

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1852.

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Published by the Secretary of State, agreeably to resolves of June 28, 1820, February  
26, 1840, and March 16, 1842.  
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1852.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1852.

Chapter 591.

An act to establish the Atlantic Junction Railroad.

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

SECT. 1. Charles Q. Clapp, and Asa W. H. Clapp of Portland, their associates and assigns, are hereby authorized to construct and maintain a railroad, not exceeding four rods in width, extending from the present joint terminus and depot buildings of the railroads entering the city of Portland on the west side, to a point or points of connection with the Atlantic and St. Lawrence Railroad, at the place where it crosses the outlet of Back cove, nor further north than the western shore of said outlet at high water mark, and may operate, and use the same, in like manner, and with such privileges, liabilities, and duties as are, or may be provided for other railroads, by the general laws of this state. *Provided, however,* that said railroad shall not be joined to, or connect with said Atlantic and St. Lawrence Railroad, without first obtaining the consent of the Atlantic and St. Lawrence Railroad Company therefor; nor shall said railroad hereby authorized, be constructed across Washington-street, in the city of Portland, or the bridge leading thereto and connected therewith, at grade; nor shall said railroad be constructed across said street or bridge, or any street in said city, without first obtaining the consent of the city council therefor.

Certain persons authorized to construct a railroad.

Line of road, &c.

Proviso.

SECT. 2. The said grantees, their associates and assigns, shall have all such powers, in respect to taking land for the location, construction and operation of said railroad, and shall be subject to all such duties and liabilities in respect thereto, as are prescribed in the first section of the act to establish the Atlantic and St. Lawrence Railroad Company, and shall have such further powers and privileges, and be subject to all such further restrictions, duties, provisions, remedies and liabilities, as may now exist or may hereafter be prescribed in respect to railroads within this state by any general law; *provided, however,* that said grantees shall have no power to enter upon or use, any real estate, taken under this act, except for the purpose of making surveys, until they shall have paid the owners thereof such sums as may have been mutually agreed upon as damages, or until they shall have procured an estimation of said damages in the manner provided by law, and shall have tendered to the persons entitled to receive the same the amount of damages so estimated with all costs, and the acceptance of the

Power to take land, &c.

Proviso.

Powers of grantees restricted.

Amount of damages to be tendered.

CHAP. 592. amount so tendered shall not bar any right of appeal, as provided by law.

Authority to
lease, &c., said
road.

SECT. 3. The said parties shall have authority to assign or lease to the Atlantic and St. Lawrence Railroad Company, all their interest and franchise granted and acquired, under this act, and the corporation, to whom the same may be so assigned or leased, shall have all the powers, and be subject to all the duties herein granted and prescribed.

Charter
limited.

SECT. 4. If said grantees shall fail to complete said railroad within two years from and after the passage of this act, then this act shall be null and void.

[Approved April 17, 1852.]

Chapter 592.

An act additional to an act to incorporate the city of Gardiner.

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

Wooden build-
ings, erection
of prohibited
in certain
cases.

SECT. 1. The city council for the city of Gardiner are hereby authorized and empowered to pass any ordinance or ordinances regulating or forbidding the erection of wooden buildings on any street or streets in said city when they may deem it necessary or conducive to the public safety.

SECT. 2. This act shall be in force from and after its approval by the governor.

[Approved April 17, 1852.]

Chapter 593.

An act to apportion the state for representatives to congress.

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

First district,
limits of.

SECT. 1. The county of York, together with the townships of Scarborough, Cape Elizabeth, Westbrook, Gorham, Standish, Baldwin, Sebago and Naples, and the city of Portland, from the county of Cumberland, shall compose the first district, and be entitled to one representative.

Second
district.

The remainder of the county of Cumberland, together with the counties of Oxford and Franklin, shall compose the second district, and be entitled to one representative.