

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-fourth Legislature

OF THE

STATE OF MAINE

1929

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1929

Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Eighty-Fourth
Legislature

1929

Chapter 71.

An Act Relating to the Charter of the City of Saco.

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

P. & S. L., 1867, c. 215, sec. 5; relating to charter of city of Saco, amended. Section five of chapter two hundred and fifteen of the private and special laws of the year one thousand, eight hundred and sixty-seven is hereby amended by striking out the whole of said section and substituting in place thereof the following, viz:

'Sec. 5. Acts or bills appropriating money to be presented to mayor for approval; objections; vote of aldermen. Every law, act or ordinance, or bill appropriating money, having passed the city council, shall be presented to the mayor, and if he approves the same, he shall sign it, if not, he shall return it within seven days, with his objections, to the city council, which shall enter the objections at large on its records, and proceed to reconsider said law, act or ordinance, or bill appropriating money. If, upon such reconsideration, two-thirds of the whole number of the members of the board of aldermen shall agree to pass it, and so vote, it shall have the same effect as if signed by the mayor, and it shall be the duty of the mayor to sign any warrant necessary for the execution of such law, act or ordinance, or bill appropriating money, and in case of his refusal, the city council may order the treasurer to pay any expense incurred by the passage of any bill appropriating money, and their order shall be sufficient authority and voucher for the treasurer to pay the same.'

Approved March 25, 1929.

Chapter 72.

An Act to Incorporate the Big Black River Dam Company.

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

Sec. 1. Corporators; corporate name; powers and privileges. George B. Dunn, James C. Madigan, Louis W. Eaton, Hosea B. Buck, George T. Carlisle, Jr., and Frederick G. Quincy, their associates, successors and assigns are hereby incorporated by the name of Big Black River Dam Company, with powers and privileges of similar corporations.

Sec. 2. Authorized to erect and maintain a dam. Said company is hereby authorized to erect and maintain a dam with a suitable sluice at the foot of dead water on Big Black river, in township fourteen, range fourteen, W. E. L. S., in Aroostook county, and to construct and maintain necessary side dams, piers, booms, abutments and other necessary

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appliances, and to remove rocks therefrom, for the purpose of facilitating the driving of pulpwood, logs and other lumber down said river.

Sec. 3. Right of eminent domain. Said company for the above purposes may take necessary land and materials for building said dam, piers and abutments, and making said 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, which the company shall pay the proprietors of the land and material so taken, such damages shall be ascertained and determined by the county commissioners of Aroostook county in the same manner and under the same conditions and limitations as provided by law in the case of damage on account of laying out of highways, and for the damage occasioned by flowing land, said company shall not be liable in an action at common law but the person injured may have a remedy by complaint for flowage, in which case the same proceedings may be had as when a complaint is made under the statutes of this state for flowing land occasioned by raising a head of water under the mill act.

Sec. 4. Toll on pulpwood and logs passing over dam; lien and enforcement. Said company may demand and receive a toll of five cents per cord on all pulpwood and ten cents per thousand feet on all logs and other lumber which may pass through or over said dam, and shall have a lien on all pulpwood, logs and other lumber which may pass through or over said dam for the payment of said tolls, and the costs and charges for enforcing the same, which shall continue for thirty days after such pulpwood, logs and other lumber, or a major part thereof, shall have arrived at their destination, and after demand of payment made upon the owner or person in charge thereof. Said lien may be enforced by attachment in the same manner as the general lien upon logs and lumber provided in chapter ninety-six, revised statutes. The pulpwood, logs and lumber of each particular mark to be holden for the tolls of such mark.

Sec. 5. Regulation of tolls. When said company shall have received from tolls the amount expended for constructing said dam and other improvements and for repairs, up to that time, and six per cent interest thereon, then the tolls herein provided shall be fixed at a sufficient amount to keep the said dam and other improvements in repair.

Sec. 6. First meeting. The first meeting of said company shall be called at Bangor, Maine, by notice signed by any one of the incorporators named in section one, setting forth the time, place and purpose of the meeting, and such notice shall be mailed to each of the other incorporators, postage paid, seven days at least before the day of such meeting.