. Said company is hereby authorized to erect, purchase and maintain dams, side dams, and piers on Moxie stream, Moxie pond, Baker stream and Baker ponds, so-called, and their

May maintain dams, side dams and piers, on Moxie stream,

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Moxie pond, Baker stream and ponds, and tributaries.

—and improve same for log driving purposes.

May take necessary land and materials.

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

—damages occasioned by flowing land, how recovered.

Tolls on logs and lumber established.

—scale.

—lien on logs and lumber.

—enforcement of lien.

tributaries in townships numbered one range three, B. K. P., two range three, B. K. P., one range four, B. K. P., two range four, B. K. P., one range five, B. K. P., two range five, B. K. P., all east of the Kennebec river, and in the county of Somerset, to remove rocks and trees, and to excavate ledges therefrom, and to widen, deepen and otherwise improve the same, for the purpose of raising and storing a head of water for log driving purposes, and of making said river and its tributaries floatable and of facilitating the driving of logs and lumber upon 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 heads of water; and if the parties cannot agree upon the amount of damages to be paid by the corporation, such damages shall be ascertained and determined 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 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 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.

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 in Baker pond, a sum not exceeding fifty cents per thousand feet; for all logs and lumber landed in Baker stream, a sum not exceeding forty cents per thousand feet; for all logs and lumber landed in Moxie pond, a sum not exceeding thirty cents per thousand feet; for all logs and lumber landed between the dam at the foot of Moxie pond and the lower dam, so-called, a sum not exceeding twenty-five cents per thousand feet; for all logs and lumber landed below the lower dam a sum not exceeding fifteen cents per thousand feet; all the above tolls to be reckoned at the survey or scale adopted by the Kennebec Log Driving Company. Said Moxie Dam Company shall have a lien upon all logs and lumber which may pass over any of its dams and improvements until the full amount of tolls is paid; but the logs of each particular mark shall only be holden to pay the toll on such mark; and if said toll is not paid within thirty days after said logs or lumber, or major part thereof, shall have arrived within the limits of the Kennebec Log Driving Company, said

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Moxie Dam Company may seize, hold and sell at public auction such part of said logs or lumber 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 or lumber.

Section 5. An account of the cost of said improvements shall be kept by the treasurer of said Moxie Dam Company, and also of its receipts for tolls, which shall be open to inspection at all reasonable times to any person interested in the same.

Accounts shall be kept.

Section 6. When said corporation shall have received from tolls its outlay on dam, improvements and repairs made up to that time, with six per cent. interest thereon, then the tolls shall be reduced to a sum sufficient to keep the work in repair; and if from time to time thereafter it shall be necessary to build additional dams and improvements necessary to carry out the purposes of this charter, said company may, but in no case to exceed the limits hereinbefore specified, increase the tolls to and maintain them at a sum sufficient to pay for such outlays, with six per cent. interest thereon; the treasurer of the Kennebec Log Driving Company, for the time being, is appointed to audit the accounts and determine the cost of dams, improvements and repairs.

Readjustment of tolls.

Section 7. Said company may issue its capital stock to an amount not to exceed five thousand dollars to be divided into shares of one hundred dollars each; and each share of stock shall be entitled to one vote in all meetings of said company.

Capital stock may be issued not to exceed \$5,000.

Approved March 21, 1911.

Chapter 156.

An Act to revive and amend Chapter one hundred and fifty-four of the Private and Special Laws of eighteen hundred and ninety-five as amended by Chapter one hundred and fifty-seven of the Private and Special Laws of nineteen hundred and seven, relating to the charter of the Wiscasset Water Company.

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

Section 1. Chapter one hundred and fifty-four of the private and special laws of eighteen hundred and ninety-five is hereby revived, and amended by adding after section ten of said chapter the two following sections: 'Section 11. The town of Wiscasset is hereby authorized and empowered to purchase and own stock of the Wiscasset Water Company to an amount not exceeding twelve thousand dollars at the market value of said stock at the time when said purchase may be made, and the person or persons and the Wiscasset Water Company

Chapter 154, special laws, 1895, revived and amended.

Town of Wiscasset authorized to purchase stock of Wiscasset Water Company to an amount not exceeding \$12,000.