

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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SEVENTY-EIGHTH LEGISLATURE

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SENATE

NO. 278

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*In Senate, March 6, 1917.*

*Reported by Mr. Swift from Committee on Railroads and Ex-  
presses and ordered printed under joint rules.*

*W. E. LAWRY, Secretary.*

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STATE OF MAINE

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

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AN ACT to amend Section 30 of Chapter 56 of the Revised  
Statutes of 1916 so that existing branch tracks may be used by  
parties other than those for whom they were originally built  
and also so that railroads may be required to build additional  
branch tracks.

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

Section 30 of Chapter 56 of the Revised Statutes of 1916  
2 is hereby amended by adding thereto the following:

“The Public Utilities Commission, upon petition of any  
2 party interested, after notice and hearing, may order any

3 railroad company to construct, maintain and operate such a  
4 branch railroad track to any such mill, mine, quarry, log  
5 landing or yard, warehouse, storehouse or manufacturing  
6 establishment owned or operated by the petitioner, whenever  
7 said commission shall find that such track is necessary for  
8 the reasonably convenient conduct of the business of the pe-  
9 titioner and is warranted by the volume of business to be  
10 handled thereon and can be so constructed, maintained and  
11 operated with due regard to safety and the reasonable opera-  
12 tion of the railroad; provided, however, that no such order  
13 shall be made by said commission unless the petitioner shall  
14 provide, at his own expense, the right-of-way for such por-  
15 tion of said track as is not located upon the land of the rail-  
16 road company; shall pay all the expense of the construction  
17 and maintenance of said track; shall furnish such security  
18 for said payment and shall comply with such conditions as to  
19 fire release and the operation of such track as the commis-  
20 sion may prescribe. The commission, upon petition of any  
21 party interested, after notice and hearing, may permit any  
22 party owning or occupying premises adjacent to any track  
23 constructed under this section to use such track for receiving  
24 or holding freight in carload lots upon such terms and con-  
25 ditions as it may prescribe, including the payment of a part  
26 of the original cost of such track and of its future mainte-  
27 nance and suitable fire releases.”

So that said section, as amended, shall read as follows:

‘Any railroad corporation, under the direction of the public

2 utilities commission, may locate, construct and maintain  
3 branch railroad tracks to any railroad station of another cor-  
4 poration or to connect with another railroad or to any mills,  
5 mines, quarries, gravelpits, log landing or yard, warehouses  
6 and storehouses, educational institution, or manufacturing  
7 establishments erected in any town or township, through  
8 which the main line of said railroad is constructed, but not  
9 within any city without the consent of the city council and  
10 for that purpose said corporation shall have all the powers  
11 and rights granted and be subject to all the duties imposed  
12 upon it by its charter. The public utilities commission, upon  
13 petition of any party interested, after notice and hearing,  
14 may order any railroad company to construct, maintain and  
15 operate such a branch railroad track to any such mill, mine,  
16 quarry, log landing or yard, warehouse, storehouse or manu-  
17 facturing establishment owned or operated by the petitioner,  
18 whenever said commission shall find that such track is neces-  
19 sary for the reasonably convenient conduct of the business  
20 of the petitioner and is warranted by the volume of business  
21 to be handled thereon and can be so constructed, maintained  
22 and operated with due regard to safety and the reasonable  
23 operation of the railroad; provided, however, that no such  
24 order shall be made by said commission unless the petitioner  
25 shall provide, at his own expense, the right-of-way for such  
26 portion of said track as is not located upon the land of the  
27 railroad company; shall pay all the expense of the construc-  
28 tion and maintenance of said track; shall furnish such se-

29 curity for said payment and shall comply with such con-  
30 ditions as to fire release and the operation of such track as  
31 the commission may prescribe. The commission, upon pe-  
32 tition of any party interested, after notice and hearing, may  
33 permit any party owning or occupying premises adjacent to  
34 any track constructed under this section to use such track for  
35 receiving or holding freight in carload lots upon such terms  
36 and conditions as it may prescribe, including the payment of  
37 a part of the original cost of such track and of its future  
38 maintenance and suitable fire releases.’