

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1846.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840,
and March 16, 1842.

Augusta:

WILLIAM T. JOHNSON,.....PRINTER TO THE STATE.

1846.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE,

1846.

CHAP. 310.

Chapter 310.

An Act in addition to "an act to establish the Atlantic and Saint Lawrence Rail Road Company."

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

Authorized to take and hold certain real estate in Portland.

SECTION 1. The Atlantic and Saint Lawrence Rail Road Company shall have, and there hereby is granted to them, the right and power to take and hold such and so much of the lands, flats, and other real estate, of private persons and corporations, situate and lying within the city of Portland, and adjoining the navigable waters of Portland harbor, as the directors of said company in the exercise of their best judgment and discretion shall judge to be best situated to promote public convenience, and to be necessary for the location and purposes of a suitable depot, landing, wharves, and other objects, connected with the uses and business of said road at the Atlantic termination thereof. And the lands so taken shall be deemed to be held and taken for public uses under the laws and constitution of this state : *Provided, however,* that the lands, flats, and other real estate so taken by said corporation, shall not extend beyond, but shall every part and parcel thereof, lie and be contained within the following exterior limits and boundaries, that is to say, beginning at the channel of Fore river on a line with India street, on the north easterly side thereof, thence running to Fore street, thence by said Fore street north easterly to a point north easterly of Thurston's ship yard, so called, where said Fore street approaches nearest to the edge of the high bank of said Fore river, thence in a direct line at right angles to the channel and thence by the channel to the place of beginning ; and provided also, that said corporation shall pay for any lands, flats, and other real estate, so taken as aforesaid, a just and reasonable price and equivalent therefor ; and in case the parties interested shall not otherwise agree, said corporation shall pay such price and equivalent therefor, as the county commissioners for the county of Cumberland shall adjudge and determine to be the fair value thereof ; the doings and proceedings of said commissioners in the premises being governed and conducted in all cases in the same manner, and under the same conditions and limitations, as are by law provided for ascertaining and determining the damages occasioned by the laying out of highways.

Damages, how paid.

Duty of the county commissioners in the premises.

And the said commissioners are hereby authorized and required on the written application of either party to proceed to examine, hear, and adjudicate, in the premises, and to cause their doings to be entered as of record on the records of their doings as county commissioners.

SECT. 2. The Atlantic and Saint Lawrence Rail Road Company shall have the right, and there is hereby granted to them the power, to build a suitable seawall, and suitable breastworks, wharves, and docks, connected with their said depot and terminus, for the reception, landing, lading, transshipment, and forwarding of merchandise and freight, transported, or to be transported, by and over said road, and for the accommodation and security of ships and vessels, receiving or discharging merchandise, freight or passengers. And to this end there is hereby further granted to them the right to build and construct a pier or piers on the middle ground, so called, for the protection and convenience of such ships and vessels, and for the better accommodation of the trade and business of said road, so however as not to obstruct and impede the free navigation of said harbor.

CHAP. 311.

Power to build sea wall, breastworks, wharves, and docks.

—to construct piers on the middle ground.

Not to obstruct the navigation of said harbor.

SECT. 3. This act shall take effect and be in force from and after the approval thereof by the governor.

[Approved June 17, 1846.]

Chapter 311.

An Act additional respecting the South West Bend Bridge.

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

The fourth section of the act to incorporate the Proprietors of the South West Bend Bridge, approved February second, one thousand eight hundred and nineteen, is hereby so varied and amended as not to require the bridge to be built more than twenty two feet wide.

Not required to be built more than twenty-two feet wide.

[Approved June 18, 1846.]

Chapter 312.

An Act to incorporate the Proprietors of the Sullivan Bridge.

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

SECTION 1. Augustus B. Perry, George Hinman, junior, John S. Emery, Theodore Bean, Ambrose Simpson, Walter Bowers, Sidney Smith, Otis Hinman, Nathaniel Johnson, George Hinman, Franklin Smith, Ransom B. Smith, William H. Clapham, Benja-

Corporators.