

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.

Published by the Secretary of State, in accordance with the Resolves of the Legislature approved June 28, 1820, March 18, 1840, and March 16, 1842.

THE LEWISTON JOURNAL CO.
LEWISTON, MAINE
1917

Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Seventy-Eighth
Legislature

1917

Chapter 151.

An Act to Incorporate the Brassua 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, Everett E. Amey, Forrest H. Colby, Roy L. Marston and Gilbert Oakley, their associates and assigns are hereby incorporated under the name of the Brassua 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 improvements in Brassua Stream and the North Branch thereof, sometimes called Cullen Brook, 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 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 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; exemption. Said corporation may demand and receive a toll for the passage of logs and lumber over or through its said dams and improvements, as follows: Thirty-five cents per thousand feet for logs, seventeen and one-half cents per cord for pulpwood and thirty-five cents per thousand feet for ties, reckoning fifty ties to the thousand feet if not scaled, landed above the confluence of the North and West Branches; 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 landed below the confluence of said branches; 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

CHAP. 152

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 thereon, 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.

In consideration of the expenditure by the Great Northern Paper Company of certain sums of money for the improvement of said stream and for the repairs of a dam thereon, said Great Northern Paper Company shall be exempt for a period of five years from July first, nineteen hundred seventeen from the payment of tolls for logs, pulpwood and ties cut on Tomhegan township and landed on said stream.

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.

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. 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. 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 April 3, 1917.

Chapter 152.

An Act to Legalize and Confirm the Incorporation and Doings of the Congregational Parish of Weld, Maine, and to Authorize the Conveyance of its Real Estate.

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

Sec. 1. Incorporation validated. The incorporation of the Congregational Parish of Weld, Maine, is hereby made, and declared to be, legal and valid, and all of its acts and doings as a corporation, are hereby legalized and confirmed.

Sec. 2. Elmer O. Metcalf authorized to call meeting; place, date, etc. Elmer O. Metcalf is declared to be the clerk of said corporation, and he is hereby authorized to call a meeting of the members thereof, to be held in the meeting house of said parish at Weld, Maine, on such date after this act shall become effective, as he may designate, of which meeting seven