

MAINE STATE LEGISLATURE

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February 13, 1953

no

To Roland H. Cobb, Commissioner of Inland Fisheries and Game
Re: Dam and Fishway

You ask, "What action can we legally take to force the Lewis Lumber Company to either open up the dam or put in a fishway?"

It appears that the Lewis Lumber Company is the owner of mill property and that it is desired that the dam shall be opened up, so that fish can move up the Northwest River.

Please be advised that it is our opinion that Section 10 of Chapter 33 provides a remedy in such an instance.

You will recall that we have recently had conversation relative to this section of the statute in the light of our experience with the fishway built by your department in Washington County. We might say that, if properly used, the provisions of Section 10 are adequate under the circumstances with which you are now confronted.

James Glynn Frost
Deputy Attorney General.

jgf/c