

# MAINE STATE LEGISLATURE

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# SEVENTY-THIRD LEGISLATURE

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SENATE.

No. 79

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND SEVEN.

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AN ACT additional to Chapter 174 of the Private and Special  
Laws of 1903 relating to the West Branch Driving and Res-  
ervoir Dam Company.

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

Section 1. The West Branch Driving and Reservoir Dam  
2 Company, incorporated under Chapter 174 of the Private and  
3 Special Laws of 1903, is hereby authorized and empowered  
4 to rebuild and raise its present dam at Ripogenus Falls or  
5 to build and maintain a new dam at said Falls at some point  
6 within five hundred feet below and five hundred feet above  
7 its present dam, to such height as it may see fit for the pur-  
8 pose of facilitating the driving of logs and lumber and of

9 storing water for the use of any mills or machinery which  
10 may use West Branch water.

Sect. 2. Nothing in this act shall be held to restrict, modify or abridge the rights, powers, duties and obligations of  
2 said company under its original act of incorporation except  
3 that in case the water raised by the dam authorized by this  
4 act shall at any time flow back upon, or over, the Chesun-  
5 cook Dam to such an extent as to render the handling of  
6 gates in said Chesuncook Dam impracticable, then during  
7 such time the commission authorized in Section ten of said  
8 act of incorporation shall have and exercise its powers over  
9 the dam authorized by this act instead of over said Chesun-  
10 cook Dam.  
11

Sect. 3. Said company for the purpose of rebuilding and  
2 raising or of erecting, maintaining and repairing the dam  
3 authorized by this act is hereby given the right to purchase  
4 or to take and hold any lands and materials necessary for  
5 erecting, abutting, maintaining and repairing such dam,  
6 together with the necessary wing dams and dykes to make  
7 the same effective.

Said company shall file, in the registry of deeds for the  
9 county of Piscataquis, a plan of the location of such land as  
10 it takes under this act and no entry for the purpose of taking  
11 lands shall be made on any lands owned by other persons  
12 except to make surveys, until the expiration of ten days  
13 from the time of such filing.

Said company shall be held liable to pay all damages for  
15 the land and materials so taken and if any person sustaining  
16 damages as aforesaid shall not agree with the company upon  
17 the sum to be paid therefor either party on petition to the  
18 county commissioners of the County of Piscataquis may have  
19 the damages assessed for the taking of said land and mater-  
20 ials, and subsequent proceedings and right of appeal thereon  
21 shall be had in the same manner and under the same condi-  
22 tions, restrictions and limitations as are by law required in  
23 the case of damages by the laying out of highways.

Sect. 4. All damages for flowage caused by such increased  
2 height may be recovered in accordance with the provisions  
3 of Chapter ninety-four (94) of the revised statutes, known  
4 as the Mill Act.

Sect. 5. This act shall take effect when approved.

STATE OF MAINE.

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IN SENATE, February 8, 1907.

Presented by Mr. STEARNS of Penobscot and on motion by same Senator laid on table for printing, pending reference to Committee on Interior Waters.

F. G. FARRINGTON, *Secretary*.