

# MAINE STATE LEGISLATURE

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# PRIVATE ACTS

OF THE

# STATE OF MAINE,

PASSED BY THE

THIRD LEGISLATURE,

AT THE SESSION, HELD IN JANUARY, 1823.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

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PORTLAND:

BY TODD AND SMITH.....PRINTERS TO THE STATE.

1823.

SECT. 2. *Be it further enacted,* That Seth Burnham, be, and he is hereby authorized to call the first meeting of said Trustees, at such time and place as he may direct, by posting notifications thereof at the Congregational Meeting-House in Kennebunk-Port, fourteen days, at least, before the time appointed. And at such meeting, and at any other duly called, said Corporation shall have power to make any by-laws for the management of their affairs, not repugnant to the laws of the State ; to establish a common seal ; to choose a Treasurer, Clerk, and other officers, as to them may seem useful ; and the Treasurer shall give bond, with sufficient sureties, to said Corporation, for the faithful discharge of his trust.

First meeting. Corporation may choose officers and make by-laws, &c.

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

Restrictions.

[*This Act passed February 10, 1823.*]

CHAPTER CCXII.

AN ACT to incorporate the Proprietors of Portland Bridge.

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That Silvanus Higgins, Rishworth Jordan, William Gregg, Lemuel Cobb, John Emery, Greely Hanniford, Elisha Jordan, Ebenezer Thrasher, Robert Dyer, Elias Thomas, James Neal, Thomas Robison, Robert Ilsley, Isaac Ilsley, Abiel W. Tinkham, Henry Ilsley and John Mussey, junior, with their associates and successors, be, and they are hereby created a body corporate, by the name of the Proprietors of Portland Bridge ; with power to erect and maintain a bridge from the northerly point of the farm of Elias Thomas, esquire, in Cape Elizabeth, across Fore river, to the nearest convenient point southwesterly of Robinson's Wharf, in Portland, and to purchase and hold such estate, real and personal, as may be necessary to carry the aforesaid object into complete effect ; and with all other powers usually granted, or incident to similar corporations.

Persons incorporated,

to build bridge from Portland to Cape Elizabeth.

Powers, &c.

First meeting, **SECT. 2.** *Be it further enacted,* That Silvanus Higgins, Elias Thomas, James Neal, John Emery, and Lemuel Cobb, or any three of them, be, and they hereby are authorized to call the first meeting of the said corporation, by advertisement, published two weeks successively, in each of the newspapers printed in Portland, setting forth the time, place and purposes of said meeting; at which meeting it shall be lawful for the members of said corporation, by the major vote of the persons present, to elect a Clerk, and any other needful officers; determine the mode of calling future meetings, and the manner of voting therein; and at the same, or any other meeting, to make any by-laws for their regulation and government, not repugnant to the laws of the State.

and officers to be elected thereat; &c. &c.

Toll established **SECT. 3.** *Be it further enacted,* That the said proprietors may lawfully demand and receive, at said bridge, of all persons passing the same, a toll, not exceeding the following rates, viz: for each foot passenger, two cents; each person and horse, six cents; each chaise or sulkey, twelve cents and one half; each sleigh drawn by two horses, twelve cents and one half; each coach, phaeton, chariot or curricule, twenty-five cents; each wagon, cart, sled or other carriage of burthen, drawn by one or two beasts, and for each sleigh drawn by one horse, eight cents; and for each additional yoke of cattle in the same team, two cents; each wheel-barrow, hand-cart or other vehicle capable of carrying a like weight, with one person, three cents; neat cattle or horses, exclusive of those rode on or harnessed, two cents each; sheep and swine at the rate of eight cents the dozen; and to each team one person and no more as a driver may pass free of toll; and all persons who shall be actually on military duty, shall be permitted to pass said bridge free of toll. And at all times when the toll gatherer shall not attend his duty, the gates shall be left open: *Provided, however,* That after the term of ten years from the commencement of taking such toll, the rate of toll shall be subject to the farther regulation of the State.

Rate of toll liable to revision after ten years.

SECT. 4. *Be it further enacted,* That said proprietors shall build and keep a convenient and sufficient draw or passage way, at least thirty-two feet wide, at some place in said bridge proper for the passing of vessels, by day and by night, through the same; and a suitable wharf or pier on each side of said bridge, and adjoining said draw, sufficient for vessels to lie at: And said draw shall be lifted for all vessels without toll or pay, except for boats or vessels passing for pleasure; and all vessels intended to pass through said draw, shall be free of charge at said wharf or pier, until a suitable time shall offer for passing the same.

Draw and wharf to be erected for passage, &c. of vessels.

SECT. 5. *Be it further enacted,* That said bridge shall be well built, at least twenty five [feet] wide in the clear, and of good materials, well railed, and kept in good, safe and passable repair; and at the place where said tolls are collected, the rates of toll aforesaid, and all others which may hereafter be granted, shall be fairly and legibly painted, in large or capital letters, and kept constantly exposed to the view of passengers.

Dimensions, &c. of bridge.

Sign board of toll to be erected

SECT. 6. *Be it further enacted,* That unless said bridge shall be completed within six years next ensuing, this act shall be void.

Limitation.

[This Act passed February 10, 1823.]

### CHAPTER CCXIII.

AN ACT making further provision for the preservation of Fish in Union river bay, and its waters.

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That if any person shall make or continue any dam or other obstruction, in or across Union river, in the County of Hancock, or any stream or pond emptying into the same, or into any part of Union river bay, northerly of the southern extremes of Newbury-neck and Oak-point, through or into which salmon, shad or alewives have ever been accustomed to pass, for the purpose of casting their spawn, without providing and keeping constantly open and clear, a suffi-

Proprietors of mill dams, &c. on Union River and its streams to keep open a sluice way for passage of certain fish.