

MAINE STATE LEGISLATURE

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Seventieth Legislature.

SENATE.

No. 125

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND ONE.

AN ACT to authorize the Penobscot Log Driving Company to rebuild and raise the height of North Twin Dam, or to build a new dam to take the place of said North Twin Dam.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Section 1. The Penobscot Log Driving Company is 2 hereby authorized to rebuild in such manner as it may see 3 fit its North Twin Dam, and may raise the height of the 4 same, and for any flowage caused by such increased height 5 of said dam, said company shall be subject to the general 6 laws in relation to flowage the same as individuals, under 7 the mill act, so called. Said company is hereby given the 8 power to build a new dam to take the place of said North 9 Twin Dam, and such new dam may be built at such a dis-

10 tance from the present dam that such dam may serve as a
11 coffer dam, and said company may increase the height of
12 said new dam, and for any flowage caused by such in-
13 creased height of said dam, said company shall be subject
14 to the general laws in relation to flowage the same as in-
15 dividuals, under the mill act, so called.

Sect. 2. Said company for the purpose of constructing
2 a new dam as authorized in this act is hereby given the
3 right to take and hold any lands necessary for erecting and
4 abutting such dam. Said company shall file in the regis-
5 try of deeds office in the county where any lands so taken
6 may be situated, plans of the location of all land so taken
7 in such county, and no entry for the purpose of taking
8 lands shall be made on any lands owned by other persons
9 except to make surveys, until the expiration of ten days
10 from the time of said filing, and with such plan the com-
11 pany may file a statement of the damages it is willing to
12 pay to any person for any property so taken, and if the
13 amount finally awarded does not exceed that sum the com-
14 pany shall recover costs against such person, otherwise
15 such person shall recover costs against the company. Said
16 company shall be held liable to pay all damages for the
17 land so taken, and if any person sustaining damage as
18 aforesaid shall not agree with said company upon the sum
19 to be paid therefor, either party on petition to the county
20 commissioners of the county where such land is situated
21 within twelve months after said plans are filed, may have
22 the damages assessed for the taking of said land and sub-
23 sequent proceedings and right of appeal thereupon shall
24 be had in the same manner and under the same conditions,
25 restrictions and limitations as are by law prescribed in the

26 case of damages by the laying out of highways; failure
27 to apply for such damages within twelve months shall be
28 held to be a waiver of the same.

Sect. 3. Said company for the purpose of rebuilding
2 said dam, or building a new dam to take the place of said
3 dam, or for clearing out and improving the navigation of
4 the West Branch of Penobscot river, is hereby authorized
5 to borrow money as the directors of said company may
6 find expedient.

Sect. 4. This act shall take effect when approved.

STATE OF MAINE.

IN SENATE, March 13, 1901.

Reported by Mr. JONES from Committee on Interior Waters, and
laid on table to be printed under joint rules.

KENDALL M. DUNBAR, *Secretary.*