

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FORTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE.

1869.

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1869.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1869.

CHAP. 231.

Court, when to
be holden.

SECT. 3. Said court shall be holden on Tuesday of each week, at nine of the clock in the forenoon, at such place as the city shall provide, for the purpose of the transaction of civil business, and all civil business and all civil processes, shall be made returnable accordingly.

Fees.

SECT. 4. The fees in said court shall be for complaint and warrant, one dollar, for trial, civil or criminal, for the first day, one dollar, and for each day after the first, two dollars, and all other fees the same as are taxable in trial justices' courts.

Fines and
penalties.

SECT. 5. All fines and penalties which may be awarded by said court in the administration of its criminal jurisdiction, shall be accounted for and paid over by said judge, in the same manner as if the same had been awarded by the sentence of a trial justice.

Fees of office, &c.

SECT. 6. Said judge shall retain all moneys received by him as fees of office, or copies of papers, which shall be payment in full for his services as judge, unless the city council shall determine by vote, a certain sum of money to be paid to said judge as salary for his services, and in case a salary is provided for said judge, he shall then be held to pay all sums of money received as fees of office, or copies of papers, into the city treasury, quarterly.

In case of sick-
ness or disability
of judge, court to
stand adjourned.

SECT. 7. In case of death, sickness or other disability of the judge, he is unable to attend at the time and place as provided in section three, for the transaction of civil business, the court shall stand adjourned till the next term of court, and so from time to time, without cost to either party, until the judge is able to attend, and in case of disability to perform the other duties of his office, the criminal jurisdiction of said court shall devolve upon the trial justices, and the municipal court of the city of Lewiston, in the county of Androscoggin, and all proceedings instituted during such disability, shall be finally determined by magistrates instituting the same.

SECT. 8. This act shall take effect when approved.

Approved March 5, 1869.

Chapter 231.

An act authorizing the city of Gardiner and town of Pittston, or either of them, to raise money for and to purchase the Gardiner and Pittston bridge.

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

Gardiner and
Pittston author-
ized to raise
money to pur-
chase bridge.

SECT. 1. The city of Gardiner and town of Pittston, or either of them, are hereby authorized and empowered to raise money to purchase the bridge across the Kennebec river between the said

city and town now belonging to the proprietors of the Gardiner and Pittston bridge.

SECT. 2. Said city and town, or either of them, are hereby authorized and empowered to take and purchase said bridge and franchise, with all the rights, privileges, powers and appurtenances thereto belonging, on the payment to said proprietors of said bridge such a sum as may be mutually agreed upon by said city and town and said proprietors; *provided*, that two-thirds of the voters present at a meeting legally called for that purpose by said city and town shall be in favor of such purchase, but if the said city and town and said proprietors cannot agree upon said sum, then the value of said bridge, franchise, and damage thereby occasioned to said proprietors, shall be assessed and determined by the county commissioners for Kennebec county, in the same manner and with the same rights as damages are assessed and determined in cases where lands are taken for highways under and by virtue of the statute now in force in this state; and when this sum of money shall be determined, and the city of Gardiner and the town of Pittston, or either of them, shall pay the same to the proprietors of the Gardiner and Pittston bridge, as the value of said bridge and franchise at the time, then the said bridge and franchise, and all its appurtenances thereto belonging, shall become the property of the said city and town, or either of them, so paying, each owning in proportion to the amount respectively paid; and all the rights, powers and privileges of the said corporators of the Gardiner and Pittston bridge shall thereafter cease.

Proviso.

Payment, possession, &c.

SECT. 3. Said city of Gardiner and town of Pittston, or either of them, having purchased the Gardiner and Pittston bridge, shall keep up, maintain, light and attend the said bridge and the draw, in the same manner as the corporators of the Gardiner and Pittston bridge are now compelled to do by their charter and all subsequent laws pertaining thereto.

Bridge to be kept according to terms of charter.

SECT. 4. The city of Gardiner and the town of Pittston, or either of them, having purchased the Gardiner and Pittston bridge, may fix and take tolls on said bridge, not exceeding those now established by law for a term not exceeding six years from the date of said purchase, after which time the said bridge shall become a free bridge, and shall forever after be maintained, lighted and attended by the said city and town as a free bridge, and the expenses and liabilities of the same shall be paid by the city and town in proportion to the parts of said bridge owned by each.

Tolls, regulation of.

SECT. 5. The city of Gardiner and the town of Pittston, or either of them, may issue bonds for the purchase of said bridge, which bonds shall not be given for a longer time than six years;

Bonds may be issued.

CHAP. 232.

Tolls and money
to be paid to
treasurer weekly.

How applied.

and all tolls and money received from said bridge shall be paid weekly to the treasurer of the city of Gardiner and the treasurer of the town of Pittston, in proportion to the parts of said bridge owned by each; and all money so received by the said city and town, or either of them, shall be appropriated for the payment of the bonds thus issued.

SECT. 6. This act shall take effect when approved.

Approved March 5, 1869.

Chapter 232.

An act to amend "an act to prevent the throwing of slabs and other refuse into the Penobscot river," approved February fifth, eighteen hundred sixty-eight.

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

Amended.

In the second line strike out the words "below the mouth of the Mattawamkeag river, or into any of its tributaries entering below the mouth of said Mattawamkeag river," and insert the words 'below the junction of the east and west branches of said river in Medway plantation,' so that the section will read:

Throwing of
refuse lumber
into river
prohibited.

'SECT. 1. No person or persons shall cast or throw into the Penobscot river, below the junction of the east and west branches of said river in Medway plantation, any slabs, board or lath edgings, bark, grindings of edgings, wood, bark or lumber, or refuse wood or timber of any sort, or shall place, pile or deposit on the banks of said Penobscot river, or banks of said tributaries, any slabs, board, or lath edgings, bark, grindings of edgings, bark, wood or lumber, or refuse wood or timber of any sort, in such negligent or careless manner that the same shall fall or be washed into said river or said tributaries, or with the intent that the same shall fall or be washed into said river or said tributaries, whereby the navigation of said river may become impeded or injuriously affected, or which shall tend to impede or injuriously affect the navigation of, or fill up said river, under a penalty for each offence, if the quantity shall not exceed five cords, of not less than five or more than twenty dollars; if the quantity cast or thrown in, or that shall fall or be washed in, as aforesaid, at one or different times, shall exceed five cords in all, under a penalty of not less than twenty, nor more than five hundred dollars.'

Placing or piling
same on banks
of river in negli-
gent manner
prohibited.

Penalties.

Approved March 5, 1869.