

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

EIGHTY-FOURTH LEGISLATURE

Senate Document

No. 182

S. P. 147

In Senate, Feb. 19, 1929.

Reported by Senator Martin of Kennebec from Committee on Judiciary and laid on table to be printed under joint rules.

ROYDEN V. BROWN, Secretary.

Presented by Senator Martin of Kennebec.

STATE OF MAINE

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

AN ACT to Amend Section Seven of Chapter One Hundred and Eighty-nine of the Private and Special Laws of Nineteen Hundred and Eleven Relating to the Portland Terminal Company.

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

Section seven of chapter one hundred and eighty-nine of
2 the private and special laws of nineteen hundred and eleven
3 is hereby amended by striking out the words "board of rail-
4 road commissioners" wherever they appear in said section
5 and inserting in place thereof the words ' public utilities
6 commission' so that said section as amended shall read as
7 follows:

‘Sect. 7. The railroad companies using the railway terminal shall pay to the terminal company for such use, in monthly payments, such amounts as may be necessary to pay the expenses of its corporate administration and of the maintenance and operation of the terminal and of the facilities connected therewith and owned by said terminal company, including insurance and all repairs, all taxes and assessments which may be required to be paid by said terminal company, the interest upon its bonds or other obligations issued under the provisions of this act as the same shall become payable, and a dividend, not to exceed five per cent per annum, upon its capital stock. Each of such railroad companies shall pay for such use of the terminal and its facilities in the proportion in which it has the use thereof, the same to be fixed by the written agreement of all such railroad companies, and in case they fail to agree, the public utilities commission shall determine such proportions upon the application of said terminal company or of any of said railroad companies. Said proportions as so fixed, either by agreement or by decision of the public utilities commission, may be revised and altered from time to time, either by the written agreement of all of the railroad companies at any time, or by the public utilities commission upon like application, at intervals of not less than three years. The decisions of the public utilities commission fixing said proportions of payments shall be final and binding upon all of said railroad companies, and the payments required to

28 be made by them respectively to said terminal company
29 either by such agreement or decisions shall be deemed part
30 of their operating expenses, and the supreme judicial court
31 or any justice thereof shall have jurisdiction in equity to
32 compel such payments to be made, either by mandatory
33 injunction or by other suitable process.'