

MAINE STATE LEGISLATURE

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Acts and Resolves

As Passed by the

Seventy-Eighth Legislature

OF THE

STATE OF MAINE

1917

Including Acts and Resolves of the Special Session of the
Seventy-Seventh Legislature held in 1916.

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1917

Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Seventy-Eighth
Legislature

1917

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shall be the duty of the assessors to include said sum in their commitment and each town shall be liable to pay to said trustees its said proportion on or before August first.

Section 11. Maintenance of bridge. The bridge shall be maintained as provided under chapter seventy-two of the private and special laws of nineteen hundred fifteen and in the same manner as though said bridge district had not been formed.

Sec. 12. P. L., 1915, c. 319; applicable. Chapter three hundred and nineteen of the public laws of nineteen hundred fifteen known as the "Bridge Law," shall apply to said bridge district in the same manner as it does to a town or city and said bridge district shall furnish fifty per cent. of the cost of construction, the county thirty per cent. and the state twenty per cent.

Sec. 13. Composition of board provided for by P. L., 1915, c. 319, § 2. The board provided by section two of said chapter three hundred nineteen shall consist of said trustees together with the county commissioners for said county of Hancock, and the state highway commission.

Sec. 14. Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.

Approved March 29, 1917.

Chapter 136.

An Act to Repeal Chapter One Hundred One of the Private and Special Laws of Nineteen Hundred Eleven, Relating to the Phillips Village Corporation.

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

P. & S. L., 1911, c. 101, repealed. Chapter one hundred one of the private and special laws of nineteen hundred and eleven, relating to the Phillips Village Corporation is hereby repealed.

Approved March 30, 1917.

Chapter 137.

An Act to Incorporate the Musquacook Stream Dam and Improvement Company.

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

Sec. 1. Name and corporators. George M. Stearns, F. W. Hill, Haven Sawyer, H. B. Buck, Everett E. Amey, George G. Weeks and Gilbert Oakley, their associates and assigns, are hereby incorporated under the name of the Musquacook Stream Dam and Improvement Company, with all the powers and privileges of similar corporations.

Sec. 2. Purposes; adjustment of damages. Said corporation is authorized to build dams, side dams, remove rocks and make all other necessary

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improvements in Musquacook stream to facilitate the driving of logs and lumber down the same, and for this purpose said corporation may take land and materials necessary to build such dams and make such 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, the corporation shall pay the proprietors of the land and materials so taken such damage as shall be ascertained and determined by the county commissioners for the county of Aroostook, in the same manner and under the same conditions and limitations as are by law provided in the case of damages by laying out public highways. And for the damage occasioned by flowing land, the said corporation shall not be liable in an action at common law, but persons 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 the working of mills.

Sec. 3. Reservation by state. The state of Maine reserves the right to take over by proper legislation, the property, rights and franchises of said company upon the payment of just compensation to the owners thereof, but such compensation shall not include the value of the franchises hereby granted.

Sec. 4. Tolls. Said corporation may demand and receive a toll for the passage of logs and lumber over or through their said dams and improvements as follows: For all logs, pulpwood and ties landed on said stream below the south line of Township thirteen, Range eleven, and driven out of said stream after June first of each year, fifteen cents per thousand feet for logs, seven and one-half cents per cord for pulpwood and fifteen cents per thousand feet for ties, reckoning fifty to a thousand feet, if not scaled. And for all logs, pulpwood and ties landed and driven in said stream above the south line of Township thirteen, Range eleven, twenty-five cents per thousand feet for logs, twelve and one-half cents per cord for pulpwood and twenty-five cents per thousand feet for ties, reckoning fifty ties to a thousand feet, if not scaled. And said corporation shall have a lien upon all logs and lumber which may pass over its dams and improvements for the payments of said tolls; but the logs of each particular mark shall be holden only for the tolls of such mark, and unless such toll is paid within twenty days after such logs or lumber, or a major part of the same, shall arrive at the place of manufacture or destination, said corporation may seize said logs and lumber and sell at public auction so many and so much thereof as shall be necessary to pay such tolls, costs and charges thereof, after ten days notice in writing of the time and place of said sale given to the owner of such logs or lumber, or his agent.

Sec. 5. Cessation of tolls. When said corporation shall receive 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 improvements in repair. Said corporation shall keep correct and full account of all its receipts and expenditures, and shall submit the same at any time for examination to any person, firm or corporation liable to pay tolls under this act.

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Sec. 6. Dams not to be used for power purposes. No dam built by said corporation under this act shall be used for power purposes.

Sec. 7. Capital stock; management of business affairs. The capital stock of said corporation may be fixed by it from time to time, but not to exceed fifty thousand dollars, to be divided into shares of such par value as it may determine. The corporation may, by its by-laws, provide for all its officers and for the management of its internal affairs in the same manner as corporations organized under the general laws of the state.

Sec. 8. First meeting, how called. The first meeting of said corporation shall be called by a notice signed by one of the incorporators named in section one, mailed to each of the other incorporators at least seven days before the day of such meeting.

Approved March 30, 1917.

Chapter 138.

An Act Authorizing the City of Augusta to Raise Money by Taxation to Assist Capital Park in Maintaining Grounds and Conveniences for Public Amusements.

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

Sec. 1. Appropriation of \$10,000 authorized. The city of Augusta is hereby authorized to raise money by taxation, not exceeding ten thousand dollars and invest the same in such amounts as the city council of said city may determine in the capital stock of Capital Park, a corporation organized under the general law, the certificate of which was filed in the office of the secretary of state on the sixth day of March, nineteen hundred and seventeen.

Sec. 2. Board of directors. Upon the purchase of not less than a majority in amount of the authorized capital stock of Capital Park, the board of directors of said corporation shall consist of not more than three members of which the mayor of said city for the time being shall be and become ex-officio a member together with such other person as the city government may elect.

Sec. 3. Voting power. At all meetings of the stockholders of said corporation the mayor, or in his stead the chairman of the board of alderman of said city of Augusta, or some other person thereunto duly authorized, shall vote all stock in said corporation held by the city of Augusta.

Sec. 4. Purchase of title of land owned by Capital Park Association authorized; purposes for which land may be used. Whenever the city of Augusta shall have acquired by purchase at par a majority of the authorized capital stock of said company the proceeds thereof shall be used by said company for the purchase of the title to the land now owned by the Capital Park Association and for no other purpose, and when so purchased said land and appurtenances shall forever be dedicated to public use as a park for the purpose of being used for holding agricultural fairs, horse trots,