

MAINE STATE LEGISLATURE

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DOCUMENTS

PRINTED BY ORDER OF

THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1848.

Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1849.

TWENTY-EIGHTH LEGISLATURE.

No. 21.

SENATE.

STATE OF MAINE.

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

AN ACT to incorporate the Moose River Dam Com-
pany.

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

SEC. 1. Abner Coburn and Philander Coburn, with
2 their associates and successors be and hereby are
3 created a body politic by the name of the Moose
4 River Dam Company, with power to sue and be sued ;
5 to have a common seal ; to make any rules and by-
6 laws for the management of their affairs not repug-
7 nant to the laws of the state, and generally to have
3 and to exercise all the powers and privileges usually
4 granted to corporate bodies.

SEC. 2. Said corporation are hereby authorized to
2 make and construct a dam or dams of good and dur-
3 able material in a permanent and substantial manner
4 across the Moose river at or near the falls below Long
5 pond, *provided however*, that by the erection or main-
6 tenance of said dam or dams or other works connected
7 therewith no injury shall be done to private property
8 or to the rights of individuals. And in case of any
9 disagreement between said corporation and other
10 person or persons as to the amount of damages he or
11 they may have sustained arising from the location of
12 said dam or dams or other works, or in consequence
13 of any injury occasioned by overflowing lands or
14 otherwise, or in the value of any materials which may
15 be taken and used as aforesaid, the subject of such
16 damages and the value of such materials shall be re-
17 ferred to three disinterested men whose decision in
18 the premises shall be conclusive; but in case such
19 referees shall be unable to agree as to the amount of
20 such damages, the same shall be submitted to the
21 county commissioners of the county of Somerset,
22 whose decision thereof to be final. *And provided*
23 *also* that said corporation shall obtain by purchase a

24 good and valid title to the land on which said dam or
25 dams or other works shall be erected, or a license
26 from the owner or owners of such land authorizing
27 the building and maintaining the same thereon.

SEC. 3. If any person shall willfully or maliciously
2 take up, break down, or otherwise injure any part of
3 said dam, dams or other works, said person or per-
4 sons for any such offence shall forfeit and pay to said
5 corporation treble damages to be sued for and recov-
6 ered in any court competent to try the same.

SEC. 4. A toll is hereby granted for the sole use of
2 said corporation, at the following rates, to wit: five
3 cents per thousand feet board measure, for timber,
4 logs and lumber of any kind which may pass through
5 or over said dam. And the said corporation shall have
6 a lien on all timber which may pass said dam for the
7 payment of the toll due and payable thereon, accord-
8 ing to the rate of toll above specified.

SEC. 5. The first meeting of said corporation shall
2 be notified and called at such time and place as the
3 majority of the corporators may determine, by giving
4 a reasonable notice thereof.

SEC. 6. The legislature may at any time alter or
2 change the above toll.

STATE OF MAINE.



HOUSE OF REPRESENTATIVES, July 12, 1848.

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.*