

MAINE STATE LEGISLATURE

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(NEW DRAFT)

EIGHTIETH LEGISLATURE

HOUSE

NO. 378

House of Representatives, March 24, 1921.

Reported by Mr. Murchie from Committee on Judiciary and ordered printed under joint rules.

CLYDE R. CHAPMAN, Clerk.

STATE OF MAINE

**IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND TWENTY-ONE**

AN ACT to Provide for the Creation of Water Storage on
the Aroostook River.

Be it enacted by the People of the State of Maine, as follows:

Section 1. The Gould Electric Company, a corporation
2 organized under the provisions of chapter two hundred and
3 three, private and special laws of nineteen hundred and
4 seventeen, is hereby authorized except as hereinafter pro-
5 vided to store water in Squa-Pan Lake and its tributaries
6 in Aroostook county, for the purpose of increasing and
7 making more uniform the flow of water in the Aroostook
8 river, and to store water in Millinocket Lake, Munsungan
9 Lake, Mooseleuk Lake in the county of Piscataquis, and

10 their tributaries, La Pomkeag Lake in Penobscot county,
11 and Umculcus Lake in Aroostook and Penobscot counties,
12 all for the purpose of driving logs and lumber in and in-
13 creasing and making more uniform the flow of water in
14 the Aroostook river, by building a dam at Squa-Pan Lake
15 and utilizing the present existing dams at Millinocket Lake
16 and the other lakes named above or by replacing the same,
17 and flowing said lakes and streams. All dams or other
18 structures authorized herein shall be so constructed with
19 the proper roll ways, sluice ways, gates and contrivances
20 so as to facilitate and not impede or interfere with the float-
21 ing or driving of logs and lumber. Any dam or dams main-
22 tained or constructed under authority hereunder at or near
23 Millinocket, Munsungan, Mooseleuk, La Pomkeag or Um-
24 culcus Lakes shall not be higher than the top of gate planks
25 of the present existing dams at such lakes, respectively, nor
26 shall any of the same cause more flowage than is caused
27 by the present existing dams.

Sect. 2. Said corporation is hereby empowered to take,
2 and hold as for public use, except as hereinafter provided,
3 such dams and lands as may be necessary for the purposes
4 of said corporation as herein provided, and such material
5 as may be needed for erecting and maintaining said dams;
6 and all proceedings in relation thereto shall be as provided
7 in chapter sixty-one of the revised statutes of Maine, sec-
8 tions twelve to twenty-one. The said corporation is hereby
9 empowered to flow such lands as may be necessary to carry
10 out the purposes of this act as herein provided; and said

11 corporation shall be liable for any damage by flowing caused
12 by said dams, to be ascertained and determined in the man-
13 ner prescribed in chapter ninety-seven of the revised stat-
14 utes.

Sect. 3. Said dams at Millinocket, Munsungan, Mooseleuk,
2 La Pomkeag and Umculcus Lakes shall be at all times so
3 operated as to facilitate the driving of logs and lumber and
4 the water stored therein shall be available therefor without
5 charge, and the operation of said dam for the purposes
6 aforesaid shall be such as not to unreasonably interfere
7 with the taking out of logs and lumber by any persons or
8 corporations doing business in these waters.

Sect. 4. The provisions of this act are subject to the
2 rights of The Ashland Company, its successors and as-
3 signs, and the Ashland Manufacturing Company, its suc-
4 cessors and assigns, as contained in chapters three hundred
5 and fifty-one and three hundred and fifty-four of the pri-
6 vate and special laws of eighteen hundred and ninety-seven
7 and chapter two hundred fifty-five of the private and spe-
8 cial laws of nineteen hundred and five, and nothing herein
9 contained shall be construed to authorize the erection or
10 alteration of any structure or the improvement of any wa-
11 ter ways in contravention of said chapters three hundred
12 fifty-one and three hundred fifty-four of the private and
13 special laws of eighteen hundred ninety-seven and chapter
14 two hundred fifty-five of the private and special laws of
15 nineteen hundred five, all of which shall remain in full force
16 and effect; except that in case of drought during the period

17 from July first to March fifteenth in any year, said Gould
18 Electric Company may impound waters in Munsungan and
19 Millinocket and Mooseleuk Lakes aforesaid by improve-
20 ment and use of the dams located on said lakes, without
21 hindrance, however, to the use of water for the driving of
22 logs by the Ashland Company, its successors and assigns
23 and the Ashland Manufacturing Company, its successors and
24 assigns, and persons or corporations to them incurring obli-
25 gations for tolls therefor.

Sect. 5. The State of Maine reserves the right to acquire
2 by proper legislation and by such agencies as it may pro-
3 vide for the purpose the whole or any part of the franchises
4 and rights hereby granted and the whole or any part of the
5 structures erected by authority of this act upon the pay-
6 ment of just compensation; but such compensation shall not
7 include the value of the franchises granted by this act.