

RIVER IMPROVEMENT COMPANIES (EXCERPT)
Act 149 of 1869

485.113 Corporate powers.

Sec. 13. Every such corporation organized, as hereinbefore prescribed, may make the improvements thus set forth in said plans after the same shall have been approved by said board of control, and shall have the following powers and be subject to the liabilities and restrictions following, that is to say:

First, To cause such examinations and surveys of [for] the proposed improvements whether of dams or canals, or deepening of the channels to be made along the stream, the navigation of which it is proposed to improve, as may be necessary to prepare for the work to be done, and by their officers and agents and servants to enter upon the lands or waters of any person or company, but subject to liability for all damages which they shall do thereto;

Second, To purchase, and by voluntary grants and donations to receive, enter upon, take, hold, and use all such lands and real estate and other property as may be necessary for the construction and maintenance of the work proposed in the approved plans of such company;

Third, To divert into such stream to be improved, waters from any lake or lakes in the vicinity thereof by canals to be constructed for that purpose; to divert the water from the present channel of the stream to be improved, by cutting across bends in said river; to flood lands by constructing the necessary dams according to plans approved as aforesaid, and to enter upon, take and use any lands which may be necessary for the purpose of constructing and maintaining such works and improvements: Provided, That the necessity for such diversion of the water, flooding of lands, and of taking such lands for such purposes, and the damages to be paid therefor, in each case of diversion of water, flooding of land, or taking of the same shall be ascertained, and such damages paid as provided for in sections 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24 and 25 of an act entitled "An act to provide for the formation of companies to construct plank roads," approved April 8th, 1851, being sections 1894 to 1905, inclusive of the Compiled Laws and the amendments thereto;

Fourth, To have power to drive the logs put into such stream, and for that purpose to make and enforce all necessary contracts with the owners of the logs and other floatables to be driven in such stream, and may also make contracts relative to tolls to be paid by any person for the use for any number of years of any portion of any stream improved by such corporation, and when any such contract is in writing, the same shall be executed on the part of such corporation by its president and secretary under the seal of such corporation.

History: 1869, Act 149, Imd. Eff. Apr. 5, 1869;—CL 1871, 2728;—How. 3857;—Am. 1883, Act 62, Imd. Eff. May 2, 1883;—CL 1897, 6733;—CL 1915, 8834;—CL 1929, 11769;—CL 1948, 485.113.

Compiler's note: Sections 13 to 25 of Act 155 of 1851, referred to in this section, were repealed by Act 84 of 1921.