

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-SECOND LEGISLATURE

OF THE

STATE OF MAINE.

1885.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

AUGUSTA :
SPRAGUE & SON, PRINTERS TO THE STATE.
1885.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1885.

SECT. 4. Said corporation is hereby authorized to increase its capital stock seventy-five thousand dollars above the amount named in said act of incorporation, so that the whole capital stock of said corporation shall be one hundred thousand dollars; and such increase shall be made, upon a vote of the stockholders of said corporation, by an issue of additional shares of the par value of one hundred dollars each, and such shares may from time to time be sold by the directors for the account of the corporation.

Capital stock.

SECT. 5. Said corporation is also authorized to issue its bonds for the construction, extension and improvement of its works, upon such rates and time as it may deem expedient, not exceeding in the aggregate, the sum of one hundred thousand dollars, and secure the same by a mortgage of the franchise and property of said company.

May issue bonds.

SECT. 6. The city of Augusta is hereby authorized to contract with said corporation for a supply of water for fire, or other purposes, for a term of years, and at the expiration of said contract, to renew or change the same.

City of Augusta authorized to make contract for water.

SECT. 7. This act shall take effect when approved.

Approved March 4, 1885.

Chapter 503.

An Act to incorporate the Togus Water Company.

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

SECT. 1. Thomas W. Hyde, Luther Stephenson, Jr., Andrew R. Smith, with their associates and successors, are hereby made a corporation by the name of the Togus Water Company, for the purpose of conveying to and of supplying the inhabitants of the town of Chelsea and the National Soldiers' Home for disabled volunteer soldiers with water for all domestic, sanitary and commercial purposes, with all the rights and privileges and subject to all the liabilities and obligations of similar corporations under the general laws of this state.

Corporators.

Corporate name.

Purposes.

SECT. 2. Said corporation may take and hold, by purchase or otherwise, real and personal estate necessary and convenient for the purposes aforesaid, not exceeding in amount one hundred thousand dollars.

May hold real estate.

CHAP. 503

Powers.

SECT. 3. For the purposes aforesaid, said corporation is hereby authorized to take and use water from Worromontogus pond, so called, in the county of Kennebec, to conduct and distribute the same to and through the town and Home aforesaid; and in so doing to erect and maintain in said pond suitable gate-houses, and to connect pipes or aqueducts therewith; to survey for, locate, lay and maintain suitable pipes and aqueducts; to carry its pipes and aqueducts under or over any water course, bridge, highway, or other way; to enter upon and excavate any highway or other way, in such manner as least to obstruct the same; to enter, pass over and excavate any lands necessary for the purposes specified by this act; to carry, lay and maintain said pipes and aqueducts along and within the limits of any highway; to take and hold by purchase, or otherwise, any real estate, rights of way, or of water, necessary for the purposes authorized by this section; and in general to do such acts as may be necessary to carry out the purposes authorized by this section. And said corporation is further authorized, for the purpose of making all needed repairs, to lay its pipes through any public or private lands or ways, with the right to enter upon the same and dig therein.

Shall file plans of location in registry of deeds, Kennebec county.

SECT. 4. Said corporation shall file in the registry of deeds, in the county of Kennebec, plans of the location of all lands and water rights taken under the provisions of this act; any plan of water rights shall specify the area of the aperture of the pipe or pipes at said gate-houses and the maximum amount of water to be daily drawn therefrom; and no entry shall be made upon any lands, except to make surveys, until the expiration of ten days from said filing; and with such plan, the corporation may file a statement of the damages it is willing to pay to any person for any property so taken, and if the amount finally awarded does not exceed that sum, the company shall recover costs against such person, otherwise such person shall recover costs against the company. New plans may be filed, with specifications as aforesaid, when it becomes necessary to increase the maximum daily amount of water to be taken. No person or persons, now owning any flowage rights upon said pond, shall be liable for any damage to said gate-houses, by the exercise of said rights of flowage.

—and statement of damages it is willing to pay.

Shall file new plans, if amount of water taken is increased.

Flowage rights of owners, protected.

SECT. 5. Said corporation shall be held liable to pay all damages that shall be sustained by any persons, by the taking of any land, water, rights of way, or other property, or by excavating through any land for the purpose of surveying, locating, laying or building gate-houses, pipes and aqueducts, and for any other injuries resulting from said acts, and if any person sustaining damage as aforesaid, shall not agree with said corporation upon the sum to be paid therefor, either party, on petition to the county commissioners of Kennebec county, within twelve months after said plans are filed, may have said damage assessed by them, and subsequent proceedings, and right of appeal thereon, shall be had in the same manner, and under the same conditions, restrictions and limitations as are by law prescribed in case of damages by laying out highways. Failure to apply, as aforesaid, within said twelve months, shall be held to be a waiver of said damages. Said company shall, in all cases, be obliged to repay to the town of Chelsea and to the city of Augusta all sums of money that said city or town shall be obliged to pay on any judgment recovered against said city or town for damages occasioned by any obstructions, or taking up or displacement of any highway by said company, together with reasonable counsel fees and costs made in defending any suit for damages as aforesaid, with interest on the same, to be recovered in an action for money paid, to the use of said company.

Damages for
land, etc., how
assessed.

SECT. 6. The capital stock of said corporation shall not exceed one hundred thousand dollars. The first meeting of said corporation may be called by a written notice thereof, signed by any two corporators herein named, served upon each corporator by giving him the same in hand, or by mailing the same, postage prepaid, seven days at least before the time of meeting.

Capital stock.

First meeting,
how called.

SECT. 7. This act shall take effect when approved.

Approved March 4, 1885.