

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTIETH LEGISLATURE

OF THE

STATE OF MAINE

1901.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
February 18, 1840, and March 16, 1842.

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AUGUSTA  
KENNEBEC JOURNAL, PRINT  
1901

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1901.

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said judge; and in case of absence from the court room of said judge, or when the office of judge shall be vacant, the said recorder shall have and exercise all the powers of the judge, and perform all the duties required of said judge by this act, and shall be empowered to sign and issue all papers and processes, and to do all acts as fully and with the same effect as the judge could do if he were acting in the premises; and the signature of the recorder as such shall be sufficient evidence of his right to act instead of the judge. Said recorder shall reside in the town of Dover or Foxcroft, and shall hold his said office of recorder for four years.'

—powers and duties.

Approved March 19, 1901.

### Chapter 386.

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.

*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 or lumber, and proper and sufficient fishways shall be constructed and maintained in said dam.

J. P. Yerxa, et als, authorized to erect dams.

Section 2. Said Yerxa, Perry, Gilpatrick and Tracy, their heirs and assigns, are authorized for the purpose of constructing and maintaining said dam, to take and occupy and enclose any lands adjoining the same which may be necessary for the building and repairing the same, not exceeding in all one quarter of an acre, and may remove any and all rocks in said river when necessary to their said purposes; and they may also erect and maintain piers above said dam for the purpose of holding lumber, provided a suitable passage or channel is kept and maintained for floating logs and lumber over the pond caused by said dam. Provided that this act shall not be construed as granting exclusive right to said parties, their heirs and assigns, to the use of said river, but only such reasonable and necessary use thereof for the purposes herein specified as may be exercised consistently with the enjoyment of similar or other proper rights

Authorized to take land.

—may erect piers but shall not obstruct passage of logs.

—shall not be construed as granting exclusive right.

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and privileges already existing or subsequently acquired by other parties.

Damages and how ascertained in case of disagreement.

Section 3. Said Yerxa, Perry, Gilpatrick and Tracy, their heirs and assigns, shall be held liable to pay all damages that shall be sustained by any person or persons by taking and holding of any lands for the purpose of constructing and maintaining or repairing said dam, or by flowage; and if any person or persons sustaining damage as aforesaid, shall not agree with said Yerxa, Perry, Gilpatrick and Tracy, their heirs and assigns, upon the sum to be paid therefor, either party, upon petition to the county commissioners of Aroostook county, within twelve months after said damage is sustained as aforesaid, may have said damage assessed by said commissioners, and subsequent proceedings and right of appeal thereon shall be had in the same manner and under the same conditions, restrictions and limitations as are prescribed by law in the case of damages by the laying out of highways, and failure to petition for said damage within twelve months after the same is sustained, shall be held to be a waiver of same. Nothing in this act shall be construed as giving any shore privileges, or any title in the lands flowed, to said Yerxa, Perry, Gilpatrick and Tracy, their heirs and assigns.

--act does not give shore privileges or title to lands flowed.

Approved March 19, 1901.

### Chapter 387.

An Act to prohibit the pursuit and killing of duck and other water fowl by the use of launches or other craft propelled by other than hand power, upon the waters of Lower Kezar Pond in the County of Oxford.

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

Hunting water fowl in lower Kezar pond in steam craft prohibited.

It shall be unlawful to pursue, hunt or shoot duck or other water fowl upon the waters of lower Kezar pond, in the county of Oxford in any launch or other craft propelled by steam, naphtha, electric or any power than by sails or hand, under a penalty of fifty dollars for each offense.

--penalty.

Approved March 19, 1901.