

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-FIFTH LEGISLATURE

OF THE
STATE OF MAINE.

1911

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

AUGUSTA
KENNEBEC JOURNAL PRINT
1911

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fifth
Legislature

1911

CHAP. 189

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.

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Section 2. The railroad terminal, hereby established, shall include within its limits any or all the properties of the Portland Union Railway Station Company, the Boston & Maine Railroad, the Maine Central Railroad Company, the leasehold interests of the Maine Central Railroad Company as lessee of the Portland and Ogdensburg Railway and of the Portland & Rumford Falls Railroad, situated in the cities of Portland, South Portland or Westbrook in said state of Maine, and any or all the properties, situated in either of said cities, of any other railroad company using the terminal facilities under agreement with the said Portland Terminal Company.

What property railroad terminal shall include.

Section 3. For the establishment, maintenance, operation and development of such railroad terminal, and for the regulation of railroad business, passenger, freight and express, within its limits, the Portland Terminal Company may acquire by contract, purchase or lease from the Boston & Maine Railroad and the Maine Central Railroad Company, or from any other railroad company using or desiring to use said terminal, all or any part of the railroad franchises, rights or properties within the limits of said terminal, including lands, rights of way, tracks, road-beds, bridges, wharves, water rights, round-houses, railroad repair shops, stations, or other buildings; and all title to the same or any interests therein, or any right of exercise or operation thereof or to manage the same, within the limits aforesaid; nothing herein contained, however, shall authorize the Portland Terminal Company to acquire or to renew the use of the abandoned railroad location from Woodfords to the junction with the belt line, so-called, running from the foot of Preble street to the Union station in Portland. The tracks on said abandoned location and Pitt street bridge, so-called, over the same to be removed by the Boston & Maine Railroad at its own expense within three months after this act takes effect.

What property terminal company may acquire for regulation of railroad business.

Within the limits of said terminal for the purpose of making changes and improvements therein and for all the purposes of its charter, the terminal company shall have the same powers of eminent domain as said railroad companies have by law; damages for real estate taken by condemnation to be estimated and paid in the same manner as provided by law in cases of lands taken for railroad uses.

—same powers of eminent domain as railroad companies.

—damages, how estimated.

Any corporation owning, operating, or controlling the same is hereby authorized to make sale, lease or conveyance to the said terminal company of property which the company is hereby authorized to acquire.

—corporations authorized to convey property to terminal company.

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—may build
repair shops.

The Portland Terminal Company is hereby authorized to purchase or to build railway repair shops within its limits and to operate the same under its own management.

—may oper-
ate electric
railroads.

Within the railroad locations included in the terminal the terminal company may locate according to law and build, maintain and operate electric railroads; and may purchase or lease, maintain and operate electric street railroads within the limits of said terminal.

May establish
rules.

Section 4. The terminal company may establish reasonable rules for the government of the territory included in the terminal, regulating the manner of using the same, and the conduct of railroad business therein, passenger, freight and express, by the several railroad companies which, by contract, lease or conveyance as hereinbefore provided, have acquired the right to use the terminal facilities of the terminal company.

—change
tracks, road-
beds,
wharves, sta-
tions, etc.

Within the terminal, the terminal company may make such changes of tracks, road-beds, bridges, wharves, stations or other buildings, as it may deem expedient, or may erect new passenger or freight stations; subject to the action of the municipal officers and the railroad commissioners in any matter to which their jurisdiction by law extends.

Capital stock
increased to
not exceeding
\$500,000.

Section 5. The authorized capital stock of said corporation is hereby increased to an amount not exceeding five hundred thousand dollars and the Boston & Maine Railroad and the Maine Central Railroad Company may each subscribe for and hold one-half portion of such increase of the capital stock. The authorized capital stock of the corporation may be increased from time to time by vote of its stockholders, as the purposes of its charter require and as the railroad commissioners approve.

—capital
stock may be
increased by
vote of stock-
holders.

Section 6. Said terminal company, to provide means to carry out the purposes of this act, may from time to time issue coupon or registered bonds to such an amount as may be necessary and as may be approved by the board of railroad commissioners. Said corporation may mortgage or pledge as security for the payment of such bonds, or of any bonds given in renewal thereof, a part or all of its franchises and property.

Company
may issue
bonds and se-
cure the same
by mortgage
of its prop-
erty.

The Boston & Maine Railroad and the Maine Central Railroad Company, and any other railroad company using the terminal facilities by agreement with the terminal company, are each hereby authorized to guarantee the payment of the bonds issued by the Portland Terminal Company under this act, and to lease or convey to said Portland Terminal Company any or all property within the limits of said terminal.

—payment of
bonds may be
guaranteed
by railroad
companies
using termi-
nal facil-
ities.

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How railroad companies shall pay for use of terminal facilities.

Section 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 board of railroad commissioners 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 board of railroad commissioners, 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 board of railroad commissioners upon like application, at intervals of not less than three years. The decisions of the board of railroad commissioners fixing said proportions of payments shall be final and binding upon all of said railroad companies, and the payments required to be made by them respectively to said terminal company either by such agreement or decisions shall be deemed part of their operating expenses, and the supreme judicial court or any justice thereof shall have jurisdiction in equity to compel such payments to be made, either by mandatory injunction or by other suitable process.

Approved March 23, 1911.

Chapter 190.

An Act to amend Chapter three hundred and seventy-four of the Private and Special Laws of nineteen hundred and nine, authorizing annual appropriation for York Hospital.

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

Chapter three hundred and seventy-four of the private and special laws of nineteen hundred and nine is hereby amended so as to read as follows:

'The inhabitants of the town of York are hereby authorized to make appropriation annually for the benefit and support of the York hospital in said town.'

Chapter 374, special laws, 1909, amended.

Town authorized to aid York hospital.

Approved March 23, 1911.