

NEW DRAFT.

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SEVENTY-FIFTH LEGISLATURE

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SENATE

NO. 210

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*In Senate, Mar. 17, 1911.*

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

*W. C. HANSON, Secretary.*

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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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AN ACT to amend the charter of the Portland Union Railway  
Station Company and to enlarge its powers under the name of  
the Portland Terminal Company.

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

Section 1. The name of the Portland Union Railway  
2 Station Company, incorporated and organized under chapter  
3 96 of the Special Laws of 1887, is hereby changed to the  
4 Portland Terminal Company, and its franchises, rights,  
5 privileges and powers, so far as applicable, are hereby ex-  
6 tended throughout the railway terminal created and defined  
7 by this act.

Sect. 2. The railroad terminal, hereby established, shall  
2 include within its limits any or all the properties of the Port-

3 land Union Railway Station Company, the Boston & Maine  
4 Railroad, the Maine Central Railroad Company, the leasehold  
5 interests of the Maine Central Railroad Company as lessee of  
6 the Portland and Ogdensburg Railway and of the Portland  
7 & Rumford Falls Railroad, situated in the cities of Port-  
8 land, South Portland or Westbrook in said State of Maine,  
9 and any or all the properties, situated in either of said cities,  
10 of any other railroad company using the terminal facilities  
11 under agreement with the said Portland Terminal Company.

Sect. 3. For the establishment, maintenance, operation and  
2 development of such railroad terminal, and for the regula-  
3 tion of railroad business, passenger, freight and express,  
4 within its limits, the Portland Terminal Company may ac-  
5 quire by contract, purchase or lease from the Boston &  
6 Maine Railroad and the Maine Central Railroad Company,  
7 or from any other railroad company using or desiring to use  
8 said terminal, all or any part of the railroad franchises,  
9 rights or properties within the limits of said terminal, in-  
10 cluding lands, rights of way, tracks, road-beds, bridges,  
11 wharves, water rights, round-houses, railroad repair shops,  
12 stations, or other buildings; and all title to the same or any  
13 interests therein, or any right of exercise or operation there-  
14 of or to manage the same, within the limits aforesaid; noth-  
15 ing herein contained, however, shall authorize the Portland  
16 Terminal Company to acquire or to renew the use of the  
17 abandoned railroad location from Woodfords to the junc-  
18 tion with the Belt Line, so called, running from the foot of

19 Preble Street to the Union Station in Portland. The tracks  
20 on said abandoned location and Pitt Street Bridge, so called,  
21 over the same to be removed by the Boston & Maine Rail-  
22 road at its own expense within three months after this act  
23 takes effect.

Within the limits of said terminal for the purpose of mak-  
25 ing changes and improvements therein and for all the pur-  
26 poses of its charter, the Terminal Company shall have the  
27 same powers of eminent domain as said railroad companies  
28 have by law; damages for real estate taken by condemna-  
29 tion to be estimated and paid in the same manner as pro-  
30 vided by law in case of lands taken for railroad uses.

Any corporation owning, operating, or controlling the same  
32 is hereby authorized to make sale, lease or conveyance to  
33 said Terminal Company of property which the company is  
34 hereby authorized to acquire.

The Portland Terminal Company is hereby authorized to  
36 purchase or to build railway repair shops within its limits  
37 and to operate the same under its own management.

Within the railroad locations included in the terminal the  
39 Terminal Company may locate according to law and build,  
40 maintain and operate electric railroads; and may purchase  
41 or lease, maintain and operate electric street railroads with-  
42 in the limits of said terminal.

Sect. 4. The Terminal Company may establish reasonable  
2 rules for the government of the territory included in the  
3 terminal, regulating the manner of using the same, and the

4 conduct of railroad business therein, passenger, freight and  
5 express, by the several railroad companies which, by con-  
6 tract, lease or conveyance as hereinbefore provided, have  
7 acquired the right to use the terminal facilities of the Ter-  
8 minal Company.

Within the terminal, the Terminal Company may make  
10 such changes of tracks, road-beds, bridges, wharves, sta-  
11 tions or other buildings, as it may deem expedient, or may  
12 erect new passenger or freight stations; subject to the action  
13 of the municipal officers and the railroad commissioners in  
14 any matter to which their jurisdiction by law extends.

Sect. 5. The authorized capital stock of said corporation  
2 is hereby increased to an amount not exceeding five hundred  
3 thousand dollars (\$500,000) and the Boston & Maine Rail-  
4 road and the Maine Central Railroad Company may each  
5 subscribe for and hold one-half portion of such increase of  
6 the capital stock. The authorized capital stock of the cor-  
7 poration may be increased from time to time by vote of its  
8 stockholders, as the purposes of its charter require and as  
9 the railroad commissioners approve.

Sect. 6. Said Terminal Company, to provide means to  
2 carry out the purposes of this act, may from time to time  
3 issue coupon or registered bonds to such an amount as may  
4 be necessary and as may be approved by the board of rail-  
5 road commissioners. Said corporation may mortgage or  
6 pledge as security for the payment of such bonds, or of any

7 bonds given in renewal thereof, a part or all of its fran-  
8 chises and property.

The Boston & Maine Railroad and the Maine Central Rail-  
10 road Company, and any other railroad company using the  
11 terminal facilities by agreement with the Terminal Company,  
12 are each hereby authorized to guarantee the payment of the  
13 bonds issued by the Portland Terminal Company under this  
14 act, and to lease or convey to said Portland Terminal Com-  
15 pany any or all property within the limits of said terminal.

Sect. 7. The railroad companies using the railway ter-  
2 minal shall pay to the Terminal Company for such use, in  
3 monthly payments, such amounts as may be necessary to  
4 pay the expenses of its corporate administration and of the  
5 maintenance and operation of the terminal and of the facili-  
6 ties connected therewith and owned by said Terminal Com-  
7 pany, including insurance and all repairs, all taxes and  
8 assessments which may be required to be paid by said Ter-  
9 minal Company, the interest upon its bonds or other obliga-  
10 tions issued under the provisions of this act as the same  
11 shall become payable, and a dividend, not to exceed five (5)  
12 per cent per annum, upon its capital stock. Each of such  
13 railroad companies shall pay for such use of the terminal  
14 and its facilities in the proportion in which it has the use  
15 thereof, the same to be fixed by the written agreement of  
16 all such railroad companies, and in case they fail to agree,  
17 the board of railroad commissioners shall determine such  
18 proportions upon the application of said Terminal Company

19 or of any of said railroad companies. Said proportions as  
20 so fixed, either by agreement or by decision of the board of  
21 railroad commissioners, may be revised and altered from  
22 time to time, either by the written agreement of all of the  
23 railroad companies at any time, or by the board of railroad  
24 commissioners upon like application, at intervals of not less  
25 than three years. The decisions of the board of railroad  
26 commissioners fixing said proportions of payments shall be  
27 final and binding upon all of said railroad companies, and  
28 the payments required to be made by them respectively to  
29 said Terminal Company either by such agreement or de-  
30 cisions shall be deemed part of their operating expenses, and  
31 the supreme judicial court or any justice thereof shall have  
32 jurisdiction in equity to compel such payments to be made,  
33 either by mandatory injunction or by other suitable process.