

# MAINE STATE LEGISLATURE

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# Sixty-Fifth Legislature.

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HOUSE.

No. 211.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED  
AND NINETY-ONE.

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AN ACT to incorporate the Douglass Dam Water Powers  
Company.

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

SECTION 1. Robert Dobson, William Dobson, Gordon  
2 Dobson, A. P. McMaster, Denison Walker, J. W. Man-  
3 son, E. C. Bryant, F. W. Hovey, N. L. Perkins, A. H.  
4 Cornforth, J. C. Conner, James F. Conner, W. R. Hun-  
5 newell, C. E. Vickery, their associates and successors, are  
6 hereby constituted a body corporate by the name of the  
7 Douglas Dam Water Power Company, for manufacturing  
8 and other purposes, with all the rights and privileges and  
9 subject to all the liabilities and obligations of similar cor-  
10 porations under the laws of this State.

SECT. 2. Said company is hereby authorized to locate,  
2 construct, maintain, repair and extend a dam across the Sebas-  
3 ticook river, with necessary side dams and canals appurte-  
4 nant thereto, at a point at or near the Douglas ledges, so  
5 called, in the town of Pittsfield, provided that a suitable  
6 sluice shall be constructed and maintained in said dam by  
7 said company for the passage of rafts, logs and lumber.

SECT. 3. Said company is authorized to make contracts  
2 with any duly incorporated water company or electric light  
3 and power company for the supply either of water or  
4 power; may establish written regulations for the supply of  
5 the same, and may sell or lease any power not used by it  
6 on the dam aforesaid.

SECT. 4. For the purpose of constructing and main-  
2 taining said dam, side dams and canals, said company is  
3 authorized to enter upon any land for the purpose of mak-  
4 ing necessary preliminary surveys and setting marks and  
5 monuments therefor and to take and hold by purchase or  
6 otherwise any real estate, rights of way or of water, and  
7 may also take and occupy any land necessary for the con-  
8 struction and maintenance of a road to the east end of said  
9 dam from the highway in Pittsfield leading to Palmyra.

SECT. 5. Said company shall file in the registry of deeds  
2 in the county of Somerset, plans of the location of all  
3 land and rights of way taken under the provisions of this  
4 act and no entry shall be made on any lands except to  
5 make surveys as aforesaid, until the expiration of ten days  
6 from said filing; and with such plan, the said company  
7 may file a statement of the damages it is ready to pay to  
8 any person for any property so taken and if the amount  
9 finally awarded does not exceed that sum, the company

10 shall recover costs against such person, otherwise such  
11 person shall recover costs against the company.

SECT. 6. Said corporation shall be held liable to pay all  
2 damages that shall be sustained by any persons or cor-  
3 porations by the taking of any lands, rights of way or of  
4 water or other property as aforesaid, and if such person  
5 or corporation sustaining damage as aforesaid shall not  
6 agree with said company upon the sum to be paid there-  
7 for, either party on petition to the county commissioners  
8 of Somerset county within twelve months after said plans  
9 are filed may have said damage assessed by them and  
10 subsequent proceedings and right of appeal thereon shall  
11 be had in the same manner and under the same conditions,  
12 restrictions and limitations, as are by law prescribed in the  
13 case of damages by the laying out of highways. Failure  
14 to apply for damages within said twelve months shall be  
15 held to be a waiver of the same. For all damages occa-  
16 sioned by flowage, said corporation shall not be liable to  
17 an action at common law, but the person injured may  
18 have a remedy by complaint for flowage, in which the  
19 same proceedings shall be had as in a complaint for flowage  
20 under the mill acts of this State.

SECT. 7. The capital stock of the company shall be such  
2 amount not exceeding fifty thousand dollars, as may be  
3 fixed by the by-laws.

SECT. 8. For the purpose of raising funds to be used  
2 in the construction and maintenance of its works, and to  
3 carry out the purposes for which it was created, said com-  
4 pany is hereby authorized to issue its bonds to an amount  
5 not exceeding thirty thousand dollars, and of such date and  
6 denomination, and payable at such times as the said com-

pany may determine, and to secure said bonds both principal and interest by a mortgage upon all its property, both real and personal, and also upon the franchise of the corporation.

SECT. 9. Any five of the corporators named in this act may call the first meeting of the corporation by publishing notice thereof in the Pittsfield Daily Advertiser at least seven days prior thereto.

SECT. 10. This act shall take effect when approved.

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## STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }  
March 6, 1891.

Tabled, pending first reading, by Mr. HATHAWAY of Passadumkeag, and ordered printed.

W. S. COTTON, *Clerk.*