

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

DOCUMENTS

PRINTED BY ORDER OF

THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSIONS

A. D. 1851--2.

Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1852.

THIRTY-FIRST LEGISLATURE.

No. 38.]

[HOUSE.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
FIFTY-TWO.

AN ACT to incorporate the Proprietors of the Gardiner
and Pittston Bridge.

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

SECTION 1. Robert H. Gardiner, Noah Woods,
2 Henry B. Hoskins, J. D. Warren, Gideon S. Palmer,
3 John Dennis, James Stone, John T. Stone, Freeman
4 Trott, John Webb, William Palmer, Phineas Pratt,
5 James A. Cox, Jacob Davis, Francis Richards, John
6 Berry, jr., John L. Foy, Myrick Hopkins, Daniel Nut-
7 ting, Ephraim Forsyth, Lorenzo Clay, Isaac J. Carr,
8 F. T. Lally, William R. Gay, Franklin Stevens, Dan-

9 iel Brookings, John Jewett, Stephen Young, Gideon
10 Barker, James M. Brookings, William Cooper, Charles
11 Cooper, James N. Cooper, John Stone, Benjamin F.
12 Stone, William L. Stone, and Joseph Adams, their
13 associates, successors, and assigns, are hereby consti-
14 tuted and created a body politic and corporate, by the
15 name of the “Proprietors of the Gardiner and Pitts-
16 ton Bridge,” and by that name are hereby made ca-
17 pable of suing and of being sued, and are empowered
18 to have a common seal, to have, hold and own real
19 and personal estate to an amount not exceeding fifty
20 thousand dollars, and generally to have and enjoy all
21 the powers and privileges incident, belonging to, or
22 usually granted to similar corporations.

SECT. 2. Said corporation is hereby empowered to
2 erect and maintain a toll bridge across the Kennebec
3 river, at some suitable place between Gardiner and
4 Pittston ; said bridge to be built of suitable materials,
5 and to be not less than twenty-four feet wide, exclu-
6 sive of sidewalks, and in all respects to be made safe
7 for travelers, and to have one or more sidewalks, each
8 walk not less than five feet wide, with appropriate and
9 sufficient railings amply to protect and guard the
10 same.

SECT. 3. A draw upon the swing or pivot principle shall be constructed in said bridge over that part of the channel most favorable for the passage of vessels; which draw shall not be less than sixty feet wide on each side of the pivot pier. And said corporation shall cause said draw to be opened for the accommodation of all vessels that may have occasion to pass through the same, free of expense and without unnecessary delay, and in case any vessel desirous to pass through said draw shall be delayed at the same more than fifteen minutes, after notice given of such desire, said corporation shall pay to the owner or owners of such vessel so delayed, at the rate of ten cents per hour on every ton burthen of such vessel, unless such delay be occasioned by stress of weather, by ice, or by some unavoidable accident.

SECT. 4. A toll for the use and benefit of said corporation is hereby granted and established, which toll shall in no case exceed the following rates, viz: for each foot passenger, one cent; for each horse and rider, five cents; for each horse and wagon or sleigh, ten cents; for each chaise, carryall, or other carriage drawn by one horse, twelve cents; for each coach, chariot, phaeton, or other carriage of pleasure, and for each sleigh drawn by two horses, fifteen cents, or

10 if drawn by four horses, twenty cents ; for each cart,
11 wagon, sleigh or sled of burthen, drawn by two beasts
12 with one driver, twelve cents ; for each additional
13 beast, two cents ; for neat cattle and horses, not in
14 harness or teams, and without a rider, two cents ; for
15 sheep and swine, one cent each ; and all persons
16 who shall actually be on military duty with their bag-
17 gage, and all persons going to or returning from pub-
18 lic worship on the Lord's day, and in case of fire all
19 engines and persons attached to the same shall be per-
20 mitted to pass and repass said bridge free of toll ; and
21 at all times when the toll gatherer shall not attend to
22 his duty, the toll gates shall be left open. Toll shall
23 commence and be collectable on the first day of the
24 opening of said bridge for passengers. Said bridge
25 shall be kept in good repair at all times, and at the
26 place or places for collecting the toll, there shall be
27 put up and kept constantly exposed to view a sign
28 with the legal rates of toll fairly and legibly written
29 thereon.

SECT. 5. Said bridge shall be erected and com-
2 pleted in three years from the time of the passage of
3 this act, otherwise this charter shall be void.

SECT. 6. Either of the corporators named in this
2 act is hereby authorized to call the first meeting of

3 said corporation, which meeting shall be holden in
4 Gardiner, and may be notified by posting up notices
5 in two or more public places in said Gardiner, and
6 the same in Pittston, seven days at least before the
7 time fixed for the meeting, and also by publishing
8 such notice in the Gardiner papers, two weeks in suc-
9 cession, the first publication to be fourteen days at
10 least prior to the day of the meeting.

SECT. 7. As soon as said bridge shall be completed
2 and opened for travel, said corporation shall pay to
3 the proprietors or corporation of the Kennebec Ferry
4 at Gardiner, such sum as may be awarded by the
5 county commissioners of the county of Kennebec, as
6 the value of the ferry property at that time, and upon
7 such payments being made, the said ferry property
8 shall become the property of the bridge corporation,
9 and all the rights, powers and privileges, of said ferry
10 company, from that moment shall cease.

SECT. 8. Said corporation may take and hold so
2 much real estate upon each bank of the Kennebec
3 river, at the point selected for the construction of
4 their bridge, as may be necessary for its location,
5 construction and convenience. Such real estate, so
6 taken, to be paid for by said corporation at a price

7 agreed upon with the owner or owners thereof, or if
8 the corporation and the owner or owners cannot
9 agree as to the price, the amount to be paid for real
10 estate, so taken, shall be determined by a committee
11 of three disinterested men, one of whom to be chosen
12 by the owner of the real estate, one by the corpora-
13 tion, and the third to be selected by the other two,
14 and the award of said committee or the major part of
15 it to be final upon the parties.

SECT. 9. Said corporation for the purpose of secur-
2 ing a convenient passage way to and from said bridge,
3 is also authorized to cross and re-cross over the track
4 of the Kennebec and Portland railroad, at or near
5 such point as may be selected for the erection of the
6 bridge ; and this right they shall enjoy from the time
7 they commence building said bridge, care being taken
8 at all times, by said bridge corporation, to interpose
9 no obstacles in any way to the passing and re-passing
10 of the cars over said track.

SECT. 10. This act shall be in force from and
2 after its approval by the governor.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, March 27, 1852.

ORDERED, That 350 copies of the foregoing bill, be printed for the use of the Legislature.

EDMUND W. FLAGG, *Clerk.*