

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.

SECT. 2. This act shall take effect from and after its approval CHAP. 345.
by the governor.

[Approved July 16, 1846.]

Chapter 345.

An Act to incorporate the Mousam Navigation Company.

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

SECTION 1. Daniel Remick, William B. Sewall, William Lord, Corporators.
Jabez Smith, Barnabas Palmer, James Osborn, John Osborn, William Hackett, Joseph Titcomb and William F. Lord, their associates, successors and assigns, are hereby constituted a body politic and corporate by the name of the Mousam Navigation Company, and Corporate name.
by that name shall have all the powers, privileges and immunities Powers, privileges and liabilities.
which are or may be necessary to carry into effect the objects and purposes of their association as herein set forth, and subject to such liabilities and restrictions as are incident by law to similar corporations, except as hereinafter expressed, and said corporation is hereby authorized and empowered to build a dam across the present Mousam river or canal, so called, as it now runs, at any place in the town of Kennebunk, between the mouth thereof and the head of tide water, and to turn the present course of said river so that it may run into the sea, at any place between the present mouth of the river and its mouth as it formerly ran ; to cut off any bends at any point on said river, or to straighten it in any part thereof ; and to build any other dam or dams or raise any embankments on the present river which may be deemed necessary to promote the objects authorized by this act ; to build wharves, piers, monuments, buoys, or any other necessary fixtures at such points as said corporation may consider expedient ; and for this purpose the said corporation shall have the right to take and hold so much of the land or other real estate of private persons, as may be necessary for the improvements contemplated and provided for by this act. Authorized to take real estate of private persons. And in case the corporation cannot agree with the owners of the estate thus taken, they shall pay such damages as shall be ascertained and assessed by the county commissioners for the county of York. Damages, how ascertained. And no application to said commissioners to estimate said damages shall be sustained, unless made within three years from the time of taking such land or estate.

SECT. 2. The capital stock of said company shall consist, at Capital stock.

CHAP. 345.

—divided into
shares of \$25
each.

Directors.

President.

Clerk.

Treasurer.

Toll granted.

Wharfage.

To have exclu-
sive right of
steam navigation
on said river for
30 years.

Not subject to the
provisions of an
act passed March
31, 1845.

Stockholders not
liable for com-
pany debts, be-
yond the amount
of stock owned
by each.

Act of March 8,
1826, repealed.

first, of twenty-five hundred dollars, with power to increase the same to twenty-five thousand dollars when the company shall find it expedient. The stock shall be divided into shares of twenty-five dollars each, and no assessment shall be made on any share beyond that sum. The immediate government and direction of the affairs of said company shall be vested in such a number of directors as may be determined at the first meeting of the corporation; and said directors shall elect one of their number to be president of the board, who shall also be president of the corporation; and they shall also appoint the clerk of their board and of the company, and also treasurer, and any other officers, agent or agents they may find necessary for the convenient management of the concerns of the company.

SECT. 3. A toll is hereby granted and established for the sole benefit of said corporation, upon all boats and vessels or other craft of ten tons and upwards, which may enter said river after the new entrance shall be opened for navigation: and said company may impose and collect a reasonable wharfage upon all such vessels as may improve, use or occupy their wharves or places of landing.

SECT. 4. The corporation hereby established shall have the exclusive right of steam navigation on said river for the term of thirty years, from the time the same shall be made navigable, as herein provided for; but this corporation shall not be subject to any of the provisions, liabilities, fines or penalties contained in an act relating to steam navigation corporations passed March the thirty-first, eighteen hundred and forty-five; nor shall the stockholders in the corporation hereby established, be liable in any manner whatever, to an amount beyond the amount of stock owned by each individual, for the debts of the corporation.

SECT. 5. An act passed March the eighth, eighteen hundred and twenty-six, authorizing a canal for the improvement of Mousam river, is hereby repealed.

SECT. 6. If the improvements authorized to be made by the first section of this act shall not be made and completed within five years from the passage of this act, then the powers and privileges herein granted shall be void.

SECT. 7. This act shall take effect and go into operation from and after its approval by the governor.

[Approved July 20, 1846.]