

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

---

---

SEVENTY-NINTH LEGISLATURE

---

---

HOUSE

NO. 82

---

---

House of Representatives, Jan. 31, 1919.

Referred to Committee on Interior Waters and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Cunningham of Patten.

---

---

STATE OF MAINE

---

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

---

AN ACT to amend chapter three hundred eighty-six of the Private and Special Laws of eighteen hundred forty-six entitled, "An Act to incorporate the Telos Canal Company."

---

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

Section 1. Section two of said act is amended by striking 2 out in the second and third lines the words "as already con- 3 structed," also by inserting in the fourth line after the words 4 "for the" the words 'storage of water and the', also by in- 5 serting in the tenth and eleventh lines after the words "or 6 sluiceway" the words 'and also the right to store water for 7 manufacturing and power purposes'; also by striking out in 8 line fourteen the word "twenty" and inserting in place there-

9 of the word 'forty' and also by striking out after the words  
10 "shall be paid" in the twenty-second line the remainder of  
11 said section, and inserting in place thereof the following:  
12 'which said lien may be enforced in the manner provided  
13 for the enforcement of liens on logs and lumber,' so that  
14 said section as amended shall read as follows:

'Section 2. Said corporation shall have the right, and it  
2 shall be their duty, to construct, maintain and keep open  
3 and in repair a proper sluiceway or canal with suitable dam  
4 or dams, gates and other erections for the storage of water  
5 and the passage of water, logs and lumber, between Telos  
6 lake and Webster pond, on township number six in the  
7 eleventh range, in the county of Piscataquis, and to afford  
8 a safe and convenient passage for all logs and lumber which  
9 the owner or owners of said lumber may desire to pass  
10 through said sluiceway. And said corporation shall have  
11 the right to preserve a free passage for logs and lumber  
12 from Chamberlain lake to the said canal or sluiceway, and  
13 also the right to store water for manufacturing and power  
14 purposes, and it shall be their duty to suffer said logs and  
15 lumber to pass down from said Chamberlain lake to said  
16 sluiceway without any hindrance or obstruction whatever.  
17 And said corporation shall have the right to demand and  
18 receive as a toll, the sum of forty cents for each and every  
19 thousand feet, board measure, of all logs and lumber which  
20 may pass through said sluiceway, to be ascertained and  
21 fixed by the scale usually denominated the woods scale. And

22 said corporation shall have a lien on all logs and lumber  
23 which shall pass through said cut, and on all lumber man-  
24 ufactured therefrom, whether the same remain in the pos-  
25 session of said corporation or not, until the full amount of  
26 tolls due on all logs of the owner or any particular mark  
27 shall be paid, which said lien may be enforced in the man-  
28 ner provided for the enforcement of liens on logs and lum-  
29 ber.'

Sect. 2. Section 3 of said act is hereby amended by insert-  
2 ing after the words "and of" in the eighth line the words  
3 'at least', so that said section as amended shall read as fol-  
4 lows:

'Sect. 3. That there may be a sufficient depth of water  
2 in said sluiceway, for the passage of lumber therein, said  
3 corporation is hereby empowered to keep and maintain a  
4 dam on Allagash Stream in township number seven in the  
5 thirteenth range. And whereas a dam has already been  
6 erected on said Allagash Stream between the Chamberlain  
7 Lake and Heron Lake, so-called, it shall be the duty of said  
8 corporation to take said dam and site, and to keep and main-  
9 tain the same in good repair and of at least sufficient height  
10 to cause the water to flow through said sluiceway, so as  
11 to afford a safe, easy and commodious passage for all logs  
12 and lumber through the same. And said corporation shall  
13 pay to the owner or owners of said dam for the same, the  
14 reasonable value thereof; and if the parties cannot agree  
15 upon the price of said dam, the owner may have the same

16 remedy for his damages on application to the county com-  
17 missioners for the county of Piscataquis, in the same man-  
18 ner and under the same conditions and limitations as are  
19 by law provided in case of damages in laying out public  
20 highways. Provided, however, that the measure of dam-  
21 ages shall be the just and reasonable value of the construc-  
22 tion.'

Sect. 3. Said act is further amended by the addition of the  
2 following section:

'Said corporation, its successors and assigns are hereby au-  
2 thorized and empowered to reconstruct its dams and works  
3 of sufficient height and of such character as to make avail-  
4 able sufficient storage capacity for the tributary drainage  
5 area, for the uses and purposes set forth in this act.'