

# MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1846.



*AUGUSTA:*

WM. T. JOHNSON, PRINTER TO THE STATE.

1847.

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# TWENTY-SIXTH LEGISLATURE.

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No. 22.

HOUSE.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND  
FORTY-SIX.

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### AN ACT to incorporate the Mousam Navigation Com- pany

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

SECTION 1. Daniel Remich, William B. Sewall,  
William Lord, Jabez Smith, Barnabas Palmer, James  
Osborn, John Osborn, William Hacket, Joseph Tit-  
comb and Wm. F. Lord, their associates, success-  
ors and assigns, are hereby constituted a body politic  
and corporate by the name of the Mousam Navigation  
Company, and by that name shall have all the powers,  
privileges and immunities which are or may be neces-  
sary to carry into effect the objects and purposes of  
their association as herein set forth, and subject to  
such liabilities and restrictions as are incident by law  
to similar corporations, except as herein after express-

13 ed, and said corporation is hereby authorized to build  
14 a dam across the present river or canal, so called, as  
15 it now runs, at any place between the mouth thereof  
16 and the head of tide water, and to turn the present  
17 course of said river so that it may run into the sea at  
18 any place between the present mouth of the river and  
19 its mouth as it formerly run; to cut off any bends at  
20 any point on said river, or to straighten it in any part  
21 thereof; and to build any other dam or dams or raise  
22 any embankments on the present river which may be  
23 deemed necessary to promote the objects authorized  
24 by this act; to build wharves, piers, monuments,  
25 buoys, or any other necessary fixtures at such points  
26 as said corporation may consider expedient; and for  
27 this purpose the said corporation shall have the right  
28 to take and hold so much of the land or other real  
29 estate of private persons, as may be necessary for the  
30 improvements contemplated and provided for by this  
31 act. And in case the corporation cannot agree with  
32 the owners of the estate thus taken, they shall pay  
33 such damages as shall be ascertained and assessed by  
34 the county commissioners for the county of York.  
35 And no application to said commissioners to estimate  
36 said damages shall be sustained, unless made within  
37 three years from the time of taking such land or es-  
38 tate.

SEC. 2. The capital stock of said company shall  
2 consist at first of twenty five hundred dollars, with  
3 power to increase the same to twenty-five thousand  
4 dollars when the company shall find it expedient.  
5 The stock shall be divided into shares of twenty-five  
6 dollars each, and no assessments shall be made on any  
7 share beyond that sum. The immediate government  
8 and direction of the affairs of said company shall be  
9 vested in such a number of directors as may be deter-  
10 mined at the first meeting of the corporation. And  
11 said directors shall elect one of their number to be  
12 president of the board, who shall also be president of  
13 the corporation. And they shall also appoint the  
14 clerk of their board and of the company, and also  
15 treasurer, and any other officer, agent or agents they  
16 may find necessary for the convenient management  
17 of the concerns of the company.

SEC. 3. A toll is hereby granted and established for  
2 the sole benefit of said corporation, upon all boats and  
3 vessels or other craft of ten tons and upwards, which  
4 may enter said river after the new entrance shall be  
5 opened for navigation. And said company may im-  
6 pose and collect a reasonable wharfage upon all such  
7 vessels as may improve, use or occupy their wharves  
8 or places of landing.

SEC. 4. The corporation hereby established shall  
 2 have the exclusive right of steam navigation on said  
 3 river for the term of thirty years, from the time the  
 4 same shall be made navigable, as herein provided for.  
 5 But this corporation shall not be subject to any of the  
 6 provisions, liabilities, fines or penalties contained in  
 7 an act relating to steam navigation corporations  
 8 passed March 31, 1845; nor shall the stockholders in  
 9 the corporation hereby established, be liable in any  
 10 manner whatever, to an amount beyond the amount  
 11 of stock owned by each individual, for the debts of  
 12 the corporation.

SEC. 5. An act passed March 8, 1826, authorising  
 2 a canal for the improvement of Mousam river, is  
 3 hereby repealed.

SEC. 6. This act shall take effect and go into oper-  
 2 ation from and after its approval by the Governor.

## STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }  
 July 2, 1846, }

*Ordered,* That 350 copies of the foregoing Bill, reported from  
 the Committee on Interior Waters, be printed for the use of the  
 Legislature.

SAMUEL BELCHER, *Clerk.*