

MAINE STATE LEGISLATURE

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EIGHTY-THIRD LEGISLATURE

Senate Document

No. 114

S. P. 320

In Senate, Feb. 17, 1927.

Referred to Committee on Judiciary and 500 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Oakes of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-SEVEN

AN ACT to Incorporate the Union Terminal Company.

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

Section 1. Walter S. Hammons, Spaulding Bisbee, Robert
2 Braun, Guy P. Gannett, James C. Boyd, William M. Pen-
3 nell, Chester A. Jordan, William S. Linnell and Walter L.
4 Gray, their associates, successors and assigns, are hereby
5 created a body corporate under the name of the Union
6 Terminal Company, with all the powers, rights and privileges
7 and subject to all obligations conferred and imposed by the
8 laws of the State of Maine.

Sect. 2. Said corporation shall have the right to locate,
2 construct, equip, maintain, operate, erect, manage and govern

3 a railroad terminal which shall include within its limits such
4 of the properties of the Atlantic and St. Lawrence Rail
5 Road Company, of the Grand Trunk Railway Company of
6 Canada, of the New England Elevator Company, and of
7 the Portland Elevator Company, situated in the cities of
8 Portland and Westbrook and in the town of Falmouth, all
9 in the county of Cumberland and State of Maine, and such
10 of the properties situated in either of said cities or towns
11 of any other railroad or terminal company using the termi-
12 nal facilities of said Union Terminal Company, as said
13 Union Terminal Company may acquire as hereinafter
14 provided.

Sect. 3. For the establishment, maintenance, operation and
2 development of such railroad terminal and for the regulation
3 of the railroad business, passenger, freight and express
4 within its limits, the Union Terminal Company may acquire
5 by contract, purchase or lease from the Atlantic and St.
6 Lawrence Rail Road Company, from the Grand Trunk
7 Railway Company of Canada, from the New England Ele-
8 vator Company, and from Portland Elevator Company (all
9 now operated by the Canadian National Railways), from
10 the Boston and Maine Railroad and the Maine Central Rail-
11 road Company and from the Portland Terminal Company
12 and from any other railroad company using or desiring to
13 use said terminal, all or any part of their railroad franchises,
14 rights or properties within the limit of said terminal, includ-
15 ing lands, rights of way, tracks, road beds, bridges, wharves,

16 water rights, elevators, round houses, railroad repair shops,
17 stations or other buildings, and all title to the same or any
18 interest therein, or any right of exercise or operation thereof
19 or to manage the same within the limits aforesaid.

Within the limits of said terminal for the purpose of mak-
2 ing changes and improvements therein and for all the pur-
3 poses of its charter, the terminal company shall have the
4 same powers of eminent domain as said railroad companies
5 have by law ; damages for real estate taken by condemnation
6 to be estimated and paid in the same manner as provided
7 by law in cases of lands taken for railroad uses.

Any corporation owning, operating, or controlling the same
2 is hereby authorized to make sale, lease or conveyance to
3 the said terminal company of property which the company
4 is hereby authorized to acquire.

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

Within the railroad locations included in the terminal, the
2 terminal company may locate according to law and build,
3 maintain, and operate electric railroads; and may purchase
4 or lease, maintain and operate electric street railroads with-
5 in the limits of said terminal; and may maintain telephone
6 and telegraph lines within said limits.

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
8 terminal company.

Within the terminal, the terminal company may make such
2 changes of tracks, road-beds, bridges, wharves, stations or
3 other buildings, as it may deem expedient, or may erect
4 new passenger or freight stations; subject to the action of
5 the municipal officers and the Public Utilities Commission
6 in any matter to which their jurisdiction by law extends.

Sect. 5. The authorized capital stock of said corporation
2 shall be fixed at the first meeting of said corporation with
3 the right to increase the same up to five million dollars and
4 shall be divided into shares of one hundred dollars each.
5 The authorized capital stock herein provided for may be
6 increased from time to time by vote of its stockholders as
7 the purposes of its charter require and as the Public Utilities
8 Commission for the State of Maine approve.

Sect. 6. Said terminal company, to provide means to carry
2 out the purposes of this act, may from time to time issue
3 coupon or registered bonds, notes and other evidences of
4 indebtedness, to such an amount as may be necessary, and
5 may mortgage or pledge as security for the payment of such
6 bonds, notes and other evidences of indebtedness or of any
7 bonds, notes or other evidences of indebtedness given in
8 renewal thereof, a part or all of its franchises and property,

9 subject, however, to the approval of the Public Utilities
10 Commission.

Any railroad company or companies using the terminal
2 facilities by agreement with the terminal company are each
3 hereby authorized to guarantee the payment of the bonds,
4 notes and other evidences of indebtedness issued by the
5 Union Terminal Company under this act, and to lease or
6 convey to said Union Terminal Company any or all property
7 within the limits of said terminal.

Sect. 7. A toll is hereby granted for the benefit of said
2 terminal company upon all passengers and property which
3 may be conveyed and transported on or over its terminal
4 facilities at such rates as may be permitted to be established
5 in the manner now or hereafter provided by statute and on
6 such business as it may do over its telephone and telegraph
7 lines and through its express facilities, subject to such gen-
8 eral laws relating thereto as are or may be from time to
9 time established by the legislature.

Sect. 8. The city of Portland, in the county of Cumber-
2 land, is hereby expressly empowered and authorized by
3 majority vote of its qualified voters, voting thereon, at any
4 regular election or any special election for the purpose, called
5 and held pursuant to the statutes of Maine governing pro-
6 ceedings in relation thereto, to raise money by loan, taxa-
7 tion, or otherwise, to assist in the acquisition, improvement
8 and operation of said property through the purchase of
9 capital stock or other securities or by direct contribution

10 toward the cost thereof, and also, by similar action, from
11 time to time to guarantee the payment of all or any part of
12 said bonds, notes or other evidences of indebtedness of said
13 terminal company, but not at any time to involve the city in
14 debt in violation of the constitution of the state.