

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1844.

AUGUSTA:
WM. R. SMITH & Co., PRINTERS.

1844.

TWENTY-FOURTH LEGISLATURE.

No. 53.]

[SENATE.

REPORT

OF THE

COMMITTEE ON THE KENNEBEC DAM.

[WM. R. SMITH & Co....Printers.]



REPORT.

THE joint select committee, to which was referred the petition of Johnson Williams and others, praying that the toll be taken from the Kennebec Lock ; also petition of Stephen Frye and others, praying for the repeal of the charter of the Kennebec Dam Corporation, together with sundry other petitions in relation to the same, with instructions to bring in a bill repealing the act granting tolls, and also to report a statement of facts, make the following

REPORT:

The charter of the Kennebec Dam was granted by the Legislature in 1834, with a capital stock of three hundred thousand dollars. About two thirds of the stock was owned by six individuals, residing in Augusta, and the other third by individuals residing out of the State. The engineer employed to superintend the construction of the dam, estimated its probable cost at fifty two thousand dollars ; but the completion of the work, involved an expenditure of more than three hundred thousand dollars ; the whole amount of which, was actually paid by the stockholders.

It appeared in evidence, that during the erection of the dam, the navigation of the river was embarrassed, and losses were consequently sustained, particularly by the boating interest. The dam was completed in 1837. In 1839, a breach was made around the west end of the dam, by a freshet, which swept away from ten to sixteen acres of the western shore, and the saw mills that had then been erected, making a channel on the western side from six to seven hundred feet in width, through which in a common pitch of water, the whole water of the river passed. Owing to the rapidity of the current, through this new channel, occasioned by a fall of several feet over a ledge, and rocks that had been uncovered, an

entire obstruction was presented to the passage of boats, and until the breach was filled by the erection of a new dam, all freight passing up and down the river in boats, was discharged at the dam and reshipped in other boats, which process was necessarily attended with considerable delay and expense.

By the misfortune to the dam in 1839, above referred to, the stock of the corporation was rendered valueless—all the stockholders residing in Augusta, with one exception, were made bankrupts, and he suffered a loss of from seventy to eighty thousand dollars. There was a mortgage upon the property, at the time of that occurrence, to the amount of from forty to fifty thousand dollars, which mortgage passed into the hands of Reuel Williams, he being obliged as endorser to pay the notes for which the mortgage was given as security.

It was proved to the committee, that before the erection of the Kennebec dam, the navigation of the river from Augusta to Waterville, during a portion of the summer and fall, was obstructed by rips, rocks, sands and falls, so that boats laden with only from six to ten tons, were not unfrequently grounded, and oxen were employed to haul them over these obstructions, which thus occasioned cost, delay and great inconvenience. It was also shown, that during the periods of low water, it was with difficulty that rafts of boards and other lumber, could pass down the river without sustaining injury by striking upon sands and gravel beds, and being torn asunder.

It was clearly proved, that by the erection of the Kennebec dam, the water was flowed back to within one mile and a half of Waterville, burying all the intermediate obstructions in from three to ten feet of water. Boats that were formerly employed upon the river, carried from twenty to thirty tons, but since the erection of the dam, boats have been built and run, carrying one hundred tons. It was also satisfactorily proved that the rates of freight had been reduced by the improved navigation, from two or two and a half dollars, to one or one and a half dollars per ton, being about fifty per cent.

The evidence in regard to the improvement of the navigation of

the river by the construction of the dam, was somewhat contradictory. All however admitted, that the price of freight had been greatly reduced since its erection, and your committee were satisfied that the navigation has been improved by the dam, and the boating interest greatly promoted. It appeared that the lumbering interest upon the river suffered somewhat by the delay in passing through and clearing the lock, but in the opinion of your committee the lumbering interest upon the main river, has been benefitted beyond this drawback, by the pond of water occasioned by the dam, for the distance of ten or twelve miles, which affords a safe and convenient place for collecting and securing logs, until they are wanted for manufacture or a market.

The Sebesticook lumber did not receive this counterbalancing benefit. The difficulties now existing in passing and clearing the lock, could be measurably, if not wholly obviated by the erection of a suitable breakwater below the lock. It appeared also, that sawed lumber could be brought down the river in boats, for seventy five cents, and at times for a less price per thousand, and that boards brought down the river in boats, would command from one to two dollars per thousand, more than those run in rafts. So great were the embarrassments to the navigation of the river, after the breach around the dam created a new channel, that it was proposed by those who were interested in the navigation to obtain by voluntary subscription a sum sufficient to fill up the breach, by the erection of a new dam; and an amount nearly adequate to the enterprise was thus obtained in those towns having the deepest interest in the navigation of the river, which fact was viewed by your committee as showing that the dam was regarded, not only as desirable, but of great importance to the interests upon the river.

The new dam which was erected in 1841, is not so high by three feet as the old dam. This dam now flows the river so as to render it navigable for boats of one hundred tons burthen, at the lowest pitch of water, to the six miles falls, being a distance of about twelve miles from Augusta, and six miles below Waterville village.

In 1842 individuals in Waterville and in that vicinity petitioned the Legislature for an act of incorporation, for the construction of a

dam at the six miles falls, using in their petition the following language :

“The undersigned respectfully represent, that by the construction of the Augusta Dam, the navigation of the Kennebec river is improved to a place called the six miles falls, within six miles of Waterville village—that by the construction of a dam at said six miles falls, which could be done at a small expense, the navigation would be improved to and beyond this place, and be made passable at all times for steamers, whereby the transportation of goods would be greatly facilitated, and the expense of freight would be much diminished, which would be for the benefit of the public ; wherefore the undersigned pray that they may be incorporated into a company for the purpose of building a dam, lock and sluice at said falls, with the right of taking a reasonable toll, on boats, goods and merchandize which shall pass said lock and dam.”

In pursuance thereof, a charter for a dam at the six miles falls was granted, with the right of taking toll on merchandize, &c., to double the amount provided in the act authorizing a toll at the Augusta Dam. It appeared that the Hon. Reuel Williams, who is a mortgagee of the property of the Augusta Dam Corporation, expended the last summer twenty-three hundred dollars towards raising the new dam to the same elevation of the old, for the double object of extending the improvement of the navigation further up the river and for the protection of the property, and that the work would have been completed had not its progress been arrested by the early fall freshets.

Should the undertaking to raise the new dam as high as the old be completed, the water will be flowed nearly as far up the river as when the old dam was first constructed, probably to within a mile and a half or two miles of Waterville village—and it was stated by experienced dam builders and believed by the committee, that flush boards could be put upon the dam when the river is low, at a small expense, by means of which the water would be flowed into Waterville bay, effecting the same object by the Augusta Dam, that was contemplated by the construction of another dam at the six miles falls with double rates of toll.

The act authorizing the taking of tolls at the Augusta Dam, imposes a toll only on boats and merchandize passing through the

lock in boats. All rafts and logs are exempted from toll. The tolls are to be collected by an agent, (appointed by the governor,) and by him appropriated, in defraying the expense of attending the lock, and facilitating the passage of boats and rafts through the lock, and in maintaining the same. The amount collected during the past summer, was not quite \$600, a sum a little less than was expended by the agent for the purposes aforesaid. It was shown that the lock had been well attended, the past season, and that every facility was afforded by the tender of the lock that could have been expected.

The importance of having the lock efficiently and properly attended was undisputed.

At the lock, below the dam, it was also shewn that there were counter currents and eddies, that caused much embarrassment, and not unfrequently considerable expense at a certain state of the river, in the passage of boats and rafts through and from the lock, which can and should be remedied by the erection of a suitable break-water below the lock.

At a meeting of the committee on the 15th instant, the Hon. Reuel Williams was invited to appear before the committee. He accordingly did appear, and gave the following assurances, which were satisfactory to the committee, viz: that if legislation upon the subject of the dam, which would operate particularly abroad to impair confidence in, and injuriously affect the character of the property, should be omitted, he would build a suitable breakwater at the foot of the lock—deepen the channel so as to render the passage to and from the lock for boats and rafts safe and convenient; make a fish way on the western side of the dam, if it could be done; and would also complete the raising of the new dam, the present year to the height of the old dam; but should the legislature repeal the act granting tolls at said lock, he gave no assurance whatever.

In view of the improved navigation of the river by the dam, and the inadequacy of the means of the corporation to defray the expense of managing the lock, it was considered by your committee, that justice and the public convenience, justify the policy, of continuing the present rate of tolls. Yet in conformity with the in-

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struction of the legislature, your committee herewith bring in a bill, which is respectfully submitted.

E. B. FRENCH, *Chairman.*

STATE OF MAINE.

IN SENATE, March 18, 1844.

ORDERED, That 300 copies of the foregoing Report, be printed for the use of the Legislature.

JERE HASKELL, *Secretary.*