

MAINE STATE LEGISLATURE

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Acts and Resolves

As Passed by the

Seventy-Ninth Legislature

OF THE

STATE OF MAINE

1919

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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Seventy-Ninth
Legislature

1919

CHAP. 49

Sec. 17. Trial justices of Bridgton; jurisdiction of limited. Trial justices in said town of Bridgton 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 office, any trial justice 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 finally be 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.

Sec. 18. Territorial jurisdiction of other municipal courts of county not affected. Nothing in this act shall be constructed to limit or affect the territorial jurisdiction, in civil or criminal matters, of the other municipal courts in said county of Cumberland, as is established by their respective acts; but the jurisdiction of said Northern Cumberland municipal court over any portion of the county of Cumberland now within the territorial jurisdiction of other municipal courts within said county shall be concurrent with said other municipal courts.

Approved March 12, 1919.

Chapter 49.

An Act to Incorporate the Chase Stream Improvement Company.

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

Sec. 1. Corporators; name. R. A. Braman, Gilbert Oakley, Samuel W. Philbrick, W. J. Lanigan and George G. Weeks, their associates and assigns, are hereby incorporated under the name of the Chase Stream Improvement Company, with all the powers and privileges of similar corporations.

Sec. 2. Powers and purposes. Said corporation is authorized to build dams, side dams, remove rocks and make all other necessary improvements in Chase stream in Somerset county, 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 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. Said corporation shall not acquire except by purchase or lease any right to use the shores or bed of said stream for its purposes beyond the period of ten years.

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 its said dams and improvements as follows: forty-five cents per thousand feet for logs, twenty-five cents per cord for pulp wood, forty-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 tolls of such mark, 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 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.

Sec. 5. Tolls to be reduced when amount of outlay and interest received. 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

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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 March 12, 1919.

Chapter 50.

An Act to Amend the Charter of the City of Calais, with Reference to the Calais Municipal Court.

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

Sec. 1. P. & S. L., 1883, c. 325, § 23; relating to municipal court in city of Calais, amended. Section twenty-three of the charter of the city of Calais, being section twenty-three of chapter three hundred and twenty-five of the private and special laws of eighteen hundred and eighty-three as amended by chapter five hundred and fourteen of the private and special laws of eighteen hundred and ninety-seven, is hereby amended by adding to said section the following provision: 'The compensation of the judge in full for all services commencing July first, nineteen hundred and nineteen, shall be twelve hundred dollars per year payable quarterly from the treasury of the county of Washington. All fees paid to and received by said court shall be paid quarterly into the county treasury and no salary shall be paid to said judge until he shall file a full statement of such fees for the preceding quarter with the county treasurer', so that said section, as amended, shall read as follows:

'Sec. 23. Compensation of judge; proviso; disposition of fees. A municipal court is hereby established in said city of Calais, which shall be denominated the Calais municipal court, shall be a court of record, with a seal, and shall consist of one judge who shall reside in said Calais. He shall cause to be entered on the docket of said court all civil and criminal actions, with full minutes of the proceedings in and disposition of the same, which docket shall be at all times open to inspection, and he shall perform all other duties required of similar tribunals in this state; and copies of the records of said court, duly certified by said judge, shall be legal evidence in all courts. He shall not act as attorney or counsel, in any action, matter or thing within the jurisdiction of said court. The compensation of the judge in full for all services commencing July first, nineteen hundred and nineteen shall be twelve hundred dollars per year,