

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

112

PASSED BY THE

FORTIETH LEGISLATURE

OF THE

STATE OF MAINE.

1861.

Published by the Secretary of State, agreeably to Resolves of June 23, 1820,
February 26, 1840, and March 16, 1842.

AUGUSTA:
STEVENS & SAYWARD, PRINTERS TO THE STATE.
1861.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1861.

CHAP. 106. records of the city, and such record shall be conclusive evidence that this act has been accepted.

Inconsistent acts repealed.

SECT. 27. All acts and parts of acts inconsistent with this act are hereby repealed, from and after the time when this act shall have been accepted as aforesaid, and the government shall have been organized as herein provided.

[Approved March 15, 1861.]

Chapter 106.

An act to incorporate the Presumpscot Land and Water Power Company.

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

Corporators.

SECT. 1. That Francis O. J. Smith, John H. Williams, Edward M. Patten, their associates and successors are hereby incorporated and made a body politic by the name of the Presumpscot Land and Water Power Company, and for the purposes mentioned herein.

Corporate name.

May hold real and personal estate.

Powers, privileges, &c.

First meeting, how called.

Authorized to construct dams, &c.

May construct wharves, &c.

Proviso.

Authorized with consent of Atlantic and St. Lawrence Railroad Co., to construct canals, &c.

—may take and hold lands.

SECT. 2. Said corporation may hold real and personal estate to the amount of one million dollars in value, and shall have all the privileges and be subject to all the duties and liabilities of manufacturing corporations as defined by the laws of this state.

SECT. 3. The first meeting of the corporation may be called by any two of the corporators in such manner as they may think proper.

SECT. 4. Said corporation is hereby authorized to construct one or more dams across Presumpscot river, within the town of Falmouth, above the bridge erected across said river by the Atlantic and St. Lawrence Railroad Company, or cause the county bridge immediately above said railroad bridge to be constructed into a dam under such regulations and provisions as the county commissioners for Cumberland county may direct, and also construct such wharves, abutments and docks appurtenant to lands that shall belong to said company as shall be deemed prudent for the purposes of said corporation, *provided* the same shall not obstruct the channel of said river below said bridge.

SECT. 5. Said corporation is hereby empowered by and with the consent of the Atlantic and St. Lawrence Railroad Company, to construct and maintain one or more canals, extending from the channel of said river below said railroad bridge to any point or points on said river in the town of Falmouth, and construct and maintain thereon such dams, locks, sluice ways or other structures, as may be needed for the purposes of said corporation; and for said purposes to take and hold any lands needed therefor, not ex-

ceeding ten rods in width, paying damages to the proprietors of such lands to be adjudged if not otherwise agreed, as is provided in cases of lands taken for public highways.

CHAP. 107.

—damages, how determined.

SECT. 6. Such corporation is empowered by and with the consent of said railroad company, to construct one or more tracks from the wharves or mills of said corporation to the track of said railroad and across the public highways leading over Presumpscot river above said railroad bridge to any points on the banks of said river, for the purpose of connecting thereby the real estate of said corporation with the track of said railroad company, and for said purposes, to take and hold any lands needed therefor, not exceeding four rods in width, paying damages therefor to the proprietors of said lands or to other persons whose estates may be injured by virtue of this act, to be adjudged, if not otherwise agreed on, as is provided in case of lands taken for public highways. The conditions and manner of crossing any highway or private way by any railroad track or canal to be constructed by virtue of this act, shall be first determined in writing by the county commissioners for Cumberland county, after reasonable notice to the parties. Crossings not so made are to be regarded as nuisances and may be so treated, and the directors and all other officers of the company making them, personally liable therefor. The provisions of sections twenty-three, twenty-four and twenty-five of chapter fifty-one of the revised statutes shall be applicable to all lands taken by virtue of this act.

—may construct tracks.

—may take and hold lands.

—damages, how determined.

Crossings, how determined, &c.

Certain provisions of R. S. shall be applicable to lands taken.

SECT. 7. This corporation shall not divert any water from said river to the injury of any dam or mill privilege, lawfully existing on said river, nor otherwise injure any lawfully existing bridge, mill or mill privilege or water power on Presumpscot river by flowage or otherwise.

Not to divert water of river to injury of any dam, &c.

[Approved March 16, 1861.]

Chapter 107.

An act to make valid the doings of the town officers of the town of Liberty.

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

SECT. 1. All the acts and proceedings of the town officers of the town of Liberty before the passage of this act are hereby made valid.

Liberty, town of, certain doings in, made valid.

SECT. 2. This act shall not affect actions now pending.

[Approved March 16, 1861.]