

# MAINE STATE LEGISLATURE

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# Sixty-Eighth Legislature.

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HOUSE.

No. 367.

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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 to amend Chapter 221 of the Private and Special  
Laws of 1895, which is An Act to Incorporate the Long  
Pond Dam Company.

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

Section 1. Insert after the word "improvements" in the  
2 ninth line of section 2 of said act the following:

'Said corporation may erect and maintain a dam with  
4 sluices therein at the outlet of Lake Onawa, otherwise known  
5 as Ship Pond, in the town of Willimantic and county of Pis-  
6 cataquis, and may take land and materials for building said  
7 dam and sluices.'

After the word "therefor" in the eleventh line insert the  
9 words, 'And all damages for flowage of land caused by the

10 erection of the dam at the outlet of Lake Onawa aforesaid,  
11 and after the word "highways," being the last word in said  
12 section, insert the following:

‘Provided, however, that the rights hereby granted to said  
14 corporation to build and maintain the dam at the outlet of  
15 Lake Onawa shall not be so exercised or held as to deprive  
16 the owners of land on which said dam is built and of the  
17 lands immediately adjoining the same of the right at any  
18 time to use the falls at the outlet of said lake or on Ship  
19 Pond stream and the lands immediately adjoining the same  
20 for the purpose of developing water power and using, selling  
21 or leasing the same for manufacturing or mechanical pur-  
22 poses. In case the dam built by said corporation at the out-  
23 let of said Lake Onawa is deemed insufficient by the owners  
24 of said land to raise and maintain a head of water for manu-  
25 facturing or mechanical purposes as herein set out said  
26 owners are to have the right to build and maintain such dam  
27 with sluices therein as they deem necessary and said owners  
28 shall then succeed to all the rights hereby granted to said  
29 Long Pond Dam Company to said dam at the outlet of Lake  
30 Onawa. Said owners, however, shall pay to said Long  
31 Pond Dam Company such sum, if any, as may be due to said  
32 corporation for building and maintaining said dam at the  
33 outlet of said Lake Onawa and shall have the right to col-  
34 lect the tolls herein provided until they are reimbursed for  
35 the money paid to said Long Pond Dam Company, with  
36 annual interest at six per cent thereon; said tolls are then  
37 to cease. Said owners of said land shall have all the rights  
38 to the lien and enforcement of the same as herein granted  
39 to said Long Pond Dam Company.’

So that said section shall read as follows:

‘Section 2. Said corporation may erect and maintain a  
42 dam with side dams and sluices on Long Pond stream near  
43 the foot of Long Pond, to facilitate the driving of logs and  
44 lumber down Long Pond stream, and said corporation may  
45 remove rocks, build dams and side dams, and make other  
46 improvements on Long Pond stream between said Long  
47 Pond and Lake Onawa in the township of Elliottsville and  
48 county of Piscataquis, and may take land and materials for  
49 building said dams and making said improvements. And  
50 said corporation may erect and maintain a dam with sluices  
51 therein at the outlet of Lake Onawa, otherwise known as  
52 Ship Pond, in the town of Willimantic and county of Piscat-  
53 aquis, and may take land and materials for building said dam  
54 and sluices, and if the parties owning said land and materials  
55 cannot agree upon the damages therefor and all damages  
56 for flowage of lands caused by the erection of the dam and  
57 sluices at the outlet of Lake Onawa aforesaid, then said  
58 damages shall be estimated by the county commissioners for  
59 Piscataquis county as provided by law in case of taking  
60 land for public highways. Provided, however, that the  
61 rights hereby granted said corporation to build and main-  
62 tain the dam at the outlet of Lake Onawa shall not be so  
63 exercised or held as to deprive the owners of land on which  
64 said dam is built and of the lands immediately adjoining the  
65 same of the right at any time to use the falls at the outlet of  
66 said lake or on Ship Pond stream and the lands immediately  
67 adjoining the same for the purpose of developing the water  
68 power and using, selling or leasing the same for manufac-  
69 turing or mechanical purposes. In case the dam built by  
70 said corporation at the outlet of said Lake Onawa is deemed

71 insufficient by the owners of said land to raise and maintain  
72 a head of water for manufacturing or mechanical purposes  
73 as herein set out said owners are to have the right to build  
74 and maintain such dam with sluices therein as they deem  
75 necessary and said owners shall then succeed to all the rights  
76 hereby granted to said Long Pond Dam Company to said  
77 dam at the outlet of Lake Onawa. Said owners, however,  
78 shall pay to said Long Pond Dam Company such sum, if  
79 any, as may be due to said corporation for building and  
80 maintaining said dam at the outlet of said Lake Onawa and  
81 shall have the right to collect the tolls herein provided until  
82 they are reimbursed for the money paid to said Long Pond  
83 Dam Company, with annual interest at six per cent thereon;  
84 said tolls are then to cease. Said owners of said land shall  
85 have all the rights to the lien and enforcement of the same  
86 as herein granted to said Long Pond Dam Company.'

Sect. 2. Strike out all of section 4 commencing with the  
2 word "the" in the first line to and including the word "scale"  
3 in the eighth line and insert in place thereof the following:

'The said corporation may demand and receive a toll upon  
5 all logs and lumber which may pass through or over Long  
6 Pond dam and Long Pond stream, of forty cents for each  
7 thousand feet, board measure, woods scale, except for the  
8 logs and lumber put into the said Long Pond stream below  
9 the falls of said stream, called Slue Gundy, on which shall  
10 be fifteen cents for each thousand feet, board measure,  
11 woods scale, and may demand and receive a toll upon all  
12 logs and lumber or pulp wood which may pass through or  
13 over the dam at the outlet of Lake Onawa aforesaid, of  
14 twenty cents for each thousand feet, board measure, woods

15 scale, for all saw logs and lumber, and five cents per cord  
16 for all pulp wood.'

So that said section shall read as follows:

'Section 4. The said corporation may demand and receive  
19 a toll upon all logs and lumber which may pass through or  
20 over Long Pond dam and Long Pond stream, of forty cents  
21 for each thousand feet, board measure, woods scale, except  
22 for the logs and lumber put into the said Long Pond stream  
23 below the falls on said stream called Slue Gundy, on which  
24 shall be fifteen cents for each thousand feet, board measure,  
25 woods scale, and may demand and receive a toll upon all  
26 logs and lumber or pulp wood which may pass through or  
27 over the dam at the outlet of Lake Onawa aforesaid, of  
28 twenty cents for each thousand feet, board measure, woods  
29 scale, for all saw logs and lumber, and five cents per cord  
30 for all pulp wood; and said corporation shall have a lien  
31 upon all logs and lumber which may pass through or over  
32 any of its said dams and improvements for the payment of  
33 said tolls, but the logs of each particular mark shall be  
34 holden only for the tolls of such mark and if such toll or tolls  
35 are not paid within twenty days after such logs, or a major  
36 part of them, shall arrive at the Penobscot boom or place of  
37 manufacture, said corporation may seize such logs and lum-  
38 ber and sell at public auction so many thereof as shall be  
39 necessary to pay such toll or tolls, costs and charges, notice  
40 of the time and place of such sale being first given ten days  
41 prior to said sale in some newspaper printed in Bangor and  
42 in the county of Piscataquis.'



STATE OF MAINE.

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IN HOUSE OF REPRESENTATIVES,

March 23, 1897.

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

W. S. COTTON, *Clerk.*