

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES  
OF THE  
SEVENTY-THIRD LEGISLATURE  
OF THE  
STATE OF MAINE  
1907.

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Published by the Secretary of State, agreeably to Resolves of  
June 28, 1820, February 18, 1840, and March 16, 1842.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1907.

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## CHAP. 439

Said bonds shall be valid without first obtaining the consent of said county as provided in sections fourteen and sixteen of chapter eighty of the revised statutes.'

—consent of county not necessary to issue bonds.

Section 2. This act shall take effect when approved.

Approved March 28, 1907.

### Chapter 439.

An Act to amend Chapter one hundred seventy-five of the Private and Special Laws of nineteen hundred three as amended by Chapter two hundred forty-one of the Private and Special Laws of nineteen hundred five, in relation to Atlantic Shore Line Railway.

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:*

Section 1. Atlantic Shore Line Railway is hereby authorized to acquire by lease, purchase, merger or consolidation the stock, bonds, power plant, pole line, property and assets, rights, privileges and franchises, or any part thereof, of the Alfred Light and Power Company and shall succeed to, have and may exercise such rights, privileges and franchises of said Alfred Light and Power Company as it shall from time to time acquire as aforesaid, whenever it has acquired the same, and said Alfred Light and Power Company is hereby authorized to sell its property, assets and franchises to said Atlantic Shore Line Railway.

May acquire property of Alfred Light and Power Company.

Section 2. Said Atlantic Shore Line Railway, for the purposes of this act and for the operation of its railroad, is authorized to purchase, construct, maintain, repair and rebuild dams, sluiceways, basins and canals on the Mousam river, so called, and on all waters tributary thereto and connected therewith, for the purpose of holding, storing, discharging and regulating the flow of said waters in which said railway is or may be interested; and for this purpose said railway may purchase, have, hold, or enjoy in fee simple or any less estate, rights of flowage, lands, tenements or estates, real, personal and mixed, and may take and hold the same, as for public uses, with the right to mortgage, sell and convey the same and the franchises therewith connected.

May construct dams, canals, etc.

Section 3. For all land and property which said railway may acquire which have been or may hereafter be flowed, the damages for flowage shall be assessed to the owners in the same manner as provided in chapter ninety-four of the revised statutes of Maine, in case of flowing lands by erection of dams for mills.

Damage for flowage, how assessed.

Section 4. In exercising its right of eminent domain for the purposes of this act, the said Atlantic Shore Line Railway shall

Shall file plans of location of

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all lands  
taken.

file in the office of the county commissioners of the county where such lands or water rights are situated, and record in the registry of deeds in said county, plans of the locations of all land or interest therein or water rights to be taken, with an appropriate description, and the names of the owners thereof if known. When for any reason the said corporation fails to acquire the property authorized to be taken and which is described or sought to be described, in such location, or the location recorded is defective or uncertain it may at any time correct and perfect such location and file a new description thereof, and in such case the corporation is liable in damages only for property for which the owner had not previously been paid, to be assessed as of the time of the original taking and the corporation shall not be liable for any acts which would have been justified if the original taking had been lawful. No entry shall be made on any private lands, except to make surveys, until the expiration of ten days from such filing, whereon possession may be had of all such lands or interest therein or water rights so taken, but title thereto shall not vest in said corporation until payment therefor. If any person sustaining damages by any taking as aforesaid shall not agree with said corporation upon the sum to be paid therefor, either party, upon petition to the county commissioners of the county where said land or water rights are situated, may have said damages assessed by them; the procedure and all subsequent proceedings and right of appeal thereon shall be had under the same restrictions, conditions and limitations as are or may be by law prescribed in the case of damages by the laying out of highways.

—damages,  
how  
assessed, if  
parties fail  
to agree.

May issue  
additional  
stock and  
bonds.

Section 5. The said Atlantic Shore Line Railway may, for the purposes of this act, issue such additional stock as may be necessary therefor, likewise such additional bonds as may be required for the same and secure the said bonds by appropriate mortgages upon its franchises and property, and thereafter issue its stock and bonds, or either of them, in payment and exchange for the stock, bonds, franchises and property of any corporation making transfers under this act, in such manner and in such amounts as may be agreed upon.

Vote of  
stockhold-  
ers con-  
firmed.

Section 6. The vote of the stockholders of said Atlantic Shore Line Railway, at a special meeting on December nineteenth, in the year of our Lord nineteen hundred and six, guaranteeing the principal and interest of the bonds of the Alfred Light and Power Company is hereby ratified, confirmed and made valid.

Section 7. This act shall take effect when approved.