

MAINE STATE LEGISLATURE

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DOCUMENTS

PUBLISHED BY ORDER OF

THE LEGISLATURE

OF THE

STATE OF MAINE.

1867.

AUGUSTA:
STEVENS & SAYWARD, PRINTERS TO THE STATE.
1867.

FORTY-SIXTH LEGISLATURE.

HOUSE.

No. 2.

STATE OF MAINE.

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

AN ACT additional to an act to incorporate the Kennebec Company.

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

SECTION 1. The Kennebec Company, their successors and assigns, are hereby authorized to raise and maintain the dam across the Kennebec river in Augusta to a height not exceeding seventeen feet above common high water mark, and to flow the water of the said river and its tributaries by a dam raised to the height aforesaid ; and they may occupy, use and enjoy the water power thus created, either upon the said dam, or in basins, canals or collateral sluices, or they may sell or lease the said water power, or any part thereof, and their franchises, or any of them.

SECT. 2. It shall be lawful for the said company,
2 their successors and assigns, to enter upon, take and use
3 such land as they may find necessary for cutting, con-
4 structing and maintaining canals and sluices required
5 for the full development and operation of their water
6 power ; and for any injury or damage to any owner or
7 owners of lands, mills or machinery or other water
8 privileges arising from the exercise of any of the pow-
9 ers hereby conferred, a just compensation shall be paid
10 by the parties availing themselves of the authority of
11 this act.

SECT. 3. The damages for taking land as aforesaid
2 shall be determined, secured and paid in the manner
3 provided by chapter fifty-one of the revised statutes of
4 this state, and in case of failure of payment thereof,
5 the owner may maintain an action of trespass, or have
6 any remedy provided in the said chapter ; and all
7 damages for flowage herein authorized shall be ascer-
8 tained, secured and recovered in the manner pointed
9 out in chapter ninety-two of the said revised statutes ;
10 subject, however, to such modification, amendment or
11 alteration of the provisions of either of the chapters
12 aforesaid as have been, or may be hereafter, made.

SECT. 4. The capital stock of the said company may
2 be increased to three millions of dollars.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
January 11, 1867. }

Read twice, and on motion of Mr. BERRY of Gardiner, ordered
to be printed.

FRANKLIN M. DREW, *Clerk.*