

MAINE STATE LEGISLATURE

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Seventieth Legislature.

HOUSE.

No. 246

STATE OF MAINE.

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

AN ACT to incorporate the Tunk River Water Power Co.

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

Sect. 1. Charles H. Emery, Everard H. Greely and Alexan-
2 der C. Hagerthy, their heirs, successors and assigns, are
3 hereby created a body corporate by the name of the Tunk
4 River Water Power Company, for the purpose of making
5 such improvements in Tunk River and its tributary waters
6 herein-named in the counties of Washington and Hancock
7 as will enable them to store water for the purpose of increas-
8 ing the volume of water in said Tunk river in times of drouth,
9 and for the purpose of increasing and rendering more con-
10 stant the power or energy of said river at all times, and for
11 that purpose they may erect and maintain dams and other
12 appliances at the outlets of Spring river lake, Downings pond,

13 and any other ponds tributary to said Tunk river and hold
14 or store water by means of the same at such height as the
15 said company may desire. Said company by this name may
16 sue and be sued, plead and be impleaded, and shall enjoy the
17 proper remedies at law and in equity to secure and protect
18 them in the exercise and use of their rights and privileges,
19 in the performance of their duties. Said corporation is
20 hereby authorized to purchase and hold any estate, real or
21 personal, to an amount not exceeding twenty-five thousand
22 dollars, and to make and adopt by-laws not repugnant to the
23 laws and statutes of the State of Maine.

Sect. 2. The capital stock of said corporation shall be fifty
2 thousand dollars, divided into shares of one hundred dollars
3 and each share shall entitle its holder to one vote at all meet-
4 ings.

Sect. 3. Said corporation is hereby empowered to take and
2 hold as for public use such lands as may be necessary for
3 the purposes of said corporation as herein provided, and such
4 material as may be needed for erecting and maintaining said
5 structures, and in case said corporation cannot agree with the
6 owner or owners as to the amount of land and material to
7 be taken, or the price to be paid therefor, the same shall be
8 determined by the county commissioners where such land and
9 materials are located, upon the application of any party inter-
10 ested to such county commissioners, in the same manner as
11 damages are assessed for the location, alteration and discon-
12 tinuance of highways, as provided in chapter 18 of the re-
13 vised statutes of 1883 and acts amendatory thereof, and the
14 same rights of appeal from the decision of said county
15 commissioners shall exist and may be protected in the same
16 manner as provided in said chapter 18 and acts amendatory
17 thereof. Said corporation is hereby empowered to flow such
18 land as may be necessary to carry out the provisions of this

19 act, and said corporation shall be liable for all damage caused
20 by said flowing, to be ascertained and determined in the man-
21 ner prescribed in chapter 92, of the Revised Statutes.

Sect. 4. The first meeting of said company shall be called
2 by a written notice signed by any one corporator above-
3 named, stating the time and place of meeting, published in
4 the Ellsworth American, a newspaper printed and published
5 in Ellsworth, in said county of Hancock, at least seven days
6 before the term of said meeting, or may be called by a writ-
7 ten notice signed by any one corporator above-named, stating
8 the time and place of meeting, served upon the other corpo-
9 rators above named, either personally or by leaving the same
10 at the last and usual place of abode of each, at least five days
11 before the time of such meeting. In either case, a certificate
12 of the signer of the notice shall be sufficient notice as to ser-
13 vice or publication of notice.

Sect. 5. If any person shall wantonly or maliciously injure
2 any of the said structures or appliances which may be con-
3 structed or maintained by said corporation, he shall on con-
4 viction thereof, be punished by a fine not exceeding five hun-
5 dred dollars, or by imprisonment not exceeding one year, and
6 shall be liable to pay triple damages to said corporation, to
7 be recovered in an action before any court of competent juris-
8 diction.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES,

AUGUSTA, February 27, 1901.

Reported by Mr. SHAW of Bath, from Committee on Interior Waters,
and ordered printed under joint rules.

W. S. COTTON. *Clerk.*