

MAINE STATE LEGISLATURE

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PRIVATE

AND

SPECIAL ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

EIGHTEENTH LEGISLATURE,

JANUARY SESSION, 1838.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

AUGUSTA:
LUTHER SEVERANCE, PRINTER.

1838.

ital stock of Maine Bank," approved January twenty-ninth, one thousand eight hundred and thirty-six, be and the same is hereby repealed.

Chapter 487.

AN ACT to incorporate the proprietors of Edgcomb Bridge.

Approved March 22, 1838.

SECTION 1. *Be it enacted by the Senate and House of Representatives in Legislature assembled, That* Wilmot Wood, John Erskine, John Brooks, Gardner Gove, John D. McCrate, Henry Clark, their associates and successors, be, and they hereby are, constituted a body corporate and politic, by the name of the Proprietors of Edgcomb Bridge, for the purpose of building a bridge across Sheepscot river, from some suitable point in Wiscasset, northwardly of Union Wharf to Davis's Island in Edgcomb, and also, if they see fit, to connect by a bridge, the island above named to the main land in said Edgcomb; with power to prosecute and defend suits at law, to have and use a common seal; make any by-laws for the convenient management of their affairs, not repugnant to the laws of the State; to make such contracts and purchases as may be necessary for the objects of the association; and generally to have and exercise all the powers and privileges incident to similar corporations.

Corporators.

Corporate name.

Powers and privileges.

SECT. 2. *Be it further enacted, That* said corporation is hereby authorized and empowered to erect a bridge over said Sheepscot river, and the right of building and maintaining the same, is hereby fully granted to said corporation, on condition that said corporation pay to the owner or owners of any estate upon, contiguous or near to which, said bridge may be erected, all damage which the erection of said bridge may cause to such estate, beyond the benefit which said bridge may be to such estate, to be estimated and as-

Corporation to pay all damages occasioned by the erection of said bridge.

certained, in case of disagreement by the parties, by three disinterested men, to be appointed by any Judge of the Supreme Judicial Court, or Court of Common Pleas, and their award in writing, under oath, to be conclusive. And said bridge shall be built of good and durable materials, of the width of at least twenty-five feet, and well covered with plank, or suitable timber for such a bridge, with sufficient rails on each side for the safety of passengers.

Manner of construction.

Draw to be made —to be constantly tended—vessels may pass free of expense.

SECT. 3. *Be it further enacted,* That a draw shall be constructed at some suitable place in said bridge, with piers or wharves above and below, for vessels to pass through conveniently, and the proprietors shall cause the same, day and night, to be raised and opened for the accommodation of all such vessels as may have occasion to pass through the same, free of expense and without any unnecessary delay; and said draw shall be at least thirty-six feet wide, and so constructed, that open boats and gondolas can conveniently pass under the same; and in case any vessel, or other craft, shall be delayed, except by stress of weather, or ice in passing the draw, more than thirty minutes, after notice is given, that such vessel, or other craft, is desirous of being admitted through the draw, said corporation shall pay to the owner of such vessel, or other craft, at the rate of twenty cents per hour on every ton burthen of such vessel or other craft, which shall so be delayed in passing the same.

Vessels delayed entitled to damages.

Rates of toll.

SECT. 4. *Be it further enacted,* That a toll be, and hereby is established for the use and benefit of said corporation, according to the following rates, to wit: For each foot passenger two cents; for each person and horse eight cents; for each sleigh drawn by one horse twelve cents; for each chaise, or other carriage, drawn by one horse, eighteen cents; for each coach, chariot, sleigh, phaeton or other carriage of pleasure, drawn by two horses, twenty-five cents; for each coach, sleigh or any other pleasure carriage, drawn by four horses, thirty-eight cents; for each

cart, wagon, sleigh or sled, drawn by two beasts, twenty cents; and for each additional beast five cents; for neat cattle and horses, exclusive of those rode upon and not loaded, or in teams or carriages, two cents; for sheep or swine one cent each; and to each team one person and no more, shall be allowed as a driver, to pass free of toll; and in wagons, sleighs and other carriages drawn by one horse only, no more than two persons shall be allowed to pass, without paying toll as foot passengers; and for every hand cart or wheel barrow, the toll shall be five cents; and all persons who shall actually be on military duty with their baggage, and all persons going to or returning from public worship on the Sabbath, shall be permitted to pass and repass said bridge 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 continue for the benefit of said corporation, at the rates aforesaid, for and during the term of fifty years, and shall be collected as shall be prescribed by said corporation; and at the end of fifty years, the said bridge shall be delivered over in good repair, to and for the use of the State: *Provided*, that said corporation shall at all times keep the said bridge in good and passable repair, and also shall at the place where said toll is collected, keep a sign constantly exposed to view, with the rates of toll legibly written thereon. *Provided nevertheless*, the Legislature may dissolve said corporation whenever it shall appear to their satisfaction, that the income arising from said toll, shall have fully compensated said corporation, for all the moneys they may have expended in building, repairing and taking care of said bridge, together with an interest at the rate of six per cent.

Exempts.

Limitation of
charter.Bridge to become
the property of
the State.

SECT. 5. *Be it further enacted*, That unless said bridge shall be erected and finished within the term of four years from the passing of this Act, then this grant shall be void.

Bridge to be
built within four
years.

SECT. 6. *Be it further enacted,* That the first meeting of the corporators may be called at such time and place, and in such manner as a majority of the persons named in the first section of this Act, may deem proper.

SECT. 7. *Be it further enacted,* That whenever it shall appear, to the satisfaction of the County Commissioners for said County of Lincoln, that said bridge shall be erected, according to the terms and provisions expressed in the foregoing sections of this Act, and whenever it shall further appear to said Commissioners, that public convenience may require the laying out a road running eastwardly from said bridge, and that in so doing it may be necessary to pass over a creek or small branch of tide waters of Sheepscot river, that then, and in that case, the said County Commissioners are hereby fully authorized and empowered to lay out a road over said tide waters, if they shall deem it expedient.

SECT. 8. *Be it further enacted,* That the said County Commissioners shall not be authorized to lay out a road over said tide waters named in the seventh section, unless some person or persons shall tender to the treasurer of the town of Newcastle a bond, with sufficient and ample sureties to be approved by a majority of the County Commissioners aforesaid, or by any Judge of the Supreme Judicial Court, that he or they, (as the case may be) will build and complete said bridge, with a draw so as not to obstruct the navigation of said tide waters, for the sum of six hundred dollars; and said bridge, if built by such person or persons shall be completed to the satisfaction of said County Commissioners or to the satisfaction of three disinterested persons, appointed for that purpose, by one of the Judges of the Supreme Judicial Court.

Power and duty of the County Commissioners in certain cases.

Bond for the erection of the bridge required, previous to the laying out said road.