

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-second Legislature

OF THE

STATE OF MAINE

1925

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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Eighty-Second  
Legislature

1925

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and twenty-eight of the private and special laws of nineteen hundred and twenty-one, as amended by chapter twenty-three of the private and special laws of nineteen hundred and twenty-three, is hereby further amended by striking out the words, "eighteen hundred," in the third line of said section and inserting in place thereof, the words, 'twenty-one hundred,' so that said section, as amended, shall read as follows:

**Sec. 1. Salary of clerk increased.** The clerk of the municipal court for the city of Lewiston shall receive an annual salary of twenty-one hundred dollars, with ten hundred and forty dollars additional for clerk hire from said city in monthly payments, which sum shall be in full compensation for the performance of all duties required of said clerk by law. He shall account quarterly under oath, to wit, on the first days of January, April, July and October of each year, to the treasurer of the city of Lewiston, for all fees received by him by virtue of his office, specifying the items, and shall pay the whole amount of the same to the treasurer of the city of Lewiston, quarterly on the days aforesaid.'

Approved March 24, 1925.

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## Chapter 39.

An Act to Incorporate Houston Brook Driving Company.

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

**Sec. 1. Corporators; powers and privileges.** Harry A. Furbish, George F. Goodspeed, Sherman N. Shumway, Blaine S. Viles, Almon B. Sargent, Francis H. Friend, Fred E. Beane, their associates, successors and assigns are hereby incorporated under the name of Houston Brook Driving Company with the powers and privileges of similar corporations.

**Sec. 2. Authorized to erect dams, piers, booms, etc., on Houston brook and its tributaries.** Said company is hereby authorized to erect and maintain dams, side-dams, bunters, piers, booms, rack-booms, and shore-holds and fastenings on the streams known as Houston brook and its branches and tributaries in the town of Concord and plantation of Pleasant Ridge in Somerset county; and to remove rock and trees, widen, deepen and otherwise improve said Houston brook and its branches and tributaries, from the headwaters thereof to the Kennebec river, for the purposes of raising a head of water to make said stream and its branches and tributaries floatable and to facilitate the driving of logs, pulpwood and other lumber down the same.

**Sec. 3. May take lands and materials, and may flow contiguous lands; remedies for injuries.** Said company, for the purposes aforesaid, may

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take all necessary lands and materials for building said dams, side-dams, bunters, piers, booms, rack-booms, shore-holds and fastenings, and for making said improvements, and may flow contiguous lands so far as necessary to raise suitable heads of water, and may attach its booms, dams and other improvements and fixtures to land adjacent to said streams, and may, with its servants, agents and teams, pass and repass over and along their shores and to and from the same for the purposes aforesaid, making compensation therefor as provided in case of damages for lands taken in laying out highways; and for the injuries arising from flowing of lands said company shall not be liable in an action at law, but those injured shall have remedy by complaint for flowage, in which the same proceeding shall be had as in a complaint under the statutes of Maine for the recovery of damages for flowing lands occasioned by a mill-dam.

**Sec. 4. Rates for tolls fixed.** Said company may demand and receive a toll for the passage of logs, pulpwood and other lumber over and through said streams, in the amount of ten cents per cord for each cord of pulpwood and twenty cents per thousand feet for logs and other lumber, from any point on said streams to the Kennebec river.

**Sec. 5. Lien for tolls created; procedure to enforce lien.** Said company shall have a lien upon all logs, lumber and pulpwood which may pass over or enjoy the benefit of any of its dams and improvements on said streams until the full amount of tolls is paid; but the logs, pulpwood and other lumber of each mark shall be held only for the tolls of such mark. If said toll is not paid within thirty days after said logs, pulpwood, or other lumber, or the major part thereof, shall have arrived at the Kennebec river, said company may seize said logs, pulpwood and other lumber and sell at public auction so many or so much thereof as shall be necessary to pay said tolls, costs, and charges; said sale to be made only after ten days' notice in writing of the time and place thereof to the owner of such logs, lumber and pulpwood, or to the agent, servant or tenant of said owner; or, if none of the aforesaid is readily found, notice to be published three successive weeks in some newspaper printed in Somerset county, the last publication to be at least ten days before the date of sale. The lien hereby created shall have precedence over all other claims, mortgages or liens except previous statutory liens for labor, but shall not deprive said company of any other legal remedy it may have to collect its tolls.

**Sec. 6. Tolls to be fixed at a sum sufficient to keep works in repair after original outlay and interest is paid; may increase tolls to make repairs; county commissioners of Somerset to audit accounts.** When said company shall have received from tolls its outlays authorized by this act and for repairs made up to that time, with six per cent interest thereon,

then the toll shall be altered to a sum sufficient to keep the works in repair, and if from time to time thereafter it shall be necessary to make additional improvements to carry out the purposes of this charter, said company may increase the toll to and maintain it at a sum sufficient to pay for such outlays, with six per cent interest thereon. The county commissioners of Somerset county shall audit the accounts of said company for the afore-said purposes, to determine the costs of dams, booms and other improvements and repairs.

**Sec. 7. Value of present improvements to be included.** The present actual value of improvements and facilities already erected upon said stream by Blaine S. Viles or his associates, servants and agents, during and since the year nineteen hundred and twenty-four, shall be included in the costs of structures and improvements designated in this act.

**Sec. 8. Capital stock; par value of shares.** Said company may issue its capital stock to an amount not exceeding twenty thousand dollars to be divided into shares of one hundred dollars each.

Approved March 25, 1925.

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## Chapter 40.

An Act to Amend Chapter One Hundred and Forty of the Private and Special Laws of Nineteen Hundred and Twenty-one, Relating to the Farmington Municipal Court.

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

**P. & S. L., 1921, c. 140; relating to Farmington municipal court, amended.** Chapter one hundred and forty of the private and special laws of nineteen hundred and twenty-one, is hereby amended by striking out the word "six" in the fifteenth line, and inserting in lieu thereof, the word 'seven,' so that said chapter, as amended, shall read as follows:

**Salary of judge increased.** 'The judge of said court shall demand and receive the same fees as are allowed to trial justices for like services except that he shall demand and receive for a complaint and warrant in criminal cases one dollar; for the entry of civil action fifty cents; and for the trial of an issue, civil or criminal, one dollar for the first day and two dollars for each day after the first occupied in such cause, to be paid to him by the plaintiff in civil cases before trial, who shall recover the same as costs if he prevail in the suit. All fees, civil and criminal, shall inure to the county of Franklin and shall be paid over to the treasurer of said county by said judge on the first day of each month, except fines recovered for the violation of the inland fish and game laws of the state, which said fines shall be paid by said judge to the commissioner of inland fisheries and