

MAINE STATE LEGISLATURE

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EIGHTY-FIFTH LEGISLATURE

Legislative Document

No. 206

H. P. 605

House of Representatives, Jan. 28, 1931.

Referred to Committee on Legal Affairs. 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Ellis of Rangeley.

STATE OF MAINE

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

AN ACT to Amend An Act to Incorporate the Oquossoc Light
and Power Company.

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

Section 5 of Chapter 187 of the Private and Special Laws for the Year 1915 is hereby amended by striking out the word "said" in the ninth line thereof and inserting in place thereof the word 'such' and by inserting after the word "dams" in said line the word 'as' and by striking out the word "and" in the twelfth line thereof and inserting in place thereof the word 'shall' and by inserting after the semicolon following the words "Union Water Power Company" in the nineteenth line thereof, the following:

'provided further that if said corporation shall take said existing dam of said Kennebago Improvement Company, the land on which the same is situated and the water rights appurtenant thereto for its purposes and under the power herein conferred, it shall pay therefor as the value thereof only the balance of the cost and cost of construction and maintenance thereof at such time unliquidated by the tolls theretofore collected by said Kennebago Improvement Company, and it shall construct in place of said dam a permanent dam of such construction as to preserve to all persons, firms and corporations using said stream for log driving purposes, and to said

Union Water Power Company all the privileges and advantages now enjoyed in the driving of logs and storage of water through and by means of the existing dam of said Kennebago Improvement Company, and shall maintain and operate said dam in such manner as to preserve said privileges and advantages, charging the same rates of toll as now charged by the Kennebago Improvement Company until reimbursed for the cost of said taking, and thereafter without any charge or toll therefor, but said corporation shall not be obliged to open the gates of such dam for the passage of long lumber, nor for any log driving purposes after July 1 each year'; and by striking out the word "ninety-four" in the twenty-fifth line of said section and inserting in place thereof the words 'one hundred and six,' so that said section, as amended, shall read as follows:

'Sect. 5. Said corporation is hereby authorized to construct dams and develop water power along the outlet to Kennebago lake and especially to construct and maintain a dam at Kennebago falls, so-called, about one mile from the outlet to said lake, in Township three, Range four, in Franklin county, for developing power for the uses of said company, for the purposes for which it was created and may take all lands and other property necessary to carry into effect the purposes for which created; provided, however, that such dam or dams as shall be located below the existing dam of the Kennebago Improvement Company, situated about one-half mile from the outlet of Kennebago lake, shall be so constructed as not to interfere with the floating and driving of logs through said improvement company's dam, and also be so constructed as not to interfere with or prevent the use of said improvement company's dam, or any other dam that may be constructed in place thereof, for the holding and storage of the surplus waters of said Kennebago lake, by said Kennebago Improvement Company, or by the Union Water Power Company; provided further that if said corporation shall take said existing dam of said Kennebago Improvement Company, the land on which the same is situated and the water rights appurtenant thereto for its purposes and under the power herein conferred, it shall pay therefor as the value thereof only the balance of the cost and cost of construction and maintenance thereof at such time un-

liquidated by the tolls theretofore collected by said Kennebago Improvement Company, and it shall construct in place of said dam a permanent dam of such construction as to preserve to all persons, firms and corporations using said stream for log driving purposes, and to said Union Water Power Company all the privileges and advantages now enjoyed in the driving of logs and storage of water through and by means of the existing dam of said Kennebago Improvement Company, and shall maintain and operate said dam in such manner as to preserve said privileges and advantages, charging the same rates of toll as now charged by the Kennebago Improvement Company until reimbursed for the cost of said taking, and thereafter without any charge or toll therefor, but said corporation shall not be obliged to open the gates of such dam for the passage of long lumber, nor for any log driving purposes after July 1 each year; and provided further, that said Kennebago Improvement Company and said Union Water Power Company shall not, by means of any dam constructed or maintained as herein mentioned, decrease the flow of water in said Kennebago river, below the natural flow of said river. The damages for flowage under the provisions of this section to be ascertained in the manner described in chapter one hundred and six of the Revised Statutes.'