

MAINE STATE LEGISLATURE

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FORTY-EIGHTH LEGISLATURE.

SENATE.

No. 28.

STATE OF MAINE.

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

AN ACT to incorporate the Royalls River Water Power Company.

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

SECTION 1. Ansel L. Loring, Charles J. Little,
2 Sylvanus C. Blanchard, Richard O. Conant, Barnabas
3 Freeman, Charles D. Brown, Elias B. Denison, their
4 associates, successors and assigns, are hereby incorpo-
5 rated and made a body politic by the name of The
6 Royalls River Water Power Company, for the pur-
7 pose of increasing and improving the water power of
8 Royalls river in the county of Cumberland ; and to
9 this end they are hereby authorized to purchase and
19 hold such personal and real estate as may be neces-
20 sary, not exceeding in value the sum of ten thousand
21 dollars, for the purpose of erecting and maintaining

22 dams across Royalls river, at or near the outlets of
23 Sabbath Day or Seabody and Lilley ponds, in New
24 Gloucester, and such other dams or canals on said
25 Royalls river and its branches as they may deem
26 necessary; subject only to such damages as are pro-
27 vided by the statutes of the state in the case of mill
28 owners for flowage.

SECT. 2. The sums expended in such erections and
2 improvements as may be made by this corporation,
3 shall be borne by the several mill owners on said river
4 benefitted thereby, in such proportion as they may
5 severally agree to bear the same. In the event of
6 disagreement the share of each may be determined by
7 arbitrators mutually chosen, or by the county com-
8 missioners, as the corporation may determine. In the
9 event of the neglect or refusal of any party benefitted
10 by the improvements of this corporation, to pay his or
11 their proportionate share thereof for the space of three
12 months after the same is due and demanded by the
13 corporation, he or they shall be liable to pay interest
14 thereon at and after the rate of twelve per cent. per
15 annum until the same is paid; and said company shall
16 hold a lien on the property of such delinquent so
17 benefitted, until such share and interest is discharged,
18 which lien may be enforced by an action of debt.

SECT. 3. The corporation may enter upon and hold
2 such land as may be necessary to build and maintain
3 said dams and make said improvements, and take all
4 the materials, rocks, earth or timber, which may be
5 needed for such building, reconstruction or repairs,
6 and shall pay to the owners of such materials taken
7 the fair and just value thereof; and in case of disa-
8 greement as to the value, any person whose property
9 has been so taken may apply to the county commis-
10 sioners of the county in which such materials were
11 taken, to fix said value, under the same mode of pro-
12 ceeding and with the same remedies as are provided
13 by law in cases of flowage.

SECT. 4. In the choice of officers and all transac-
2 tions of business of the corporation at its first meeting,
3 the owners of each power on said river shall be entitled
4 to one vote. At subsequent meetings, the number of
5 votes to which each power shall be entitled, shall be
6 in proportion to the share of the expenditure for which
7 said power is liable. No sale or alienation of the com-
8 pany's property shall be made without a unanimous
9 vote of the corporation, at a meeting specially called
10 for such purpose. The first meeting of said company
11 may be called by any one of the persons named in this
12 act, by publishing in any daily newspaper printed in
13 Portland, a notice thereof, setting forth the time,

14 place and purpose of said meeting, for three days in
15 succession, the last publication thereof to be at least
16 five days preceding the day of said meeting.

SECT. 5. This act shall take effect when approved.

STATE OF MAINE.

IN SENATE, February 18, 1869.

Reported by Mr. WEST, from the Committee on Interior Waters, read once, and on motion of Mr. CUSHING, laid on the table and ordered to be printed.

THOMAS P. CLEAVES, *Secretary.*