

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1850.

Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1850.

THIRTIETH LEGISLATURE.

No. 24.]

[HOUSE.

STATE OF MAINE.

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

AN ACT to incorporate the Treat's Falls Water Power
Company.

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

SECT. 1. Amos M. Roberts, Samuel P. Strickland,
2 George W. Pickering, Daniel B. Hinkley, Rufus
3 Dwinel, Hastings Strickland, with their associates and
4 successors, are hereby incorporated into a body poli-
5 tic by the name of the Treat's Falls Water Power
6 Company, with power to sue and be sued ; to have a
7 common seal and to change the same ; and to make
8 any by-laws for the management of their affairs, not
9 repugnant to the laws of this State.

SECT. 2. Said corporation shall have power to
2 erect and keep a dam or dams across the Penobscot
3 river from Bangor to Brewer or Eddington, with such
4 canals, locks, sluices, wharfs, piers and side booms,
5 at such place or places as they may deem most safe
6 and convenient, between the foot of Hitchborn hill,
7 so called, in Bangor, and McMahon's falls in Edding-
8 ton, for the purpose of flowing the water a sufficient
9 height for the safe and convenient passage of rafts
10 and boats from the foot of Eayer's falls in Orono, to
11 Bangor. And said corporation may erect mills and
12 factories and use the water flowed by said dam or
13 dams; and may hold and possess real and personal
14 estate, not exceeding the value of two hundred thou-
15 sand dollars, and the same or any part thereof may
16 sell and convey in fee simple or any less estate: *pro-*
17 *vided*, that by the erection and maintenance of any
18 dam or other works by said corporation, the naviga-
19 tion and free passage of vessels, boats, rafts, lumber,
20 in and upon said Penobscot river, shall not be im-
21 paired, lessened or impeded more than the same shall
22 be improved and benefited by the act of said cor-
23 poration.

SECT. 3. In case it shall be necessary to carry said
2 dams, canals, locks, sluices, wharfs, piers or booms
3 on to, over, or through, the lands of any person or
4 persons, or if the lands of any person shall be injured
5 by being overflowed in consequence of the building
6 of any dam, canal, lock, piers or wharf aforesaid,
7 the damages sustained by such person or persons,
8 whose land may be thus taken or overflowed, if not
9 agreed upon by such person or persons and said cor-
10 poration, shall be estimated and settled, in the manner
11 prescribed by the county commissioners of Penobscot
12 county, by the law of ways.

SECT. 4. If any person or persons shall willfully or
2 maliciously take up, remove, break down, or other-
3 wise injure any part of said dams, canals, sluices,
4 wharfs, piers or locks, mills, factories or any append-
5 ages to the same, such person or persons, for every
6 such offense, shall forfeit and pay to said corporation
7 treble damages, to be sued for and recovered in any
8 court competent to try the same. And such offender
9 or offenders shall further be liable to indictment for
10 such trespass or trespasses, and on conviction thereof
11 shall be sentenced to pay a fine to the use of the state

12 not exceeding one hundred dollars nor less than fifty
13 dollars.

SECT. 5. This act in all legal proceedings shall
2 be deemed a public act. And said corporation shall
3 keep sufficient locks and sluices open for the passage
4 of rafts, lumber and fish up and down said river free
5 of toll until toll shall be established by the legislature ;
6 and for all vessels and boats passing through said
7 lock, said corporation shall have power to charge and
8 receive such toll as the county commissioners of Pe-
9 nobscot county shall from time to time establish.

SECT. 6. Any three or more of the persons named
2 in this act, may call the first meeting of those incor-
3 porated, by causing notice to be given of the time,
4 place and purposes thereof in any newspaper printed
5 in Bangor, six days previous to said meeting, and at
6 said meeting may proceed to organize said corpora-
7 tion ; designate and choose its officers ; determine
8 their qualifications and define their powers and duties ;
9 may fix on the mode for calling future meetings, and
10 the manner of voting at such meetings ; may agree
11 upon the number of shares into which the capital
12 stock shall be divided, the evidence of ownership

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13 thereof, and the mode of transferring the same ; may
14 make assessments, and do all other things that may be
15 necessary for the management of the concerns of said
16 corporation.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, July 27, 1850.

ORDERED, That 350 copies of the foregoing bill be printed for the use of the Legislature.

EDMUND W. FLAGG, *Clerk.*