

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

EIGHTY-SECOND LEGISLATURE

S. P. No. 389

S. D. No. 136

In Senate, March 3, 1925.

Referred to Committee on Judiciary and 1000 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Carter of Androscoggin.

STATE OF MAINE

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

AN ACT to Amend Section One of Chapter Ninety-seven of
the Revised Statutes, Relating to Right to Erect and Main-
tain Mill Dams and to Divert Water by a Canal for Mills.

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

Section one of chapter ninety-seven of the revised statutes
2 of nineteen hundred and sixteen is hereby amended by add-
3 ing to said section after the word "expressed" in said sec-
4 tion the following:

'Any dam raising the level of water in ponds, lakes, or
2 streams, for the purpose of collecting and storing water,
3 for use at other water mills and dams, owned by the owners
4 of said dam, and located below said dam on the same stream

5 or water to which said stream is tributary, shall not be
6 erected, except, such dam be authorized by special act of
7 the legislature or by decree of the public utilities commis-
8 sion as hereinafter provided.

‘Any man on his own land desiring to erect a water mill
2 and dams or dam for the purpose of collecting and storing
3 water for use at other water mills and dams owned by
4 him on the stream below or water to which said stream
5 is tributary, may petition the public utilities commission for
6 permission to erect such dam, setting forth the proposed
7 location of said dam, its height and the area to be flowed,
8 and after such notice as the said commission may order,
9 and public hearing, the public utilities commission by de-
10 cree, which shall bear in writing the consent thereto of the
11 governor and a majority of the members of the executive
12 council, may authorize the erection of such dam.’

So that said section as amended shall read as follows:

‘Any man may on his own land, erect and maintain a
2 water mill and dams to raise water for working it, upon
3 and across any stream, not navigable; or, for the purpose
4 of propelling mills or machinery, may cut a canal and erect
5 walls and embankments upon his own land, not exceeding
6 one mile in length, and thereby divert from its natural chan-
7 nel the water of any stream not navigable, upon the terms
8 and conditions, and subject to the regulations hereinafter
9 expressed.

‘Any dam raising the level of water in ponds, lakes, or

2 streams, for the purpose of collecting and storing water,
3 for use at other water mills and dams, owned by the owners
4 of said dam, and located below said dam on the same stream
5 or water to which said stream is tributary, shall not be
6 erected, except, such dam be authorized by special act of
7 the legislature or by decree of the public utilities commis-
8 sion as hereinafter provided.

‘Any man on his own land desiring to erect a water mill
2 and dams or dam for the purpose of collecting and storing
3 water for use at other water mills and dams owned by him
4 on the stream below or water to which said stream is tribu-
5 tary, may petition the public utilities commission for per-
6 mission to erect such dam, setting forth the proposed loca-
7 tion of said dam, its height and the area to be flowed, and
8 after such notice as the said commission may order, and
9 public hearing, the public utilities commission by decree,
10 which shall bear in writing the consent thereto of the gov-
11 ernor and a majority of the members of the executive coun-
12 cil, may authorize the erection of such dam.’