

# MAINE STATE LEGISLATURE

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NEW DRAFT

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SEVENTY-NINTH LEGISLATURE

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HOUSE

NO. 450

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House of Representatives, March 17, 1919.

Reported by Mr. Lanpher from Committee on Legal Affairs and ordered printed under joint rules.

CLYDE R. CHAPMAN, Clerk.

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STATE OF MAINE

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

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AN ACT to Repeal Chapter One Hundred Forty-seven of the Private and Special Laws of Nineteen Hundred Eleven Relating to the Baskahegan Dam Company, under the title An Act to Amend Chapter One Hundred Forty-seven of the Private and Special Laws of Nineteen Hundred Eleven; Entitled, An Act to Amend Section One of Chapter Three Hundred Thirteen of the Private and Special Laws of 1864, Entitled An Act to Incorporate the Baskahegan Dam Company, as Amended by Chapter Two Hundred Seventy-two of the Private and Special Laws of 1903, and by Chapter One Hundred Forty-seven of the Private and Special Laws of 1911.

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

Section one of chapter three hundred thirteen of the private and special laws of eighteen hundred sixty-four, entitled "An Act to Incorporate the Baskahegan Dam Company," as amended by chapter two hundred seventy-two of the private and special laws of nineteen hundred three, and by chapter one hundred forty-seven of the private and special laws of nineteen hundred eleven, is hereby further amended by striking out the last sentence of said section and substituting therefor the following words:

10 'Whenever any main drive on the Mattawamkeag river,  
11 below the mouth of Baskahegan stream shall be in need  
12 of water for driving purposes, after one day's notice in  
13 writing to said dam company or its agent, the person or  
14 corporation driving such Mattawamkeag drive may take  
15 and use all water stored by said dam company's dams, not  
16 necessary for driving purposes on said Baskahegan stream,  
17 and shall pay therefor the sum of one hundred dollars per  
18 day for the first two days, and fifty dollars a day for each  
19 twenty-four hours after said first two days for the tak-  
20 ing and using of said stored water, the same to be a lien  
21 on the logs or lumber of said drive to be enforced by at-  
22 tachment, said lien to continue for ninety days after such  
23 logs or lumber have reached their destination, provided,  
24 that whenever, after notice as provided above, and refusal  
25 on the part of said dam company, if any person or cor-  
26 poration takes such water, and damage to riparian owners

27 below said dam results therefrom, because of negligence  
28 in such taking, suits at law shall be brought against such  
29 taker and not against said dam company,' so that said  
30 section as amended shall read as follows:

'Section 1. John Pomeroy of Bancroft, James S. Hamil-  
2 ton of Orono, Joseph D. Smith of Veazie and Davis R.  
3 Stockwell, Joab W. Palmer, Benjamin Johnson, Walter  
4 Brown, Isaiah Stetson, George Stetson, William H. Mc-  
5 Grillis and Thomas W. Baldwin of Bangor, their associ-  
6 ates, successors and assigns are hereby created a body cor-  
7 porate under the name of the Baskahegan Dam Company  
8 with all the general powers, rights and duties of other cor-  
9 porations under the laws of this state, for the purpose of  
10 erecting and maintaining a dam at Baskahegan falls near  
11 the mouth of Baskahegan stream in Bancroft in the coun-  
12 ty of Aroostook, and another dam at the outlet of Baska-  
13 hegan lake in township number nine, range three, in the  
14 county of Washington, both for the purpose of facilitat-  
15 ing the driving of logs and lumber out of said Baskahe-  
16 gan stream, and when necessary all the water stored in  
17 said dams shall be used for the purpose of driving logs,  
18 and said company shall have the rights to store water in  
19 both of said dams for the purpose of manufacturing, gen-  
20 erating electricity, or for any other power and may use  
21 and make contracts for the sale of said stored water with  
22 any corporations or persons for the purposes aforesaid,  
23 and receive payment therefor, said company may also make

24 improvements in the navigation of the Baskahegan stream.  
25 Whenever any main drive on the Mattawamkeag river,  
26 below the mouth of Baskahegan stream shall be in need  
27 of water for driving purposes, after one day's notice in  
28 writing to said dam company or its agent, the person or  
29 corporation driving such Mattawamkeag drive may take  
30 and use all water stored by said dam company's dams, not  
31 necessary for driving purposes on said Baskahegan stream,  
32 and shall pay therefor the sum of one hundred dollars per  
33 day for the first two days, and fifty dollars a day for each  
34 twenty-four hours after said first two days for the taking  
35 and using of said stored water, the same to be a lien on  
36 the logs or lumber of said drive after such logs or lumber  
37 have reached their destination, provided, that whenever,  
38 after notice as provided above, and refusal on the part of  
39 said dam company, if any person or corporation takes such  
40 water, and damage to riparian owners below said dam re-  
41 sults therefrom, because of negligence in such taking, suits  
42 at law shall be brought against such taker and not against  
43 said dam company.'