

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1846.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840,
and March 16, 1842.

Augusta:

WILLIAM T. JOHNSON,.....PRINTER TO THE STATE.

1846.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE,

1846.

Chapter 329.

An Act to incorporate the Proprietors of Wiscasset Bridge.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Corporators.

SECTION 1. John Johnston, Alexander Johnston, Henry Clark, Wilmot Wood, Franklin Clark, James Stinson, John Brooks, John Babson, Silas L. Young, Alexander Johnston, Jr., Elisha J. Taylor, Jr., Samuel P. Baker, their associates, successors and assigns, are hereby constituted and created a body corporate and politic, by the name of the "The Proprietors of Wiscasset Bridge," and shall be and hereby are made capable, by that name, to sue and be sued; to have a common seal; to have, hold and own real and personal estate to an amount not exceeding twenty-five thousand dollars; to ordain, establish and enforce any by-laws for the management of their concerns, not repugnant to the laws of this state; and to choose all necessary officers for the management of their affairs; and shall also have and enjoy all powers and privileges incident, belonging to, or usually granted to similar corporations.

Corporate name.

Powers and privileges.

Authorized to erect and maintain toll bridges. Location.

SECT. 2. Said corporation is hereby authorized and empowered to erect and maintain a toll bridge over Sheepscot river, from some suitable point in Wiscasset, northwardly of Union Wharf to Davis Island, so called, in Edgecomb, and not to be within thirty-two feet of the main capsil of the Carleton or Dole wharf in Wiscasset, on the south side, east of the projection which runs about forty feet from the town landing; also a toll bridge from the eastwardly side of said Davis Island to the main land in Edgecomb; and said bridges shall be built of suitable materials, and shall not be less than twenty-five feet wide, and shall in all respects be made safe for the passage of travelers.

Construction.

SECT. 3. Said bridge shall be constructed with a good and sufficient draw, at some suitable place, where at low water there shall not be less than twelve feet of water in ordinary tides, which draw shall not be less than thirty-two feet wide; also with piers or wharves so that vessels may conveniently pass; and said corporation shall cause said draw to be hoisted or opened at all times free of expense and without unnecessary delay, for the accommodation of all vessels that may have occasion to pass through the same; and said draw shall be so constructed that open boats without masts, and gondolas, can conveniently pass under the same; and in case any vessel shall be delayed at said draw except by stress of weather or ice, or by some unavoidable accident, more than one hour after notice is given that such vessel is desirous of being admitted through the draw, said corporation shall pay to the owner of such vessel at

Penalty for delay in admitting vessels through the draw.

the rate of ten cents per hour on every ton burthen of such vessel which shall be so delayed in passing said draw.

SECT. 4. A toll is hereby granted and established for the use and benefit of said corporation according to the following rates, to wit: for each foot passenger three cents; for each horse and rider, ten cents; for each horse and wagon or sleigh, fifteen cents; for each chaise, carryall, or other carriage, drawn by one horse, twenty-five cents; for each coach, chariot, sleigh, phaeton or other carriage of pleasure, drawn by two horses, thirty-five cents, or if drawn by four horses, fifty cents; for each cart, wagon, sleigh or sled of burthen, drawn by two beasts with one driver, twenty cents; for each additional beast five cents; for neat cattle and horses not in harness or teams, or rode upon, three cents each; for sheep and swine, one cent each; 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 Lord's day, shall be permitted to pass and repass said bridges free of toll; and at all times when the toll gatherer shall not attend to his duty, the toll gates shall be left open; and the toll shall commence on the day of the first opening of said bridges for passengers; and said bridges shall at all times be kept in good and passable repair and at the place or places where the toll shall be collected, there shall be erected and constantly exposed to view a signs or signs with the legal rates of toll fairly and legibly written thereon.

Toll granted.
Rates.

SECT. 5. Unless said bridges shall be erected and finished within the term of five years from the passing of this act, this grant shall be void.

Said bridges to be finished within five years.

SECT. 6. Either of the persons named in this act may call the first meeting of said corporation, to be held at Wiscasset, by posting notifications thereof in two or more public places in said town, seven days at least before the time of said meeting.

First meeting, how called.

SECT. 7. The county commissioners for the county of Lincoln, are hereby authorized and empowered to lay out a road across the tide waters of a branch of Marsh river, so called, at a place in Newcastle, near what is commonly called Pinkham's point, *provided*, in their opinion such road is required for public convenience.

County commissioners for Lincoln county authorized to lay out a road over tide waters near Pinkham's point.

SECT. 8. That as soon as said bridge shall be made passable, said proprietors or corporation shall pay to Samuel Davis the lessee or proprietor of Sheepscot ferry, his heirs or assigns, such sum as shall be awarded to him by the county commissioners for the county of Lincoln, who in case of disagreement between said parties as to the amount of damages, are hereby authorized on the petition of either party to fix and determine the same, such sum to be in full com-

Damages to Samuel Davis, proprietor of Sheepscot ferry.

—amount, how determined.

CHAP. 330.

Lien created upon said bridge, unless paid within two months from the time it shall be fixed and determined.

When paid the rights of said ferry company and the interest of said Davis therein, shall cease.

compensation for the damages by him sustained by the erection and continuance of said bridge; and if the same shall not be paid within two months from the time it shall be fixed and determined as aforesaid, said Davis or his legal representative, shall be entitled to maintain his action of debt against said corporation for the same, and a lien is hereby created upon said bridge, and upon the rights and franchises of said corporation for the payment thereof, and the same may be seized and be sold on execution in satisfaction of said debt, and said lien shall continue until said sale; and when said sum shall have been paid, all the rights, powers and privileges pertaining to the Sheepscoot Ferry Company, and the right and interest of said Davis therein shall cease.

SECT. 9. This act shall take effect and be in force from and after its approval by the governor.

[Approved June 30, 1846.]

Chapter 330.

An Act to repeal certain acts creating the Saco and Biddeford Village Corporation.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Acts creating the Saco and Biddeford Corporation, repealed.

SECTION 1. An act entitled "an act creating the Saco and Biddeford Village Corporation," approved March fifteen, eighteen hundred and thirty-six; and an act additional thereto, approved March twenty-first, eighteen hundred and thirty-seven, are hereby repealed.

To continue in its corporate capacity six months for certain purposes.

SECT. 2. Said corporation shall continue in its corporate capacity, for the term of six months from the time this act shall take effect, for the sole purpose of collecting the debts due to said corporation, selling and conveying the property and estate thereof; shall remain liable for the payments of all the debts due from the same, and shall be capable of prosecuting and defending suits at law and choosing necessary officers for the purposes aforesaid.

Liable for all debts due from the same.

Trustees appointed.

SECT. 3. James Beattie and Thomas Cutts, of Saco, and Samuel F. Chase of Biddeford, are hereby appointed trustees, with full power to take immediate possession of all property belonging to said corporation, and to appraise the same on oath, and divide as equitably as may be between such of the corporators as reside in Saco and those who reside in Biddeford.

[Approved June 30, 1846.]