

# MAINE STATE LEGISLATURE

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# FIFTY-NINTH LEGISLATURE.

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SENATE.

No. 45.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND  
EIGHTY.

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AN ACT to incorporate the Dudley Brook Dam  
Company.

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*Be it enacted by the Senate and House of Representatives  
in Legislature assembled, as follows :*

SECTION 1. Israel Washburn, Jr., and John P.  
2 Webber, their associates and assigns, are hereby  
3 incorporated by the name of the Dudley brook  
4 dam company, with all the powers and privileges  
5 of similar corporations.

SECT. 2. The said corporation is authorized to  
2 build dams, side dams, remove rocks, and make  
3 other improvements, and raise a head of water by  
4 means of said dams, to facilitate the driving of logs  
5 and lumber down said Dudley brook, and for this  
6 purpose said corporation may take land and

7 materials necessary to build such dams, side dams,  
8 and other improvements, and may flow contiguous  
9 lands necessary to raise a head of water on such  
10 dams and other improvements, and if the parties  
11 cannot agree upon the damages the corporation shall  
12 pay the proprietors of the land and material so  
13 taken, such damages as shall be ascertained and  
14 determined by the county commissioners for the  
15 county of Aroostook, in the same manner and under  
16 the same conditions and limitations as are by law  
17 provided in case of damage by laying out public  
18 highways, and for the damage occasioned by flow-  
19 ing land, the said corporation shall not be liable to  
20 an action at common law, but the person injured  
21 may have a remedy by a complaint for flowing, in  
22 which the same proceedings shall be had as when  
23 a complaint is made under a statute of this state,  
24 for flowing lands occasioned by raising a head of  
25 water for the working of a mill.

SECT. 3. The said corporation may demand and  
2 receive a toll for the passage of logs over any of  
3 their said dams and improvements, of twenty cents  
4 for each thousand feet, board measure, Wood's  
5 scale, and said corporation shall have a lien upon  
6 all logs which may pass over any of their said  
7 dams or improvements, for the payment of said

8 toll, but the logs of each particular mark shall be  
9 holden only for the toll of such mark, and unless  
10 such toll is paid within twenty days after such  
11 logs or a major part of them shall arrive at the  
12 Penobscot boom, or place of manufacture, said  
13 corporation may sell at public auction so much of  
14 said logs as shall be necessary to pay such toll,  
15 costs and charges; notice of the time and place of  
16 such sale being first given in some newspaper  
17 printed in Bangor. And when the said corpora-  
18 tion shall, from tolls, be reimbursed, with ten per  
19 centum interest, for their expenditures, the toll  
20 shall cease.

SECT. 4. This act shall take effect when approved.

STATE OF MAINE.

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IN SENATE, February 27, 1880.

Read once, and tabled to print on motion of Mr. DINGLEY.

C. W. TILDEN, *Secretary.*