

# MAINE STATE LEGISLATURE

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SEVENTY-FIFTH LEGISLATURE

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HOUSE

NO. 701

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*House of Representatives, March 21, 1911.*

*On motion of Mr. Kelleher of Portland, House Bill No. 426  
was tabled for printing Amendment "A".*

*C. C. HARVEY, Clerk.*

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND ELEVEN.

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AMENDMENT "A" TO HOUSE BILL NO. 426.

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Amend House Bill No. 426 by striking out all of said bill  
after the enacting clause and inserting in lieu thereof the fol-  
lowing:

Section 1. George F. West of Portland, Jere G. Shaw of  
2 Biddeford, and Walter J. Gilpatric of Saco, their associates,  
3 successors and assigns, are hereby made a body corporate  
4 under the name of the David Improvement Company, with  
5 all the rights and privileges and subject to all the obliga-  
6 tions and restrictions incident to corporations organized un-  
7 der the general law. Said corporation shall be located at  
8 Biddeford in said State of Maine.

Sect. 2. The capital stock of this corporation shall be  
2 Fifty thousand dollars divided into shares of one hundred

3 dollars each, which may be increased at any time by vote of  
4 its stockholders to such an amount as they deem necessary  
5 and expedient.

Sect. 3. Said corporation may purchase, hold and dispose  
2 of any estate or interest therein, both real and personal prop-  
3 erty, for the purposes defined in this act and may borrow  
4 money and issue its bonds or other obligations for the pur-  
5 poses of its business and secure the payment thereof by  
6 mortgage or deed of trust of its property, rights and fran-  
7 chises.

Sect. 4. Said corporation shall not begin business until ten  
2 thousand dollars of its capital stock has been subscribed for  
3 and at least twenty-five per cent thereof has been paid in  
4 cash.

Sect. 5. The purposes of this corporation are to develop,  
2 sell and transmit electricity to the York Light and Heat  
3 Company in such quantities and upon such terms as may be  
4 agreed upon; and as incidental thereto to construct, main-  
5 tain and operate a dam or dams across the Saco River at  
6 Little Falls, so-called, in the county of York, together with  
7 all necessary wing walls, flumes, tunnels, gates, power  
8 houses and appurtenances. For said purposes, this company  
9 may take and use undeveloped water privileges and riparian  
10 lands, but not above Union Falls, so-called, in said river,  
11 and take therefrom materials to be used in said construction  
12 and maintenance, but said taking, construction and main-  
13 tenance shall not interfere with or impair any existing dam

14 or water privilege without the consent of the owner thereof,  
15 and without such consent, no dam shall be erected or main-  
16 tained at Little Falls which shall raise the water of said  
17 river above the tail race or the base of any present or future  
18 dam at said Union Falls. This company is authorized to  
19 construct and maintain its transmission lines along and  
20 across public lands and ways. The said York Light and  
21 Heat Company may acquire and hold shares of stock of  
22 this company, contract with it for electric current, and  
23 guarantee its bonds and other obligations.

Sect. 6. Said company shall be subject to all duties and  
2 restrictions imposed on corporations by the provisions of  
3 Chapter 244 of the Public Laws of 1909 and acts amenda-  
4 tory thereof.

Sect. 7. Any damage arising from flowing lands or other-  
2 wise by the erection or maintenance of any dam hereunder  
3 shall be settled pursuant to the provisions of Chapter 94 of  
4 the Revised Statutes. Damages resulting to any land or  
5 property affected by the exercise of the rights granted in  
6 section five, other than damages by flowage, as above pro-  
7 vided, shall be settled in the manner prescribed by law in  
8 case of damages occasioned by laying out highways.

Sect. 8. This corporation shall always maintain in its  
2 said dams a suitable log-way with proper gates and appli-  
3 ances for the safe and convenient passage of logs.

Sect. 9. The Pepperell Manufacturing Company and the  
2 Pepperell Electric Company, corporations existing under the  
3 laws of Maine, or either of them, their successors and as-

4 signs are hereby authorized to acquire the whole or any  
5 portion of the capital stock or of the rights, privileges and  
6 franchises hereinbefore described, and, either together,  
7 alone or in connection with said David Improvement Com-  
8 pany, to erect, maintain and operate a dam or dams at said  
9 Union Falls or at Salmon Falls, so-called, on said Saco  
10 River, and itself or themselves use the power thereby gen-  
11 erated, together with all the rights, privileges and franchises  
12 hereinbefore described, and subject to the restrictions of  
13 said Chapter 244 of the Public Laws of 1909 and acts  
14 amendatory thereof.'