

MAINE STATE LEGISLATURE

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DOCUMENTS

PRINTED BY ORDER OF

THE LEGISLATURE,

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1834.

FOURTEENTH LEGISLATURE.

NO. 4.

HOUSE.

STATE OF MAINE.

IN THE YEAR OF OUR LORD, ONE THOUSAND EIGHT
HUNDRED AND THIRTY FOUR.

AN ACT to incorporate the Neguemkeag Mill-Dam Company.

SECT. 1. *Be it enacted by the Senate and*
2 *House of Representatives in Legislature as-*
3 *sembled,* That Thomas Carleton, Jacob South-
4 wick, William Pruden, Abiel Getchell, Eben-
5 ezer Fry, George Carleton, Caleb Nichols,
6 Nathaniel Doe, Goodloe H. Getchell, Alexander
7 P. Baxter, Moses Purrington, William Reding-
8 ton and Daniel Marshall, with their associates,
9 successors and assigns, be and they hereby are
10 created a body corporate forever, by the name
11 of the Neguemkeag Mill-Dam Company, with
12 power by that name to prosecute and defend

13 suits at law and equity, to have and use a
 14 common seal, make any by-laws for the manage-
 15 ment of their affairs, not repugnant to the laws
 16 of the State, have and hold estate, real, personal
 17 and mixed, to such amount as may be necessary
 18 for the profitable conducting of their affairs, and
 19 have and exercise all the rights and privileges
 20 of a corporation.

SECT. 2. *Be it further enacted*, That said
 2 Corporation are hereby empowered to erect,
 3 maintain, repair and rebuild a Mill Dam upon
 4 the Kennebec River, in the town of Vassal-
 5 borough, to extend from lot numbered eighty-
 6 nine in said town westwardly, a distance not
 7 exceeding one hundred and fifty feet into said
 8 river, thence up the stream of said river about
 9 one hundred rods to the "Guide Rock" so
 10 called, and upon said dam to erect and keep up
 11 mills, factories and machinery at their pleasure.
 12 *Provided*, that the powers herein granted shall
 13 be void, unless said dam be completed within
 14 three years from the passage of this Act.

SECT. 3. *Be it further enacted*, That said
 2 Corporation may from time to time choose all
 3 necessary officers, establish the mode of calling
 4 meetings, divide the capital stock into shares,

5 determine the mode of conveying shares, levy
 6 assessments thereon and fix the method of en-
 7 forcing payment thereof ; and all questions and
 8 elections shall be decided by a majority of the
 9 votes given, each share being entitled to one
 10 vote.

SECT. 4. *Be it further enacted,* That if, by
 2 means of the dam or of any of the structures
 3 which may be erected by said corporation, the
 4 channel, called the East channel, shall be affected,
 5 either by narrowing the width of it, or by throw-
 6 ing the current of water upon the rocks west-
 7 ward of said channel, or otherwise, so as to
 8 prevent the passage of rafts and boats with a
 9 degree of safety and facility equal to that now
 10 realized, it shall be the duty of said corporation,
 11 by blowing away the rocks or otherwise, to
 12 keep open a channel-way for said purposes as
 13 safe and easy as that now existing.

SECT. 5. *Be it further enacted,* That after
 2 the erection of said dam, if any three or more of
 3 the mill-owners upon said river shall be of opin-
 4 ion that said corporation has neglected the re-
 5 quirements of the fourth section of this Act, they
 6 may make complaint thereof in writing to the
 7 Court of County Commissioners of the County

8 of Kennebec. And the said Court, after notify-
 9 ing and hearing the parties with their witnesses,
 10 and after viewing the premises, shall adjudicate
 11 upon said complaint; and if they find the same
 12 to have been unfounded, they shall award rea-
 13 sonable costs to said corporation against said
 14 complainants. But if they find said complaint to
 15 have been well-founded, they shall award rea-
 16 sonable costs to said complainants against said
 17 corporation, and shall in writing, prescribe to
 18 said corporation the character and extent of the
 19 improvement necessary to be made upon said
 20 channel-way as above required, and the time in
 21 which the same shall be finished. And it shall
 22 be the duty of said corporation to make such
 23 improvement accordingly.

SECT. 6. *Be it further enacted,* That if said
 2 corporation shall refuse or neglect to have the im-
 3 provement, prescribed as aforesaid, made and com-
 4 pleted within the time limited therefor, said court,
 5 on application, may appoint a committee of one
 6 or more suitable persons to enter into contracts
 7 for making and completing the same at the ex-
 8 pense of said corporation. And said court are
 9 hereby authorized to issue their warrant of dis-
 10 tress against said corporation, for the collection of

11 said expense, together with reasonable compen-
 12 sation to said committee and other reasonable
 13 costs, to be enforced and collected as executions,
 14 issuing from courts of law, are enforced and col-
 15 lected.

SECT. 7. *Be it further enacted,* That for
 2 securing the collection of said warrant of distress,
 3 a lien shall exist upon said dam and the use of
 4 the water flowed thereby, to continue after the
 5 date of said warrant the term of thirty days,
 6 within which the officer having said warrant,
 7 may seize said dam and right to use the water
 8 thereof. And said officer having so seized the
 9 same, and having, in notifying, selling and con-
 10 veying, proceeded in all respects as is required
 11 in selling on execution and equity of redeeming
 12 mortgaged real estate, the title of the purchaser
 13 shall be valid and not subject to be redeemed,
 14 notwithstanding any preceding or intermediate
 15 conveyances made by or under said corporation.

SECT. 8. *Be it further enacted,* That Abiel
 2 Getchell and Jacob Southwick may call the
 3 first meeting of said corporation, by publishing
 4 the time and place thereof fourteen days previ-
 5 ously in some newspaper printed in said county.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
January 18, 1834, }

Ordered, that three hundred copies of the foregoing Bill be printed
for the use of the Legislature.

[Extract from the Journal.]

Attest, ASAPH R. NICHOLS, *Clerk.*

I. BERRY & CO., PRINTERS TO THE STATE.
