

# MAINE STATE LEGISLATURE

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June 13, 1927

To Hon. Ernest L. McLean, Director, Kennebec Bridge  
Re: Carlton Bridge

. . . You ask the opinion of this department relative to the authority of the Directors of Kennebec Bridge to "name" the bridge.

Chapter 89 of the Private and Special Laws of 1925, creates the "Directors of the Kennebec Bridge", with power to construct a bridge across the Kennebec River at Bath, and those Directors with the advice and consent of the Governor and Council have authority to make and let contracts for the construction of the bridge and "to do any other act necessary for the construction of said bridge."

The bonds issued by the State of Maine for the purpose of building this bridge across the Kennebec River have been issued in the name of "Kennebec Bridge Loan Bonds", and so approved by the Governor and Council. The contracts signed by yourself and the other Directors in relation to this bridge have all been signed in the name of "Kennebec Bridge".

During the last legislature an act in relation to the bridge, which designated the name of the bridge as Carlton Bridge, was introduced in the Senate the last of February, which act was on March 9th returned to the Senate from the House without action, and on March 10th withdrawn in the Senate on motion of the Senator who introduced the same.

On July 16, 1926, I wrote the Chairman of the Directors of the Kennebec Bridge a letter in which I told him that the order appearing on page 856 of the Legislative Record of 1925 did not name the bridge, it simply expressed the desire of the legislature to have the bridge called Carlton Bridge, and I further stated that the only authority that could change the name was another legislature.

On February 24, 1927, I wrote a letter to the Chairman of the Directors, in which I stated, "I see no reason why the Directors may not as a part of the construction place on the bridge a suitable marker with such inscription or name as they may desire, unless some positive law is hereafter passed to the contrary."

On March 31, 1927, the Senate of the State of Maine passed an order providing for a joint select committee to arrange for "an appropriate dedication of the Kennebec Bridge", which order was read and passed, with concurrence in the House on April 1, 1927. This last order would seem to recognize that the bridge had already been named as Kennebec Bridge, and in effect so names the bridge. The order passed by the Legislature of 1925 expresses a desire, and the act of the Legislature of 1927 definitely makes an order.

I do not see how the Directors have any authority to name this bridge or to call it by any name other than "Kennebec Bridge" or "Kennebec Bridge at Bath, Maine", as definitely stated in the order of March 31, 1927.

Raymond Fellows  
Attorney General