

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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# Sixty-Eighth Legislature.

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HOUSE.

No. 167.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED  
AND NINETY-SEVEN

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AN ACT amendatory of and additional to chapter five hundred  
and ninety-four of the Private and Special Laws of eighteen  
hundred and ninety-three, entitled "An act to incorporate  
the Lawry Dam Company."

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*Be it enacted by the Senate and House of Representatives in  
Legislature assembled, as follows:*

Section 1. Section two of chapter five hundred and ninety-  
2 four of the Private and Special Laws of 1893 is hereby  
3 amended so that said section as amended shall read as fol-  
4 lows:

'Section 2. Said corporation is hereby empowered and  
6 authorized to build and maintain a dam in the Sheepscot

7 river in the town of Palermo, between the points where the  
8 Sheepscot river emerges from Sheepscot Great Pond and  
9 a point not more than a mile below following the river, and  
10 to build and maintain another dam in said river in the town  
11 of Somerville on the site of the old saw-mill dam at Somer-  
12 ville Corner, and to remove rocks and make all other neces-  
13 sary improvements in said river and pond between a point  
14 on said river in the town of Palermo two miles above the  
15 head of Sheepscot Great Pond and the saw-mill of George  
16 S. Burrill in the town of Jefferson, to facilitate the driving  
17 of logs and lumber down the same and for this purpose said  
18 corporation may take land and materials necessary for the  
19 construction of said dams and to make said improvements.  
20 And if the parties cannot agree upon the damages, the cor-  
21 poration shall pay the proprietors of the land and materials,  
22 so taken, such damages as shall be ascertained and deter-  
23 mined by the county commissioners of the county in which  
24 such land or material, so taken, is situated, in the same man-  
25 ner and under the same conditions and limitations as are by  
26 law provided in the case of damage by laying out public  
27 highways. If any damage is occasioned by the drawing off  
28 of said water to any highways, bridges, mills or lands below  
29 said dams or either of said dams and if the parties cannot  
30 agree upon the damages, the corporation shall pay to the  
31 parties so damaged, such sums as may be ascertained and  
32 determined by the county commissioners of the county in  
33 which such highways, bridges, mills or lands so damaged,

34 are situated, in the same manner and under the same condi-  
35 tions and limitations as are by law provided in case of dam-  
36 age by laying out of public highways. And for damages  
37 occasioned by flowing land, and such other damages hereto-  
38 fore mentioned, said corporation shall not be liable to an  
39 action at common law, but persons injured may have a rem-  
40 edy by a complaint for flowage in which the same proceed-  
41 ings shall be had as when a complaint is made under the  
42 statute of this State for flowing lands occasioned by raising  
43 a head of water for the working of mills, and the head of  
44 water caused by said corporation by the maintenance of said  
45 dams shall be drawn off on or before the fifteenth day of May  
46 of each year.

‘Provided, however, that the right to build and maintain  
48 said second dam in the town of Somerville as aforesaid shall  
49 not take effect, if the Maine Water and Electric Power Com-  
50 pany shall within two years from the approval of this act  
51 build upon the aforesaid site at Somerville Corner a dam at  
52 least five feet high in the manner and under the restrictions  
53 of its existing charter, and said right shall so remain in  
54 operation only so long as said Maine Water and Electric  
55 Power Company shall so maintain said dam by it so built.’

Sect. 2. Said chapter five hundred and ninety-four of the  
2 Private and Special Laws of 1893 is hereby further amended  
3 by adding thereto the following section:

‘Section 6. Said corporation is hereby authorized and  
5 empowered to locate, build and maintain in Sheepscot river

6 at any point or points between said saw-mill of George S.  
7 Burrill in the town of Jefferson and the outlet of Long Pond  
8 in the town of Windsor, piers and booms for sorting out  
9 logs and lumber coming down said river and for holding the  
10 same for use and manufacture at said Burrill's mill, and are  
11 not to occasion any unreasonable delay or obstruction in  
12 the driving of any other logs or lumber. Said corporation  
13 may take such lands as may be necessary for the erection  
14 and maintenance of said piers and booms and connecting  
15 the same with the river shore, and may with its agents,  
16 servants and teams, pass and re-pass over said shores and to  
17 and from the same over the land of other persons for the  
18 purposes aforesaid, and for managing said piers and booms  
19 making compensation therefor as is provided in the case of  
20 land taken in laying out highways.'

Sect. 3. This act shall take effect when approved.

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## STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES,

February 26, 1897.

Reported by Mr. KING of Caribou, from Committee on Interior  
Waters, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*