

MAINE STATE LEGISLATURE

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EIGHTY-SECOND LEGISLATURE

H. P. No. 790

H. D. No. 390

House of Representatives, March 13, 1925.

Reported by Mr. Hight from Committee on Public Utilities
and laid on table to be printed under joint rules.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Piper of Jackman.

STATE OF MAINE

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

AN ACT to Amend Chapter Eighteen of the Private and
Special Laws of Nineteen Hundred Nineteen, Entitled "An
Act to Incorporate the Wesserunsett Stream Dam and Im-
provement Company."

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

Section two of chapter eighteen of the private and special
2 laws of nineteen hundred nineteen is hereby amended by
3 inserting after the words "in Wesserunsett stream" in the
4 third line thereof the words 'and its tributaries, all,' and
5 after the words "in the town of Athens" in the fifth line
6 thereof, the words 'and at the outlet of Smith pond, so-
7 called, and at the outlet of Wyman pond, so-called, both

8 said ponds being in Brighton plantation, in said county of
9 Somerset, and also at the outlet of all other ponds and
10 lakes, the streams flowing out of which are tributary to
11 said Wesserunsett stream or its tributaries,' and after the
12 words "of said stream" in the fifth line thereof, the words
13 'or its tributaries,' so that said section as amended shall
14 read as follows:

'Sect. 2. *Purposes and powers.* Said corporation is au-
2 thorized to build dams, side dams, remove rocks and make
3 all other necessary improvements in Wesserunsett stream
4 and its tributaries all in the county of Somerset, including
5 the east and west branches of said stream entering the same
6 above the village of Athens in the town of Athens, and
7 at the outlet of Smith pond, so-called, and at the outlet of
8 Wyman pond, so-called, both said ponds being in Brighton
9 plantation, in said county of Somerset, and also at the out-
10 let of all other ponds and lakes, the streams flowing out
11 of which are tributary to said Wesserunsett stream or its
12 tributaries, but not including the branch of said stream or
13 its tributaries entering the same at Malbon's Mills and hav-
14 ing its source in Wesserunsett lake, to facilitate the driving
15 of logs, pulp wood, seasoned cord wood and ties down the
16 same, and for this purpose said corporation may take land
17 and materials necessary to build such dams and make such
18 improvements, and may flow contiguous land so far as nec-
19 essary to raise suitable heads of water; and if the parties
20 cannot agree upon the damages, the corporation shall pay

21 the proprietors for the land and materials so taken such
22 damages as shall be ascertained and determined by the coun-
23 ty commissioners for the county of Somerset, in the same
24 manner and under the same conditions and limitations as
25 are by law provided in the case of damages by laying out
26 public highways; and for the damage occasioned by flowing
27 land the said corporation shall not be liable in an action at
28 common law, but persons injured may have a remedy by
29 a complaint for flowing, in which the same proceedings shall
30 be had as when a complaint is made under a statute of this
31 state for flowing lands occasioned by raising a head of water
32 for the working of mills.'