

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

HOUSE

NO. 291

House of Representatives, Feb. 21, 1913.

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

W. R. ROIX, Clerk.

STATE OF MAINE

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

AN ACT authorizing George W. Junkins, his heirs and assigns,
to erect and maintain a dam across Blackwater Stream so
called, in said town of Masardis.

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

Section 1. George W. Junkins, Masardis, his heirs and
2 assigns, are hereby authorized and empowered to erect and
3 maintain a dam across Blackwater stream, so called, in the
4 town of Masardis on lot numbered one hundred and two,
5 for the purpose of raising a head of water and facilitating
6 the driving of logs and lumber down the same; also to erect
7 and maintain piers and booms in said stream in said town
8 of Masardis, for the purpose of holding all logs and other

9 lumber coming down said stream and destined for use or
10 manufacture by said Junkins.

Said Junkins is authorized to impound and restrain the
12 natural flow of said waters only when and in so far as is
13 necessary for log-driving purposes. The dam authorized by
14 this act shall not be used for power purposes.

Sect. 2. Said Junkins, his heirs and assigns, may enter
2 upon such lands as are necessary for the erection of the
3 piers and booms mentioned in this act, and connecting the
4 same with the shores, and may with its agents and teams
5 pass and repass over said shores to and from the same over
6 the land of other persons for the purpose aforesaid and for
7 the operation and management of said booms; and if the
8 parties cannot agree upon the damages to be paid the owners
9 of said lands, said damages shall be ascertained and deter-
10 mined by the county commissioner of the county of Aroos-
11 took in the same manner and under the same conditions and
12 limitations, as are provided by law in case of damages in
13 laying out highways; and said Junkins may flow contiguous
14 lands so far as necessary, to raise suitable heads of water,
15 and for such damage occasioned by flowing land, said Jun-
16 kins shall not be liable to an action at common law, but the
17 person injured may have a remedy by complaint for flowage,
18 in which case the same proceedings shall be had as when a
19 complaint is made under the statute of this state for flowing
20 land occasioned by raising a head of water for the working
21 of mills.

Sect. 3. All other logs and lumber than those provided for
2 by section one held by, or found in said boom, shall be turned
3 out thereof by him at his own charge, and in no case shall
4 any such logs or lumber be unreasonably obstructed or de-
5 layed in its passage down said stream.