

# MAINE STATE LEGISLATURE

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

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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

As Passed by the Seventy-fourth  
Legislature

1909

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## 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.

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## 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.

## CHAP. 190

Section 2. Said company shall have the right to locate, construct, equip, maintain, operate or lease a railroad from some point in Rockland or Thomaston in the county of Knox, through Thomaston, Rockland, South Thomaston or Saint George, by such route as the directors of said company may select, to some point or points in either or all the above mentioned places.

Rights,  
powers and  
location.

Section 3. The capital stock of said company 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. Said company for all its said purposes may take and hold real and personal property sufficient, necessary and convenient therefor, subject, however, to the general laws of the state.

May take  
and hold  
real and  
personal  
property.

Section 5. All damages for the taking of property by said road under this act or general law of the state shall be determined by the general laws of this state pertaining thereto.

Damages,  
how deter-  
mined.

Section 6. For carrying out the purposes of the corporation, including the surveying, locating, constructing, equipping, maintaining, or operating of said railroad and all proper expenses in its business, said company may issue its bonds in such amounts and on such time, terms and conditions as it may see fit, and secure them by a mortgage of the entire property and franchise of the company, acquired or to be acquired, or upon any part thereof.

May issue  
bonds.

Section 7. This charter is granted inasmuch as the objects thereof cannot be attained under the general laws of the state of Maine.

Why char-  
ter is  
granted by  
special act.

The said company is empowered to maintain bridges across tide waters, lakes, ponds and navigable rivers and streams which its railroad may cross, provided that they shall be so constructed as not to unnecessarily obstruct the navigation of such waters.

—may  
maintain  
bridges.

Said company may cross the right of way of the Maine Central Railroad Company, the Limerock Railroad Company, the Rockland, Thomaston and Camden Street Railway Company, the Rockland, South Thomaston and Saint George Railroad Company by an overhead or under crossing to be constructed and maintained at the expense of the R. and T. Cement Railroad Company, but not at grade unless by mutual agreement of the corporations interested and under such terms and agreements as may be entered into by such corporations, and approved by the railroad commissioners of this state. All or any of the above mentioned railroad corporations are hereby authorized to make any agreements and arrangements for crossings, connec-

—may cross  
rights of  
way of cer-  
tain rail-  
roads.

**CHAP. 191**

tions, interchange of business and mutual convenience which they may see fit, subject to the approval of the railroad commissioners.

May operate road solely for handling freight.

Section 8. The corporation may operate said railroad solely as a railroad for the handling and transportation of freight and shall be under no obligation to transport passengers, and shall not be required to operate the same at all seasons of the year.

May dispose of its property.

Section 9. Said corporation shall have the right to sell or otherwise dispose of its property and franchise to any person, association or corporation or to lease the same.

Officers.

Section 10. The officers of said corporation shall consist of a board of directors, president, clerk, treasurer, and such others as may be provided in the by-laws.

First meeting, how called.

Section 11. The first meeting of said company shall be called by a written notice signed by any one corporator above named, stating the time and place of meeting, served upon the other corporators above named, either personally or by leaving the same at the last and usual place of abode of each at least five days before the time of such meeting, or said meeting may be called by a written notice signed by any one corporator above named stating the time and place of meeting, published in the *Courier-Gazette*, a newspaper published at Rockland, in the county of Knox, at least five days before the time of such meeting. In either case the certificate of the signer of the notice shall be sufficient proof as to service or publication of the notice.

Approved March 16, 1909.

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**Chapter 191.**

An Act relating to the Waterville and Fairfield Railway and Light Company.

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

Company authorized to sell or lease its property and franchises to company forming connecting line.

Section 1. The Waterville and Fairfield Railway and Light Company, in addition to the powers conferred upon it by chapter forty-nine of the private and special laws of eighteen hundred and ninety-one, is hereby authorized to sell or lease its property and franchises to any street railroad company whose lines as constructed or chartered would form connecting or continuous lines with its lines as constructed or chartered; and in such case the corporation so purchasing or leasing said property and franchises shall be entitled to all the privileges, and be subject to all the appropriate conditions and limitations contained in this charter and franchises of the said Waterville