

# MAINE STATE LEGISLATURE

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N I N E T I E T H                      L E G I S L A T U R E

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**Legislative Document**

**No. 76**

H. P. 230

House of Representatives, January 16, 1941.

Referred to Committee on Claims. Sent up for concurrence and 500 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Miss Deering of Bath by request.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-ONE

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**RESOLVE, in Favor of Kennebec Towage Company, a Corporation  
Located at Bath, Maine.**

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**Kennebec Towage Company, reimbursed. Resolved:** That there be and hereby is appropriated the sum of \$2,165 to be paid the Kennebec Towage Company, a corporation located at Bath, Maine, as full and final settlement on the part of the state for damages to the tugboat Seguin, June 18, 1940, suffered while said tugboat was endeavoring to pass through draw of the Richmond-Dresden bridge.

## STATEMENT OF FACTS

On June 18, 1940, the tugboat Seguin was proceeding up the Kennebec River with a tow destined to some point north of the Richmond-Dresden Bridge. The draw of the bridge was open for passage of the tugboat. On either side of the draw entrance piles or dolphins were driven to protect vessels from the stone piers and guide them through the draw passage, just as, for example, they are used to help guide a boat to and protect it when docking at a wharf. In passing through, the Seguin rubbed against these pilings, her captain expecting they would help guide the tug through the draw, but instead stone masonry extending into the river and beyond the piling ripped a great hole in the tugboat and so seriously damaged her that she was beached with great difficulty and with about  $\frac{2}{3}$  of her bulk under water.

The injury was occasioned wholly by the faulty location of the piles or dolphins, so as to permit the projection of the stone abutment beyond their face, thus making them a deception and trap instead of a guide and protection.

As a result of the injury the Kennebec Towage Company was obliged to spend \$6,205.83 for repairs and \$965.46 for services of another tugboat while the Seguin was undergoing repairs, a total of \$7,171.29. It received \$4,406.08 in insurance and estimates \$600 as improvements to the tugboat as a result of the repairs, making a net loss of \$2,165.21, for which it asks to be reimbursed.