

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-FOURTH LEGISLATURE
OF THE
STATE OF MAINE
1909

Published by the Secretary of State, agreeably to Resolves of
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fourth
Legislature

1909

CHAP. 188

Chapter 188.

An Act to authorize the Northern Telegraph Company to increase its
Capital Stock.

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

Section 4,
Chapter 186,
special
laws, 1879,
as amend-
ed by sec-
tion 2,
chapter 43,
special
laws, 1905,
further
amended.

Section four of chapter one hundred and eighty-six of the private and special laws of eighteen hundred and seventy-nine, as amended by section two of chapter forty-three of the private and special laws of nineteen hundred and five, is hereby further amended by changing the word "two" in the second line thereof to 'four' so that said section as amended shall read as follows:

Capital
stock.

'Section 4. The capital stock of said company shall be fixed by the by-laws thereof, but not to exceed four hundred thousand dollars.'

Approved March 16, 1909.

Chapter 189.

An Act to incorporate the Fore River Shore Line.

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

Corpora-
tors.

Section 1. Nathan R. Dyer, William F. Spear, John E. Fisher, Percival P. Baxter, Edward C. Reynolds, William R. Anthoine, Albert E. Dyer, George T. Spear, David E. Moulton, Fred G. Hamilton, William W. Thomas, Charles N. Trefethen, Edmund R. Norton and Frederick H. Harford, and their associates, successors and assigns, are hereby created a body corporate under the name of Fore River Shore Line, with all the powers, rights and privileges, and subject to all the duties, restrictions and obligations conferred and imposed on railroad corporations by the laws of the state.

—corporate
name.

Rights and
powers.

Section 2. Said corporation shall have the right to locate, construct, equip, maintain and operate a railroad from a connection with the Portland and Ogdensburg railway, or the Maine Central railroad, at a point near the line separating the city of Portland from the city of Westbrook, through such parts of the cities of Portland and Westbrook as may be necessary to reach the city of South Portland; thence into and through said city of South Portland to some point on the water front in the easterly part of said city of South Portland, by such route as the directors of said corporation may select; subject however, to all the provisions of the revised statutes, chapter fifty-one, section six, which are hereby made applicable to said corporation.

—location.

Section 3. The capital stock of said corporation shall be fixed at the first meeting of said company, with the right to increase the same up to one million dollars, and shall be divided into shares of one hundred dollars each.

Capital
stock.

Section 4. The officers of said corporation shall consist of a board of directors, a president, clerk, treasurer, and such other officers as may be provided in the by-laws. The powers and duties of the officers shall be such as are prescribed in the by-laws.

Officers.

Section 5. Said company shall have the right to purchase, lease or otherwise acquire lands and riparian rights of all classes and descriptions, and to construct, purchase, lease, or otherwise acquire, maintain, own and operate wharves, piers, warehouses and elevators, at some point at tide water in the city of South Portland; also the right to purchase or lease and hold the property and franchises, stocks and bonds of any other railroad corporation or corporations which may now or hereafter form any connection with it; and any such connecting railroad corporation is hereby authorized to sell or lease its property and franchises, stocks or bonds to the said Fore River Shore Line.

May acquire
land and
riparian
rights.

—maintain
wharves
and piers.

—may purchase stock
of connect-
ing com-
pany.

Section 6. Said corporation is hereby authorized to acquire, hold and dispose of real and personal estate, and stocks and bonds of terminal, wharf, dock, elevator and manufacturing corporations located or doing business along the line of said above described railroad.

May hold
real and
personal
property.

Section 7. Said corporation is hereby authorized to cross tide-water and other railroads, and to make connections with any other railroad or railroads, on such terms as may be mutually agreed upon, and as may be provided by the general laws of the state, and to sell or lease its property and franchises to any other railroad with which it connects, upon such terms as they may mutually agree upon, and any other such railroad corporation is hereby authorized to acquire said property and franchises, by lease or purchase.

May cross
tide-water
and other
railroads,
and connect
with other rail-
roads.

Section 8. For the purposes of determining the damages for property taken by said railroad company under this act, or the laws of the state, the property owner or the said railroad company may within three years after filing plans of location, apply to the commissioners of said county of Cumberland, and have such damages assessed as are provided by law in case land is taken by railroads, so far as the same may be consistent with the provisions of this act, and whenever inconsistent or at variance with this act, the act shall control.

Damages
for taking
property,
how deter-
mined.

CHAP. 190

—location
forfeited, if
company
fails to pay.

If the railroad company shall fail to pay said property owner, or to deposit for his use with the clerk of the county commissioners such sum as may be finally awarded as damages, with costs, within ninety days after final judgment, the said location across the premises of such property owner shall be thereby invalidated and the company forfeits its right under the same.

—recovery
of costs.

If a property owner secures more damages than were tendered by said company, he shall recover costs; otherwise the company shall recover costs.

—may re-
quire com-
pany to file
bonds.

In case the company shall begin to occupy any property before the rendition of final judgment, the owner may require said company to file its bonds to him with the county commissioners in such sum and with such sureties as they approve, conditioned for said payment or deposit.

—failure to
apply for
damages.

Failure to apply for damages within said three years by any property owner shall be held to be a waiver of the same.

No action shall be brought against such railroad company for the taking and occupation of property until after failure to pay or deposit as aforesaid, or refusal to file bond as above provided.

May issue
bonds.

Section 9. Said corporation may issue its bonds from time to time at such rates and times as may be expedient, and in such amounts as may be required for the purposes of the railroad, and secure the same by proper mortgages upon its franchises and property.

First meet-
ing, how
called.

Section 10. The first meeting of said corporation may be called by any three of the incorporators within named, by notice thereof in writing signed by said three incorporators, given in hand or mailed to each of the other incorporators at least seven days before said meeting, and any incorporator may act at such meeting by written proxy.

Approved March 16, 1909.

Chapter 190.

An Act to incorporate "The R. and T. Cement Railroad."

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

Corporators.

Section 1. Charles H. Berry, Alfred S. Black, Edward B. MacAllister, Sereno T. Kimball and Henry M. Wise, their associates and successors, are hereby incorporated into a corporation under the name of "R. and T. Cement Railroad," with all the powers, rights and privileges, and subject to all the duties, restrictions and obligations conferred and imposed on railroad corporations by the laws of the state of Maine.

—corporate
name.