

# MAINE STATE LEGISLATURE

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**PRIVATE ACTS**

OF THE

**STATE OF MAINE,**

**PASSED BY THE LEGISLATURE,**

*AT THEIR SESSIONS,*

HELD IN

**JUNE, 1820, AND JANUARY, 1821.**

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Published agreeably to a Resolve of June 28, 1820.

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*PORTLAND :*

PRINTED BY THOMAS TODD & CO. PRINTERS TO THE STATE.  
1821.

## CHAPTER XVIII.

AN ACT to incorporate the Master, Wardens and Members of  
Kennebec Lodge.

SECT. 1. *BE it enacted by the Senate and House of Representatives in Legislature assembled, That Ebenezer T. Warren, Jesse Robinson, Gideon Farrell, Ezekiel Goodale, Samuel G. Ladd, Amos Nourse, Ebenezer White, Ariel Mann, Moses Whittier, Beriah Mann, Calvin Spaulding, Samuel K. Gilman, John P. Flagg, Samuel Nelson, William C. Wilde, Andrew Masters, Isaac Gage, Moses Palmer, Francis Day, Francis Norris, John D. Lord, Joshua O'Le Fevre, and their associates and successors, be, and they hereby are incorporated into a body politic, by the name of the Master, Wardens and Members of Kennebec Lodge ; with power to sue and be sued ; to have a common seal, and to change the same ; to make any bye-laws for the management of their affairs, not repugnant to the laws of this State, nor to ancient masonic usages ; to take and hold, for charitable and benevolent uses, any real estate to the value of ten thousand dollars, and any personal estate to the value of thirty thousand dollars ; and to give and grant, or bargain, and sell the same : and with all the privileges usually granted to other Societies, instituted for purposes of charity and beneficence.*

Persons incor-  
porated.

May hold 10,000  
dollars real,  
And 30,000 dol-  
lars personal  
estate.

SECT. 2. *Be it further enacted, That the first meeting of said corporation shall be holden at such time and place, and be notified in such manner as the majority of the persons herein named may direct.*

First meeting.

SECT. 3. *Be it further enacted, That the powers granted by this Act, may be enlarged, restrained or repealed, at the pleasure of the Legislature.*

Act may be al-  
tered or repeal-  
ed.

[*This Act passed January 19, 1821.*]

## CHAPTER XIX.

AN ACT to incorporate the Proprietors of Portsmouth Bridge.

WHEREAS the State of New-Hampshire, by an Act of Preamble.  
the Legislature of the same, passed on the twenty-eighth day of June, in the year of our Lord one thousand eight hundred and nineteen, entitled "An Act to incorporate the Proprietors of Portsmouth Bridge," did make and constitute Jeremiah Mason, Edward Cutts, and others, their associates, a body politic and corporate for the purpose of building a bridge over the Piscataqua river ; And, whereas the Commonwealth of Massa-

chusetts, by an Act of the Legislature of the same, passed on the twenty-fifth day of February, in the year of our Lord one thousand eight hundred and twenty, did make and constitute Samuel Leighton, Isaac Lyman, Mark Dennett, and others their associates, a body politic, and corporate, by the name of the Proprietors of Portsmouth Bridge; and whereas the management of the concerns of two corporations, in carrying the said object into effect, will be attended with inconvenience and difficulty; and whereas the corporation created by the said Act of Massachusetts have provisionally voted not to accept the same: therefore,

Persons Incorporated.

May hold real estate necessary to the object of the corporation.

Authorized to build a bridge.

Bridge to have a draw to admit vessels to pass,

And two piers to which vessels may be made fast,

SECT. 1. *BE it enacted by the Senate and House of Representatives in Legislature assembled,* That Jeremiah Mason, Edward Cutts, John Langdon, Nathaniel A. Haven, James Sheafe, John F. Parrot, Thomas Haven, William Rice and Henry Ladd, with their associates named in the act aforesaid of the State of New-Hampshire, by the name of the proprietors of Portsmouth Bridge, and Samuel Leighton, Isaac Lyman and Mark Dennett and others named in the Act aforesaid of the Commonwealth of Massachusetts, and their associates, who are or shall become proprietors in said Bridge, so long as they shall continue proprietors thereof, shall be a body politic and corporate for the purpose aforesaid, by the name of the proprietors of Portsmouth Bridge; with power to purchase and hold such estate as may be necessary to carry into effect the object of said corporation; and with the power to make and establish all such rules and bye laws as may be deemed necessary, for the regulation and government of said corporation; and with all the other powers and privileges, and subject to all the liabilities, incident to corporations of a similar nature, provided the said rules and bye-laws be not repugnant to the laws of this State.

SECT. 2. *Be it further enacted,* That the said proprietors of Portsmouth Bridge, be and hereby are permitted and empowered to erect a Bridge over Piscataqua River, between the towns of Kittery or Elliot, in this State, and Portsmouth in the State of New-Hampshire, and that the right of building and maintaining a Bridge across said river, between the towns aforesaid, is hereby fully granted to said corporation.

SECT. 3. *Be it further enacted,* That a draw or hoist in said Bridge, shall be constructed over the channel of said river, of sufficient width for vessels to pass and repass freely, and that two good and sufficient piers be made, the one to be placed above the bridge, the other below the bridge, and so connected with the bridge as to make it convenient for vessels to make fast to, and moor, until wind and tide will admit of such vessel, so made fast, to pass through the draw free of expense; and the said proprietors shall cause the same to be

hoisted or opened without delay for the accommodation of all such vessels as may have occasion to pass through the same, and for which the hoisting or opening said draw may be necessary; and the said Bridge shall be so constructed that open boats and gondolas shall be enabled to pass under said Bridge, at least in one place exclusive of the draw; which passage shall be of sufficient height and width for said boats and gondolas to pass and repass with safety, and with as little obstruction as possible at all times of tide: And for the safety of the lives of those who are or may be concerned in the boat navigation, of said river, the said Bridge shall be provided with at least four lamps, which shall be well supplied with oil, and be constantly lighted during the night time.

And an additional passage way for open boats, &c.

And to be lighted in the night by four lamps.

SECT. 4. *Be it further enacted*, That for the purpose of reimbursing said proprietors, a toll, be, and hereby is granted and established for the sole benefit of the said proprietors, according to the following rates, to wit: for each foot passenger three cents; for each person and horse, ten cents; for each chaise, sleigh or other carriage of pleasure drawn by one horse, thirty cents; for each coach, chariot, sleigh, phaeton or other pleasure carriage drawn by two horses, sixty five cents; for each coach, sleigh, or other pleasure carriage drawn by four horses, seventy-five cents; for each sled, sleigh, cart, or other carriage of burthen drawn by one horse, ten cents; for each cart, waggon, sled or sleigh drawn by two horses or oxen, twenty cents; and each additional beast, five cents; for neat cattle or horses, exclusive of those rode upon or in teams or carriages, ten cents each; for sheep and swine, two cents each, and to each team one person and no more shall be allowed to pass free of toll. And at all times when the toll gatherer shall not attend his duty, the gate shall be left open; and the toll shall commence, on the day of opening the bridge for passengers, and shall continue for the benefit of the corporation forever: *Provided*, That in no case, either by virtue of this act, or any concurrent or other act, for the purposes herein mentioned, which is or may be enacted by the Legislature of New-Hampshire shall the rates of toll, demanded and received for one passage over said Bridge, exceed the rates above established: *Provided also*, That after the term of twenty years, the rates of toll established by this act shall be subject to be altered by law, and the proprietors aforesaid shall erect, and at all times keep, at the place where the toll is collected, exposed to view a sign or board, with the rates of toll fairly and legibly written thereon. And the said corporation may (if they think proper) commute the rate of toll with any person or persons, or with any Corporation, by taking of him or them a certain sum annually, which may be mutually agreed on, instead of the toll aforesaid.

Toll granted.

Rates of the toll

When the toll gatherer is absent the gate to be left open.

Rate of toll may be altered after twenty years.

First meeting appointed.

SECT. 5. *Be it further enacted*, That a meeting of the Proprietors of Portsmouth Bridge aforesaid, shall be holden in Portsmouth, at the office of the Fire and Marine Insurance Company, on Monday the twenty ninth day of January, in the year of our Lord one thousand eight hundred and twenty one, at eleven o'clock in the forenoon of said day : *Provided*,

Notice to be given.

Notice of such meeting shall be given, by posting up a notification at the house of Alexander Rice, Esq. in the town of Kittery, and at two public places in the town of Portsmouth, at least three days prior to the day of said meeting, signed by either of the persons named as incorporated under this act ; and also by publishing this Act in the Portsmouth Oracle, on the Saturday previous to said meeting. And the proprietors by a vote of the majority of those present, shall choose a clerk, and at the same, or any subsequent meeting, may elect such officers as may be deemed necessary, for carrying into execution the object aforesaid.

Eight years allowed for building the bridge.

SECT. 6. *Be it further enacted*, That unless said Bridge shall be erected and finished within the term of eight years, then this grant shall be void.

Corporation to pay A. Rice 4000 dollars for the loss of the ferry.

SECT. 7. *Be it further enacted*, That after the said toll shall commence, the said proprietors or corporation, shall pay to Alexander Rice, Esq. his heirs, executors, or administrators, the sum of Four Thousand Dollars, together with interest after one year on the same, from the commencement of said toll, which said sum and interest, shall be paid out of the first proceeds of the Bridge, by the toll collected thereon. And the payment of the same, shall be in full consideration of the injury which may be sustained by the said Rice, by the loss of the income of the ferry from Kittery to Portsmouth, which ferry is not to be used as a public ferry, after the Bridge becomes passable, and while it continues so. And if said sum or interest thereon, shall not be paid within one month from the time it shall become due as aforesaid, and shall have been demanded, then the said Rice, or his legal representatives, may have his action of debt or other action at law, for the recovery thereof. And the corporate property, rights and franchises of said Corporation may be attached, on the original writ, and taken and sold on execution, for satisfying the judgment recovered with the costs of levying the said Execution, and the expenses of sale, in the same way and manner as is now provided by law for the sale of personal property taken on execution; excepting, that ten days previous notice, of such sale shall be given, in some public newspaper published in the town of Portsmouth aforesaid, in addition to the notice now required by law : *Provided however*, That whenever the said Bridge shall cease to be passable, the privilege of the ferry shall revert to the said Rice, his heirs or

The ferry to revert to Rice in case the bridge becomes impassable.

assigns as fully, and in the same manner as if the said Bridge had never been erected: *Provided also*, That nothing contained in this act, shall be construed to prevent the repairing or rebuilding of said Bridge, without paying any additional sum whatever for the income of said ferry.

[*This Act passed January 23, 1821.*]

CHAPTER XX.

AN ACT to Incorporate the Maine Congregational Charitable Society.

SECT. 1. *BE it enacted by the Senate and House of Representatives in Legislature assembled*, That the Reverend Elijah Kellogg, Eliphalet Gillet, David Thurston, Edward Payson, Jonathan Cogswell, Benjamin Tappan, Asa Rand, John W. Ellingwood, Enos Merrill, D. M. Mitchell, Ichabod Nichols, Caleb Bradley, William Miltimore, Thomas I. Murdock, and Jonathan Greenleaf, with their associates and successors, be, and they hereby are incorporated into a body politic by the name of the *Maine Congregational Charitable Society*; with power to sue and be sued; to have a common seal, and to change the same; to make any bye-laws for the management of their affairs, not repugnant to the laws of this State; to take and hold, for the humane and benevolent purpose of affording relief and support to the indigent widows and children of deceased ministers, any estate, whose annual income shall not exceed the sum of five thousand dollars; and to give and grant, or bargain and sell the same: and with all the privileges usually granted to other Societies, instituted for purposes of charity and benevolence.

Persons incorporated.

May hold property of the year, by income of £5,000.

SECT. 2. *Be it further enacted*, That the first meeting of said Society shall be holden at such time and place, and be notified in such manner as a majority of the persons herein named may direct.

First meeting.

SECT. 3. *Be it further enacted*, That the powers granted by this act may be enlarged, restrained or repealed, at the pleasure of the Legislature.

Act may be altered or repealed.

[*This Act passed January 23, 1821.*]