

MAINE STATE LEGISLATURE

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EIGHTIETH LEGISLATURE

HOUSE

NO. 14

House of Representatives, January 18, 1921.

Referred to Committee on Interior Waters, and 300 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Gipson of Bingham.

STATE OF MAINE

**IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND TWENTY-ONE**

AN ACT to Authorize the American Realty Company to Construct and Maintain a Dam across the St. John River in Township 9, Range 18, W. E. L. S., Somerset County, Maine, and to Locate, Erect and Maintain Piers and Booms in Said River above Said Dam.

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

Section 1. The American Realty Company, its successors
2 and assigns, are hereby authorized and empowered to con-
3 struct and maintain a dam on its own land across the St.
4 John River in T. 9, R. 18, W. E. L. S., Somerset county,
5 Maine, about one-third (1-3) of a mile below the mouth
6 of Carter Brook on and over the head of an island, for the

7 purposes of improving the navigation of said river, and
8 to facilitate the driving, collecting, holding, and sorting of
9 logs, pulpwood and other lumber coming down said river ;
10 and said company, its successors and assigns, are hereby
11 further authorized and empowered to locate, erect and
12 maintain, in said river between said dam and a line across
13 said river three (3) miles above, piers and booms for the
14 purpose of driving, collecting, holding and sorting of logs,
15 pulpwood and other lumber. Said piers and booms shall
16 be so constructed as to provide for the prompt and con-
17 venient passage of all logs, pulpwood and other lumber
18 that may come within the same, without unreasonable or
19 unnecessary delay, and they shall be so constructed and
20 maintained and used that logs and lumber running down
21 said river belonging to other parties and not destined for
22 use and manufacture at the mills of said company, its suc-
23 cessors and assigns, shall not be unreasonably impeded or
24 delayed, and such logs and lumber of other parties when
25 stopped for sorting shall be turned by as soon as they can
26 be practically sorted out and separated from the logs and
27 lumber destined for use in manufacture at said mills. Any
28 stray logs, pulpwood or other lumber not destined for use
29 and manufacture at the mills of said American Realty
30 Company, its successors or assigns, if found in the storage
31 booms of said company, shall be turned out therefrom by
32 said company at its own charge and expense upon demand
33 in writing of the owners thereof. Said dam shall be a roll-
34 ing or overflow dam and be so constructed, maintained and

35 used as not to interfere injuriously with the floating of
36 logs and lumber over the same nor raise the water more
37 than five feet above the level of the stream in its natural
38 state.

Sect. 2. Said American Realty Company, its successors
2 and assigns, by aid of such piers and booms, are hereby
3 authorized and empowered to separate and sort out from
4 the logs and other lumber coming down said river, all logs
5 and other lumber destined and intended for use and man-
6 ufacture at the mills of said company; provided, however,
7 if upon the approach of the rear of any drive of logs to
8 the booms of said company herein authorized to be con-
9 structed and maintained, it shall appear to the person in
10 charge of such drive that said company has not sufficient
11 men to sort and turn by the logs or other lumber arriving
12 at said booms, so that such drive may be unreasonably
13 impeded, or delayed, such person, upon notice in writing
14 to said company left at its office, shall have the right to
15 put men of his own selection upon said booms, to expedite
16 the sorting and turning by of the logs and other lumber
17 in such drive, who shall be paid by said American Realty
18 Company.

Sect. 3. If the parties cannot agree upon the damages for
2 flowage caused by said dam such damages shall be recov-
3 ered in accordance with the provisions of chapter ninety-
4 four of the revised statutes, known as the "Mill Act."