

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

## THIRTY-FIRST LEGISLATURE

OF THE

## STATE OF MAINE,

A. D. 1852.

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Published by the Secretary of State, agreeably to resolves of June 28, 1820, February  
26, 1840, and March 16, 1842.  
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**Augusta:**  
WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1852.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1852.

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**CHAP. 548.** such point or place as they may find most convenient or desirable.

SECT. 2. This act shall take effect from and after its approval by the governor.

[Approved March 30, 1852.]

### Chapter 548.

An act to incorporate the Proprietors of the Gardiner and Pittston Bridge.

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

SECT. 1. Robert H. Gardiner, Noah Woods, Henry B. Hoskins, J. D. Warren, Gideon S. Palmer, John Dennis, James Stone, John T. Stone, Freeman Trott, John Webb, William Palmer, Phineas Pratt, James A. Cox, Jacob Davis, Francis Richards, John Berry, junior, John L. Foy, Myrick Hopkins, Daniel Nutting, Ephraim Forsyth, Lorenzo Clay, Isaac J. Carr, F. T. Lally, William R. Gay, Franklin Stevens, Daniel Brookings, John Jewett, Stephen Young, Gideon Barker, James M. Brookings, William Cooper, Charles Cooper, James N. Cooper, John Stone, Benjamin F. Stone, William L. Stone, and Joseph Adams, their associates, successors, and assigns, are hereby constituted and created a body politic and corporate, by the name of the "Proprietors of the Gardiner and Pittston Bridge," and by that name are hereby made capable of suing and of being sued, and are empowered to have a common seal, to have, hold and own real and personal estate to an amount not exceeding fifty thousand dollars, and generally to have and enjoy all the powers and privileges incident, belonging to, or usually granted to similar corporations.

Corporate name.

Powers of.

May hold property not exceeding \$50,000.

Powers and privileges.

Location.

Construction, &c.

SECT. 2. Said corporation is hereby empowered to erect and maintain a toll-bridge across the Kennebec river, at some suitable place between Gardiner and Pittston; said bridge to be built of suitable materials, and to be not less than twenty-four feet wide, exclusive of side-walks, and in all respects to be made safe for travelers, and to have one or more side-walks, each walk not less than five feet wide, with appropriate and sufficient railings amply to protect and guard the same.

SECT. 3. A draw upon the swing or pivot principle shall be constructed in said bridge over that part of the channel most favorable for the passage of vessels; which draw shall be

Draw, construction of.

not less than sixty feet wide on each side of the pivot pier. And said corporation shall cause said draw to be opened for the accommodation of all vessels that may have occasion to pass through the same, free of expense and without unnecessary delay, and in case any vessel desirous to pass through said draw shall be delayed at the same more than fifteen minutes, after notice given of such desire, said corporation shall pay to the owner or owners of such vessel so delayed, at the rate of ten cents per hour on every ton burthen of such vessel, unless such delay be occasioned by stress of weather, by ice, or by some unavoidable accident.

Regulations  
with regard to  
opening draw.

SECT. 4. A toll for the use and benefit of said corporation is hereby granted and established, which toll shall in no case exceed the following rates, viz: for each foot passenger, one cent; for each horse and rider, five cents; for each horse and wagon or sleigh, ten cents; for each chaise, carryall, or other carriage drawn by one horse, twelve cents; for each coach, chariot, phaeton, or other carriage of pleasure, and for each sleigh drawn by two horses, fifteen cents, or if drawn by four horses, twenty cents; for each cart, wagon sleigh or sled of burthen, drawn by two beasts with one driver, twelve cents; for each additional beast, two cents; for neat cattle and horses, not in harness or teams, and without a rider, two cents; 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, and in case of fire all engines and persons attached to the same shall be permitted to pass and repass said bridge free of toll; and at all times when the toll-gatherer shall not attend to his duty, the toll-gates shall be left open. Toll shall commence and be collectable on the first day of the opening of said bridge for passengers. Said bridge shall be kept in good repair at all times, and at the place or places for collecting the toll, there shall be put up and kept constantly exposed to view a sign with the legal rates of toll fairly and legibly written thereon.

Toll.

Toll in certain  
cases not to be  
taken.

Gates, when  
unattended, to  
be left open.

Toll, when to  
commence.

Rates of toll  
to be exposed  
to public view.

SECT. 5. Said bridge shall be erected and completed in three years from the time of the passage of this act, otherwise this charter shall be void.

Bridge to be  
built in three  
years.

SECT. 6. Either of the corporators named in this act is hereby authorized to call the first meeting of said corporation, which meeting shall be holden in Gardiner, and may be notified by posting up notices in two or more public places in said

First meeting.

**CHAP. 548.** Gardiner and the same in Pittston, seven days at least before the time fixed for the meeting, and also by publishing such notice in the Gardiner papers, two weeks in succession, the first publication to be fourteen days at least prior to the day of the meeting.

Shall purchase  
ferry property.

**SECT. 7.** As soon as said bridge shall be completed and opened for travel, said corporation shall pay to the proprietors or corporation of the Kennebec Ferry at Gardiner, such sum as may be awarded by the county commissioners of the county of Kennebec, as the value of the ferry property at that time, and upon such payments being made, the said ferry property shall become the property of the bridge corporation, and all the rights, powers and privileges, of said ferry company, from that moment shall cease.

Ferry company  
to cease.

May hold real  
estate.

**SECT. 8.** Said corporation may take and hold so much real estate upon each bank of the Kennebec river, at the point selected for the construction of their bridge, as may be necessary for its location, construction and convenience. Such real estate, so taken, to be paid for by said corporation at a price agreed upon with the owner or owners thereof, or if the corporation and the owner or owners cannot agree as to the price, the amount to be paid for real estate, so taken, shall be determined by a committee of three disinterested men, one of whom to be chosen by the owner of the real estate, one by the corporation, and the third to be selected by the other two, and the award of said committee or the major part of it to be final upon the parties.

Value may be  
appraised by  
referees.

Referees, how  
chosen.

Award to be  
final.

Authorized to  
cross railroad  
track.

**SECT. 9.** Said corporation for the purpose of securing a convenient passage-way to and from said bridge, is also authorized to cross and recross over the track of the Kennebec and Portland Railroad, at or near such point as may be selected for the erection of the bridge; and this right they shall enjoy from the time they commence building said bridge, care being taken at all times, by said bridge corporation, to interpose no obstacles in any way to the passing and repassing of the cars over said track.

**SECT. 10.** This act shall be in force from and after its approval by the governor.

[Approved April 3, 1852.]