

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE

1913

Including Acts and Resolves of the Special Session held
in 1912.

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

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-Sixth
Legislature

1913

CHAP. 58

Chapter 58.

An Act Authorizing George W. Junkins, His Heirs and Assigns, to Erect and Maintain a Dam Across Blackwater Stream, So Called, in the Town of Masardis.

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

George W. Junkins authorized to erect dam.

—purposes.

Section 1. George W. Junkins, of Masardis, in Aroostook County, his heirs and assigns, are hereby authorized and empowered to erect and maintain a dam across Blackwater Stream, so called, in the town of Masardis on lot numbered one hundred and two, for the purpose of raising a head of water and facilitating the driving of logs and lumber down the same; also to erect and maintain piers and booms in said stream in said town of Masardis, for the purpose of holding all logs and other lumber coming down said stream and destined for use or manufacture by said Junkins.

May impound waters for log driving purposes only.

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

May enter upon lands.

Section 2. Said Junkins, his heirs and assigns may enter upon such lands as are necessary for the erection of the piers and booms mentioned in this act, and connecting the same with the shores, and may with his or their agents and teams pass and repass over said shores, to and from the same, over the land of other persons for the purpose aforesaid and for the operation and management of said booms; and if the parties cannot agree upon the damages to be paid the owners of said lands, said damages shall be ascertained and determined by the county commissioners of the county of Aroostook in the same manner and under the same conditions and limitations, as are provided by law in case of damages in laying out highways; and said Junkins, his heirs or assigns may flow contiguous lands so far as necessary, to raise suitable heads of water, and for such damage occasioned by flowing land, said Junkins, his heirs or assigns, shall not be liable to an action at common law, but the person injured may have a remedy by complaint for flowage, in which case the same proceedings shall be had as when a complaint is made under the statute of this state for flowing land occasioned by raising a head of water for the working of mills.

—damages, how ascertained and determined.

—may flow contiguous lands.

—remedy for damage for flowing lands, how had.

Logs and lumber of other owners to be turned out of boom.

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

Approved March 4, 1913.