

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1846.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840,
and March 16, 1842.

Augusta:

WILLIAM T. JOHNSON,.....PRINTER TO THE STATE.

1846.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE,

1846.

CHAP. 333.

—to be finished
within one year.

Neglect to com-
ply, deemed to be
a forfeiture of
charter.

and finished within one year from the time of the passage of this act.

SECT. 2. A neglect to comply with the provisions of this act shall be held and deemed to be a forfeiture of the rights and privileges derived by said proprietors by virtue of the act to which this is additional.

[Approved June 30, 1846.]

Chapter 333.

An Act for aiding in the prosecution of the war with Mexico.

WHEREAS, under an act of Congress, passed on the thirteenth day of May, eighteen hundred and forty-six, a call has been made upon this state for a volunteer corps of one regiment of infantry to be enrolled and held in readiness for muster into the service of the United States, to aid in the prosecution of the existing war between the United States and the Republic of Mexico; therefore

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

Governor author-
ized to raise and
organize volun-
teer corps.

SECTION 1. The governor with the advice of the council, is hereby authorized to raise and organize said regiment, as many other such regiments, battalions or companies of volunteers; as the state may be hereafter called upon to raise to aid in the prosecution of said war, or to receive companies now organized for said purpose.

Officers and sold-
iers constituting
each regiment.

SECT. 2. Each regiment shall consist of the following field and staff officers, viz: one colonel, one lieutenant colonel, one major, one adjutant, who shall be a lieutenant of one of the companies, one sergeant major, one quartermaster sergeant, and two principal musicians; and said regiment shall consist of ten companies.

Officers and sold-
iers constituting
each company.

SECT. 3. Each of said companies shall consist of one captain, one first lieutenant, one second lieutenant, four sergeants, four corporals, two musicians and sixty-four privates, or such number as the president of the United States may require between the ages of eighteen and forty-five years.

Companies, how
organized.

SECT. 4. When a sufficient number of volunteers shall apply to the governor to be organized as a company for said purpose, the governor with advice of the council, may issue an order for their organization; the order shall designate the name or number of the company, and appoint some person to preside at the election of its officers.

SECT. 5. The person so appointed, shall fix the time and place for said election and cause at least, one day's notice thereof to be given to each of the electors; the election shall be by written ballot. A majority of votes shall be for the same person in order to make a choice; and every member of the company shall be entitled to vote. The officers to be so chosen are the captain and the two lieutenants.

Election of officers.

SECT. 6. The person so presiding at such election, shall make to the adjutant general immediate return of the officers so elected.

Returns to be made to the adjutant general.

SECT. 7. As often as ten companies shall be organized and officered as above provided, the governor by proclamation, or otherwise, shall give notice to the commissioned officers of said companies of the time and place at which the election of a colonel, lieutenant colonel, and major of the regiment or major of battalion shall be had, and he shall appoint some person to preside thereat, the choice in each case shall be made by a major vote of the commissioned officers of said companies by written ballot.

Election of regimental officers.

SECT. 8. The person so presiding shall make return to the adjutant general of the names of regimental and battalion officers so elected.

Returns to be made to the adjutant general.

SECT. 9. Such officers shall be immediately commissioned by the governor in the form now used for the officers in the state militia, with such alterations as to designate the peculiar character and objects of the service for which their organization was had.

Governor to commission such officers.

SECT. 10. The staff officers for the regiment and battalion shall be appointed by the commanders thereof, and those of the companies by the respective commanders thereof.

Staff officers.

SECT. 11. In all particulars not herein specified, the proceedings relative to the organization, officering and managing said regiment and said companies, shall be conformably to the modes prescribed by law in relation to the standing militia of the state.

Further particulars relative to organization and officering said corps.

SECT. 12. The said regiments, battalions, and companies, shall be subject to the orders of the governor as commander-in-chief of the militia of the State, until placed by him under the command of some officer of the United States army.

Subject to the orders of the governor of Maine until placed under an officer of the U. S. army.

SECT. 13. When so placed under the command of an officer of the United States, the said regiments, battalions and companies, shall be subject to the rules and articles of the United States military code.

Subject to the rules and articles of the U. S. military code.

SECT. 14. There is hereby appropriated the sum of twenty thousand dollars to be expended, if necessary, in whole or in part, by the governor, with the advice of the council, to carry into effect the purposes of this act.

Appropriation for expenses.

CHAP. 334. SECT. 15. This act shall take effect from and after its approval by the governor.

[Approved June 30, 1846.]

Chapter 334.

An Act to incorporate the Georges Canal Company.

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

Corporators. SECTION 1. John Miller, Atwood Levensaler, Benjamin Carr, John O'Brien, Rufus C. Counce, Lewis Bachelder, Francis Keating, William Keating, Samuel Atkinson, John C. Knowlton, Gideon Richards, and Daniel McCurdy, their associates, successors and assigns, are hereby made and constituted a body politic and corporate by the

Corporate name the name of the Georges Canal Company ; with all the powers and privileges incident to similar corporations so far as may be necessary to carry into effect all the purposes of this act ; to have a common seal and to change the same ; and to make any by-laws for the management of their affairs not repugnant to the laws of this state.

Power to construct canals, locks, flood gates and other works. And the said corporation are hereby authorized and empowered to survey, locate, construct and finally complete, alter and keep in repair, such canals, locks, flood gates, docks, sluices, embankments, basins, piers, dams, wharves and other works, as may be necessary or convenient for the purpose of rendering the Georges river, and the ponds through which it runs, or with which it is connected, navigable for boats from the tide waters below the village in the town of Warren, to Stevens' pond in the town of Liberty, including the waters of Quantebacook pond in the town of Searsmont and the stream connecting the same with Georges river ; and they shall have power to use and employ as much of the water of said river and ponds or of the streams which may be connected therewith, as may be necessary or convenient for the use of said locks and canals, and also to take and use such land along the course of said river, ponds, locks and canals as shall be necessary for the purposes hereinafter expressed, acquiring the same title thereto as is acquired by the public to lands appropriated for public highways, paying a just compensation therefor, and also for all damages caused to any lands by means of flowing occasioned by any of the said canals, locks, dams or other works erected or made by said company, as hereinafter provided.

Location.

Authorized to take such lands along its course as shall be necessary, by paying a just compensation.

Liability for damages, caused by flowing lands.

When the damages cannot be agreed upon, how ascertained and determined.

SECT. 2. When the said corporation cannot agree with any other corporation or individual over or through whose lands any of