

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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# Seventy-first Legislature.

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HOUSE.

No. 532

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## STATE OF MAINE.

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

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AN ACT to authorize William C. Farrell and Henry A. Gagnon, to construct a dam or dams across Hammond brook, in Aroostook county, and build and maintain piers in said brook, and improve said brook for driving purposes.

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

Section 1. William C. Farrell and Henry A. Gagnon, their  
2 heirs and assigns, are hereby authorized to erect and maintain  
3 a dam or dams, with piers, booms and sluices, on Hammond  
4 brook, in Cyr plantation, in Aroostook county, and improve  
5 said stream by removing therefrom, trees, brush, rocks, or  
6 other obstructions, to facilitate the driving of logs and lumber  
7 down said stream, and the holding of logs and lumber to be  
8 manufactured at the mill of said Farrell, situated on said  
9 stream.

Sect. 2. Said Farrell and Gagnon, their heirs and assigns, 2 may purchase land and materials for building said dams and 3 making said improvements, and flow contiguous lands so far 4 as necessary to raise suitable heads of water, and land neces- 5 sary for landing logs and lumber on said stream. And if the 6 parties owning lands flowed or used for landings cannot 7 agree upon the damages therefor, the said damages shall be 8 estimated by the county commissioners for the county of 9 Aroostook, as provided by law in case of taking lands for 10 public highways, and for the damage occasioned by flowing 11 land, the said Farrell and Gagnon, their heirs and assigns, 12 shall not be liable to an action at common law, but the person 13 injured may have a remedy, by complaint for flowing, in the 14 manner provided by chapter ninety-two of the Revised 15 Statutes.

Sect. 3. Said Farrell and Gagnon, their heirs and assigns, 2 may demand and receive toll for the passage of logs and 3 lumber cut and hauled above the mill of said Farrell, and 4 driven over said dam or dams and improvements, including 5 logs to be manufactured at said mill, of ten cents for each 6 thousand feet, board measure, woods scale, and said Farrell 7 and Gagnon, their heirs and assigns, shall have a lien upon 8 all logs and lumber which may pass over any of their dams 9 and improvements for the payment of said tolls, and said 10 Farrell and Gagnon, their heirs and assigns, may hold said 11 logs or lumber, or such quantity thereof as shall be necessary 12 to pay such toll and costs and charges, in the pond at said 13 Farrell's mill, and unless such toll is paid within ten days 14 after the first of such logs or lumber liable to toll as afore-

15 said, have reached said pond, said Farrell and Gagnon, their  
16 heirs and assigns, may seize said logs or lumber and sell at  
17 public sale, such quantity thereof as shall be necessary to pay  
18 such toll and costs and charges, notice of the time and place  
19 of sale ten days before such sale being first given in some  
20 newspaper printed in the county of Aroostook, and said Far-  
21 rell and Gagnon, their heirs and assigns, shall keep an account  
22 of all expenditure for improvements, and tolls as aforesaid,  
23 and when the amount of said tolls equal the expenditure and  
24 interest at six per cent, said tolls shall cease.

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

STATE OF MAINE.

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IN HOUSE OF REPRESENTATIVES,

AUGUSTA, March 24, 1903.

Reported by Mr. PUTNAM of Danforth, from Committee on Interior  
Waters, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*