

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-FOURTH LEGISLATURE

HOUSE.

No. 444

STATE OF MAINE.

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

AN ACT to incorporate the Fore River Shore Line.

Be it enacted by the People of the State of Maine, as follows:

Section 1. Nathan R. Dyer, William F. Spear, John E.
2 Fisher, Percival P. Baxter, Edward C. Reynolds, William
3 R. Anthoine, Albert E. Dyer, George T. Spear, David E.
4 Moulton, Fred G. Hamilton, William W. Thomas, Charles
5 N. Trefethen, Edmund R. Norton and Frederick H. Har-
6 ford, and their associates, successors and assigns, are here-
7 by created a body corporate under the name of Fore River
8 Shore Line, with all the powers, rights and privileges, and
9 subject to all the duties, restrictions and obligations con-
10 ferred and imposed on railroad corporations by the laws of
11 the State.

Sect. 2. Said corporation shall have the right to locate,
2 construct, equip, maintain and operate a railroad from a
3 connection with the Portland and Ogdensburg Railway, or
4 the Maine Central Railroad, at a point near the line separat-
5 ing the city of Portland from the city of Westbrook, through
6 such parts of the cities of Portland and Westbrook as may
7 be necessary to reach the city of South Portland; thence in-
8 to and through said city of South Portland to some point on
9 the water front in the easterly part of said city of South
10 Portland, by such route as the directors of said corporation
11 may select; subject however to all the provisions of the Re-
12 vised Statutes, Chapter fifty-one, section six, which are here-
13 by made applicable to said corporation.

Sect. 3. The capital stock of said corporation shall be
2 fixed at the first meeting of said company, with the right to
3 increase the same up to one million dollars, and shall be
4 divided into shares of one hundred dollars each.

Sect. 4. The officers of said corporation shall consist of
2 a Board of Directors, a President, Clerk, Treasurer, and
3 such other officers as may be provided in the by-laws. The
4 powers and duties of the officers shall be such as are pre-
5 scribed in the by-laws.

Sect. 5. Said company shall have the right to purchase,
2 lease or otherwise acquire lands and riparian rights of all
3 classes and descriptions, and to construct, purchase, lease or
4 otherwise acquire, maintain, own and operate wharves, piers,
5 warehouses and elevators, at some point at tide water in the

6 City of South Portland; also the right to purchase or lease
7 and hold the property and franchises, stocks and bonds of
8 any other railroad corporation or corporations which may
9 now or hereafter form any connection with it; and any such
10 connecting railroad corporation is hereby authorized to sell
11 or lease its property and franchises, stocks or bonds to the
12 said Fore River Shore Line.

Sect. 6. Said corporation is hereby authorized to acquire,
2 hold and dispose of real and personal estate, and stocks and
3 bonds of terminal, wharf, dock, elevator and manufacturing
4 corporations located or doing business along the line of said
5 above described railroad.

Sect. 7. Said corporation is hereby authorized to cross
2 tide-waters and other railroads, and to make connections
3 with any other railroad or railroads, on such terms as may
4 be mutually agreed upon, and as may be provided by the
5 general laws of the State, and to sell or lease its property
6 and franchises to any other railroad with which it connects,
7 upon such terms as they may mutually agree upon, and any
8 other such railroad corporation is hereby authorized to ac-
9 quire said property and franchises, by lease or purchase.

Sect 8. For the purposes of determining the damages for
2 property taken by said railroad company under this act, or
3 the laws of the State, the property owner or the said rail-
4 road company may within three years after filing plans of
5 location, apply to the commissioners of said County of Cum-
6 berland, and have such damages assessed as are provided by

7 law in case land is taken by railroads, so far as the same
8 may be consistent with the provisions of this act, and when-
9 ever inconsistent or at variance with this act, the act shall
10 control.

If the railroad company shall fail to pay said property
12 owner, or to deposit for his use with the Clerk of the County
13 Commissioners such sum as may be finally awarded as dam-
14 ages, with costs, within ninety days after final judgment, the
15 said location across the premises of such property owner
16 shall be thereby invalidated and the company forfeits its
17 right under the same.

If a property owner secures more damages than were ten-
19 derel by said company, he shall recover costs: otherwise the
20 company shall recover costs.

In case the company shall begin to occupy any property
22 before the rendition of final judgment, the owner may require
23 said company to file its bonds to him with the County Com-
24 missioners in such sum and with such sureties as they ap-
25 prove, conditioned for said payment or deposit.

Failure to apply for damages within said three years by
27 any property owner shall be held to be a waiver of the
28 same.

No action shall be brought against such railroad company
30 for the taking and occupation of property until after failure
31 to pay or deposit as aforesaid, or refusal to file bond as
32 above provided.

Sect 9. Said corporation may issue its bonds from time to
2 time at such rates and times as may be expedient, and in
3 such amounts as may be required for the purposes of the
4 railroad, and secure the same by proper mortgages upon its
5 franchises and property.

Sect 10. The first meeting of said corporation may be
2 called by any three of the incorporators within named, by
3 notice thereof in writing signed by said three incorporators,
4 given in hand or mailed to each of the other incorporators at
5 least seven days before said meeting, and any incorporator
6 may act at such meeting by written proxy.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES.

Augusta, March 4, 1909.

Reported by Mr. SPEAR from Committee on Railroads and
Expresses and ordered printed under joint rules.

E. M. THOMPSON, *Clerk.*