

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-FIFTH LEGISLATURE

OF THE
STATE OF MAINE.

1911

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fifth
Legislature

1911

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Upon petition by said corporation and a satisfactory guarantee of payment of the expense thereof the said board is hereby authorized to make or cause to be made such investigation as is necessary for the purpose.

—board may, upon petition, make investigation.

Section 4. In proceeding to take such land by eminent domain said corporation shall file in the town clerk's office of the town where such land is situated a plan thereof and a certificate of approval of the State board of health signed by its chairman or secretary and shall give notice of such filing by publishing the same for three weeks successively in some newspaper published in Hancock county. Said land shall be considered taken as of the date of the last said publication, but the corporation shall have no right to take possession of such lands or to enter thereon except for the purpose of making survey until payment is made or secured as provided in the following section.

Proceedings in the taking of lands by eminent domain.

Section 5. If the corporation and the owner of land taken can not mutually agree upon a just compensation therefor, the same shall upon petition by either party be determined by the municipal officers of the town where the land taken is situated, subject to appeal by either party to the supreme judicial court, within the time, in the manner and with all the rights provided by law in the case of an appeal from the assessment of damages on account of the laying out of town ways.

Damages for the taking of land, how determined, if parties cannot agree.

In case of such appeal the corporation may, and upon petition by the owner of land taken, shall secure payment of the damages that shall be finally determined by filing in the office of the supreme judicial court for Hancock county, a bond in such amount as may be determined by a justice of said court and with sureties approved by him.

—in case of appeal.

Approved March 22, 1911.

Chapter 188.

An Act to incorporate the Eastern Maine Railroad.

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

Section 1. Edward H. Blake, Flavus O. Beal, William L. Miller, James W. Cratty, A. A. Merrill, George W. Maxfield, Asa Warren, Harry C. Chapman, Calvin P. Thomas, Harlan P. Sargent, Bisbee B. Merrill, Samuel H. Woodbury, Charles D. Merritt and Alfred G. Chambers, and their associates, successors and assigns, are hereby created a body corporate under the name of the Eastern Maine Railroad, with all the powers, rights and privileges and subject to all the duties, restrictions

Corporators.

—corporate name.

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and obligations conferred and imposed by the laws of the state of Maine.

Rights and powers.

Section 2. Said corporation shall have the right to locate, construct, equip, maintain and operate a railroad about one hundred and eight miles in length, subject to all the provisions of chapter fifty-one, section six, of the revised statutes of the state of Maine, which said statutes, except as herein modified, are hereby made applicable to said corporation; from some point at tide water in the city of Brewer opposite the city of Bangor, both in the county of Penobscot, thence by the route hereinafter described, crossing the European and North American Railway, now leased and operated by the Maine Central Railroad Company, at some place in Reed plantation or in the town of Bancroft, to some point in the town of Houlton, county of Aroostook; extending easterly through the city of Brewer and the towns of Holden, Eddington and Clifton in said county of Penobscot; thence northeasterly through the town of Amherst, township number thirty-two, M. D., number thirty-three plantation, also called Great Pond, townships number thirty-nine, M. D., number forty, M. D., and number three, N. D., in the county of Hancock; thence northeasterly through township number three, range one, N. B. P. P., township number four, range one, N. B. P. P., also called Lakeville plantation, and the towns of Springfield, Carroll and Prentiss in said county of Penobscot; thence northerly through townships number eight, range three, N. B. P. P., and number eight, range four, N. B. P. P., in the county of Washington; thence northerly through Reed plantation, the towns of Bancroft and Haynesville, township number three, range two, W. E. L. S., also called Leavitt's plantation, the town of Amity, Cary plantation and the towns of Hodgdon and Houlton in said county of Aroostook; provided, however, that said corporation is authorized to locate in adjoining towns or townships east of the Penobscot river, if found necessary in the location and construction of said railroad.

—route of roads.

In passing through forests, may fall trees and clear growth within ten rods of track.

Section 3. In case said railroad shall pass through any woodlands or forests, said corporation shall have the right to fell or remove any trees or clear away any underbrush or growth standing or being within ten rods of its track as constructed and operated which for any reason obstruct or interfere with, or might obstruct or interfere with the operation of the railroad of said corporation or which might be set on fire by sparks from locomotives or otherwise, and said corporation shall pay a just compensation therefor, to be determined and

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recovered in the same manner as provided by law for the recovery of damages for the taking of real estate.

Section 4. The said corporation is authorized to operate its railroad by steam, electricity, or any other power. It is further authorized to carry on the business of an express company, and to maintain telephone and telegraph lines for public use along its location and to its various offices in said cities and towns.

Motive power.
—may engage in express, telephone and telegraph business.

Section 5. The capital stock of said corporation shall be fixed at the first meeting of said corporation with the right to increase the same up to two million dollars, and shall be divided into shares of one hundred dollars each.

Capital stock.

Section 6. Said corporation shall have the power to make, ordain and establish all necessary by-laws and regulations consistent with the constitution and laws of the state of Maine for its own government and for the due and orderly conduct of its affairs and the management of its property.

May make by-laws and regulations.

Section 7. The officers of said corporation shall be a board of directors, a president, a clerk, a treasurer and such other officers as may be provided by the by-laws. The powers and duties of such officers shall be prescribed in the by-laws.

Officers.

Section 8. A toll is hereby granted for the benefit of said corporation, upon all passengers and property which may be conveyed and transported on or over its railroad at such rates as may be established by its directors, and on such business as it may do over its telephone and telegraph lines, and through its express facilities, subject to such general laws relating thereto as are or may from time to time be established by the legislature.

Tolls for conveying freight and passengers granted.

—and rates for express, telephone and telegraph business.

Section 9. The said corporation is hereby authorized to make connections with any other railroad or railroads on such terms and under such conditions as may be fixed by the railroad commissioners after petition, notice and hearing, unless the parties otherwise agree thereon, and to lease its road and property, either before or after it shall have been completed, on such terms as it may determine, subject in all cases to the approval of the stockholders in each corporation.

May make connections with other railroads.

—may lease its road.

Section 10. The said corporation is authorized to purchase or lease the property and franchises of any other connecting railroad corporation in this state, or to purchase and hold the stock and bonds of any such corporation, and all such connecting corporations or corporation, or any person or association of persons, claiming rights under the stock, bonds, mortgages or franchises of any such corporation are hereby authorized to

May acquire property of connecting railroad corporation.

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make such sales or leases. All such property, franchises, stock, bonds, so acquired may be pledged or mortgaged to secure the bonds hereinafter authorized.

May hold and transfer real and personal property.

Section 11. Said corporation shall have the power to lease, purchase, hold and transfer such real and personal estate and motive power as may be necessary and convenient for its purposes, and may develop water power for the generation of electricity for the operation of its business.

May issue bonds secured by mortgage of its property.

Section 12. Said corporation is authorized from time to time to issue its interest bearing bonds upon such rates and times and to such amounts as may be expedient, secured by mortgage of its property, franchises, leasehold or other interests, for any purpose deemed necessary by it in the location, construction, completion, improvement, enlargement or operation of its railroad and appendages or in the transaction of its business and to guarantee the payment of the principal and interest, or either, of any bonds issued by any connecting railroad corporation.

First meeting, how called.

Section 13. The first meeting of said corporation may be called by any three of the corporators above named by notice thereof in writing, signed by said three corporators and given in hand or mailed to each of the other corporators at least seven days before said meeting, and any corporator may act at such meeting by written proxy.

Why this charter is granted.

Section 14. This charter is granted inasmuch as the objects thereof cannot be attained under the general laws of the state of Maine.

Approved March 22, 1911.

Chapter 189.

An Act to amend the charter of the Portland Union Railway Station Company and to enlarge its powers under the name of the Portland Terminal Company.

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

Change of corporate name.

Section 1. The name of the Portland Union Railway Station Company, incorporated and organized under chapter ninety-six of the special laws of eighteen hundred and eighty-seven, is hereby changed to the Portland Terminal Company, and its franchises, rights, privileges and powers, so far as applicable, are hereby extended throughout the railway terminal created and defined by this act.