

# 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)

# STATE LAW LIBRARY

FIRST SPECIAL SESSION

---

---

N I N E T Y - N I N T H L E G I S L A T U R E

---

---

**Legislative Document**

**No. 1441**

S. P. 534

In Senate, January 19, 1960.

Committee on Public Utilities suggested.

CHESTER T. WINSLOW, Secretary

Presented by Senator Parker of Piscataquis.

---

---

## STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY

---

---

### **AN ACT to Authorize the Maintenance and Operation of a Dam at the Outlet of Sebec Lake.**

---

---

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

**Sec. 1. Sale ratified.** The sale to Bangor Hydro-Electric Company by Maine Public Service Company, formerly Gould Electric Company, of all its property of every name and nature owned by said Maine Public Service Company and situated in the Towns of Milo, Brownville, Sebec, Orneville and Atkinson, and in the Plantations of Barnard and Williamsburg, all in Piscataquis County, Maine, and in the Town of LaGrange in Penobscot County, Maine, together with all the selling corporation's franchises of whatever kind and all rights thereunder held and exercised in connection with generating, selling and distributing electric energy in said towns and plantations, all as set forth in the deed of said Maine Public Service Company to said Bangor Hydro-Electric Company dated October 22, 1948, recorded at Piscataquis County Registry of Deeds in Vol. 294, Page 65, and authorized by and made in pursuance of a decree of the Public Utilities Commission of Maine dated October 12, 1948 in Case U #1923 is hereby ratified, approved and confirmed. Said Bangor Hydro-Electric Company, its successors and assigns, are hereby empowered with respect to the property conveyed by said deed to exercise all the rights, including all franchises of whatever kind and all rights thereunder, held by said Maine Public Service Company at the time of said sale.

**Sec. 2. Powers.** Said Bangor Hydro-Electric Company, its successors and assigns, are further authorized and empowered to repair, rebuild, operate and maintain said company's dam at the outlet of Sebec Lake on the Sebec River,

or any dam hereafter built in replacement thereof, to an elevation not in excess of 324.0 feet above mean sea level (U. S. G. S. datum) to obtain a head of water on Sebec Lake to drive logs on the Sebec River and to provide stored water for the generation of electricity on the Penobscot River and its tributaries, provided that water stored by said dam shall not be used for generating purposes to the detriment of log driving on said river and when water is required for such log driving, the gates of said dam shall be opened to the extent required to allow the escape of sufficient water therefor. Said dam shall not be operated in such manner as to deprive other riparian owners on the Sebec River of the natural flow thereof.

**Sec. 3. Toll.** Said company, its successors and assigns, shall demand and receive a toll of five cents per thousand feet, board measure, stumpage scale, on all logs which may be driven through said dam, and shall have a lien on all logs for the payment of tolls, and if said toll is not paid within 30 days after the passage of the logs or a major part of them, the company may advertise such logs for sale, in some newspaper printed in the County of Piscataquis, giving 10 days' notice of the time and place of sale, and sell at public auction so many of said logs as shall be necessary to pay the charges and tolls.

**Sec. 4. Remedies.** The owners of all lands damaged by being flowed by said dam and not heretofore compensated therefor shall be entitled to the same remedies provided in chapter 180 of the Revised Statutes of Maine, 1954 in case of flowing lands by the erection of dams and mills.

#### STATEMENT OF FACTS

The purpose of this bill is to permit the Bangor Hydro-Electric Company to rebuild the dam at the outlet of Sebec Lake, which retains water in Sebec Lake beneficial to the camp owners on the Lake as well as for use of the Bangor Hydro-Electric Company as owners of the original franchises. This dam is in very bad condition and needs rebuilding next summer. The bill would also permit the use of such water on the Penobscot River as well as on the Sebec River as in the original franchise.