

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE,

1857.

Published by the Secretary of State, agreeably to Resolves of June 23, 1820, February 26, 1840,
and March 16, 1842.

AUGUSTA:
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1857.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1857.

CHAP. 25.

Chapter 25.

An act to authorize the construction of a railroad around the north side of the city of Portland.

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

<p>Corporators.</p>	<p>SECT. 1. Moses Gould, William Boyd, H. V. Bartol, Daniel Gould, S. H. Colesworthy, William Senter, Abner Lowell, John S. Wilson, their associates and successors, are hereby constituted a</p>
<p>Corporate name.</p>	<p>body politic and corporate, by the name of the Portland Union</p>
<p>Rights, powers, &c.</p>	<p>Railway Company; which corporation shall have such powers, and be subject to such duties and liabilities, as are provided by the general laws of this state for similar corporations, and shall be authorized to construct and maintain a railroad upon a location not exceeding five rods in width, extending around the easterly side of "Back Cove," and the outlet thereof, from the present joint terminus of the railroads entering the city of Portland on the west side, to a point one rod distant from the western side line of the located way of the "Atlantic and St. Lawrence Railroad Company," not more than one hundred rods from the southern end of the present railroad bridge, across the outlet of Back Cove, and may operate and use the same, subject to the provisions of this act, in like manner, and with such privileges, liabilities and duties, as are or may be provided and prescribed for other railroads, by the general laws of this state.</p>
<p>Railroad, location and construction of, authorized.</p>	
<p>Powers, privileges, &c.</p>	<p>SECT. 2. The said corporation 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, remedies and liabilities, as are now, or may hereafter be prescribed, in respect to railroads within this state, by any general laws. But the said corporation shall have no power to enter upon, or use any real estate taken under this act, except for the purpose of making surveys, until it shall have paid the owners thereof such sums as may have been mutually agreed upon as damages; or until it shall have procured an estimation of such 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; or if the owners of any of said lands shall be unknown, until it shall have deposited in the treasury of the county of Cumberland, for the benefit of the persons entitled to receive the same, the amount of damages so estimated, to be paid to such unknown proprietors, which amounts so deposited</p>
<p>—duties and liabilities.</p>	
<p>Further powers, &c.</p>	
<p>Damages, how adjusted.</p>	

shall be paid over thereafterwards, upon the order of the commissioners of said county, to the persons who shall make satisfactory proof to said commissioners of their right to the same.

SECT. 3. The immediate management of the affairs of said company shall be entrusted to a board of directors, of such number, and to be chosen in such manner, as the corporation by its by-laws shall direct and determine. They shall choose the secretary and the treasurer of the corporation, which officers shall be severally sworn to the faithful discharge of their respective duties.

Directors.

Secretary and treasurer.

SECT. 4. A toll is hereby granted for the sole benefit of said corporation, upon all persons and property which may be conveyed upon said road, at such rates as may be established from time to time by the directors; and the transportation of the same shall be subject to such regulations and conditions as the directors may prescribe.

Toll, transportation, &c., to be under direction of directors.

SECT. 5. No part of the railroad hereby authorized, shall be located or constructed below low water mark, nor shall the same be connected with, or used in connection with any existing railroad, or cross any existing railroad, or enter upon the located way of the same, except upon the express consent, in writing, of the directors of said existing railroad, and then upon such terms and conditions as may be mutually agreed upon by the directors of the railroad company hereby authorized, and the directors of the existing railroad companies with which it is proposed to connect.

Railroad, certain location or construction of, prohibited.

Except by consent.

SECT. 6. The capital stock of said corporation shall not exceed two hundred thousand dollars, and shall be divided into shares of one hundred dollars each.

Capital stock not to exceed \$200,000. Shares.

SECT. 7. The said corporation may be organized whenever an amount not less than forty thousand dollars of the capital stock thereof shall have been subscribed. The location of said railroad shall be made and recorded within three years from the passage of this act. If the said railroad shall not be completed within six years from the passage of this act, then all the powers and privileges, duties and liabilities, granted and prescribed hereby, in respect to so much of said road as shall not be completed, shall cease and determine.

Corporation, organization of.

Location to be recorded.

If not completed in six years, powers, privileges, &c., to cease.

SECT. 8. The said corporation is hereby authorized to purchase any lands and flats contiguous to the line of its location, and may hold, improve, manage and dispose of the same.

Authorized to purchase land, &c.

SECT. 9. This act shall take effect and be in force from and after its approval by the governor.