

# MAINE STATE LEGISLATURE

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# Seventieth Legislature.

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SENATE.

No. 74

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND ONE.

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AN ACT to authorize John P. Yerxa, Edgar Perry, Arthur Gilpatrick and Selden R. Tracy to construct and maintain a dam across the Little Madawaska river, in Aroostook county, and build and maintain piers in said river.

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

Section 1. John P. Yerxa, Edgar Perry, Arthur Gilpatrick and Selden R. Tracy, their heirs and assigns, are hereby authorized to erect and maintain a dam across the Little Madawaska river, at or near their mill in Stockholm plantation in the county of Aroostook, provided that suitable sluices or roll-way for the passage of logs and

7 lumber, and proper and sufficient fishways shall be con-  
8 structed and maintained in said dam.

Sect. 2. Said Yerxa, Perry, Gilpatrick and Tracy,  
2 their heirs and assigns, are authorized for the purpose of  
3 constructing and maintaining said dam, to take and occupy  
4 and enclose any lands adjoining the same which may be  
5 necessary for the building and repairing the same, and  
6 may remove any and all rocks in said river when neces-  
7 sary to their said purposes; and they may also erect and  
8 maintain piers above said dam for the purpose of holding  
9 lumber, provided a suitable passage or channel is kept and  
10 maintained for floating logs and lumber over the pond  
11 caused by said dam.

Sect. 3. Said Yerxa, Perry, Gilpatrick and Tracy, their  
2 heirs and assigns, shall be held liable to pay all damages  
3 that shall be sustained by any person or persons by taking  
4 and holding of any lands for the purpose of constructing  
5 and maintaining or repairing said dam, or by the taking  
6 and holding of any lands for flowage; and if any person  
7 or persons sustaining damage as aforesaid, shall not agree  
8 with said Yerxa, Perry, Gilpatrick and Tracy, their heirs  
9 and assigns, upon the sum to be paid therefor, either  
10 party, upon petition to the county commissioners of  
11 Aroostook county, within twelve months after said damage  
12 is sustained as aforesaid, may have said damage assessed  
13 by said commissioners, and subsequent proceedings and  
14 right of appeal thereon shall be had in the same manner

15 and under the same conditions, restrictions and limitations  
16 as are prescribed by law in the case of damages by the  
17 laying out of highways, and failure to petition for said  
18 damage within twelve months after the same is sustained,  
19 shall be held to be a waiver of same.

STATE OF MAINE.

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IN SENATE, February 22, 1901.

Reported by Mr. Macfarlane, from Committee on Interior Waters, and  
laid on table to be printed under joint rules.

KENDALL M. DUNBAR, *Secretary*.