

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

## THIRTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE,

1857.

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Published by the Secretary of State, agreeably to Resolves of June 23, 1820, February 26, 1840,  
and March 16, 1842.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1857.

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**Chapter 97.**

An act to incorporate the Central Bank.

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

SECT. 1. Ezra Tobie, Jacob Clark, Edward F. Thayer, John Lawrence, Joshua H. Hall, Royal T. Nash, Barney Phillips, Samuel Glines, Warren H. Vinton, William H. Pennell, Thomas Hancock and Samuel Mayall, their associates, successors and assigns, are hereby incorporated into a banking company, by the name of the President, Directors and Company of the Central Bank.

Corporators.

Corporate name

SECT. 2. The capital stock of said bank shall be fifty thousand dollars, divided into shares of one hundred dollars each; and said bank shall be located at Gray Corner, in the county of Cumberland.

Capital stock  
\$50,000.

Shares.

Location.

SECT. 3. The said corporation is hereby authorized and empowered to exercise all the rights and privileges conferred upon such corporations by the laws of this state, and subject to all the liabilities and restrictions thereof.

Powers, privileges,  
&c.

[Approved April 13, 1857.]

**Chapter 98.**

An act additional to "An act to incorporate the Franklin Wharf Company."

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

The Franklin Wharf Company may purchase and hold real and personal estate to an amount not exceeding at any time the sum of two hundred and fifty thousand dollars, with full power to manage and dispose of the same.

May hold real  
and personal  
estate not exceeding  
\$250,000.

[Approved April 13, 1857.]

**Chapter 99.**

An act to incorporate the Bath and Woolwich Bridge Company.

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

SECT. 1. Thomas Harward, George F. Patten, Levi W. Houghton, Wm. D. Sewall, James H. McLellan, Freeman Clark, William Drummond, John Patten, Gilbert C. Trufant, Oliver Moses, Lincoln

Corporators.

## CHAP. 99.

Webb, Harvey Preble, John Potter, Wm. M. Reed, Samuel Tarbox, Charles Russell, William Potter, Roland Fisher, Willard Hall, James F. Patten, Henry Preble, Samuel I. Robinson, and Alfred Lemont, their associates, successors and assigns, are hereby constituted and created a body politic and corporate, by the name of the Bath and Woolwich Bridge Company, and by that name are 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 three hundred thousand dollars, and generally to have and enjoy all the powers and privileges incident to, or usually granted to similar corporations.

Corporate name.

May hold real and personal estate not exceeding \$300,000.

Powers, privileges, &amp;c.

May erect toll bridge, &amp;c.

—how constructed.

Draw, how constructed.

—how managed.

Toll granted.

Rates of toll.

SECT. 2. Said corporation is hereby empowered to erect and maintain a toll bridge across the Kennebec river, at some suitable place between Bath and Woolwich; 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 not less than eighty 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 there more than thirty 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 five cents per ton of such vessel, for every hour delayed, unless such delay be occasioned by stress of weather, by ice, or by some unavoidable accident. And whenever the draws of said bridge on each side of the pivot pier shall be open for the passage of vessels, the traveled way on said bridge shall be closed up on the east and west side of said draws by suitable gates.

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, 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 or other carriage of pleasure, and each sleigh drawn by two horses, thirty cents; or if drawn by four horses, forty 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 not in teams, and horses not in harness, and without a rider, three 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.

Certain persons exempted.

When toll gatherer is absent, gates to be left open.

When to commence.

Rates of toll to be exposed to view, &c.

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

When to be completed.

SECT. 6. 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 its bridge, as may be necessary for its location, construction and convenience. If the corporation and the owner or owners of such real estate cannot agree upon the price to be paid for such real estate, any owner may apply to the supreme judicial court, to be held within and for the county of Sagadahoc, by petition setting forth the facts, and the said court shall appoint three disinterested commissioners, who shall view the premises and hear the parties, and all proper evidence, and award to the applicant the just value of the land so taken, and report the same to the court. Such report being made, the proceedings of the court thereon shall be the same as in cases of flowage caused by mill-dams, so far as the provisions in such cases are applicable, and judgment rendered upon such report, or upon the verdict of a jury, when a trial by jury is had, shall be final.

May take and hold certain real estate.

If owners cannot agree as to price, how determined.

SECT. 7. The corporation shall be liable to pay to the proprietors of the Sagadahoc Ferry Company, any damage which they may sustain by reason of the building of its bridge; to be ascertained in the same manner as damages for land taken are to be ascertained under the provisions of the preceding section.

Liable to pay Sagadahoc Ferry Company, &c.

SECT. 8. If any railroad corporation shall require said bridge, or the use of it, for the purpose of building their railroad across the Kennebec river, they shall have the right so to do, by paying a just compensation therefor, to be ascertained in case of disagree-

Any railroad company may use bridge, &c.

—compensation, how determined.

**CHAP. 100.**

Proviso.

ment, in the same manner as damages for land taken for the building of the bridge are to be ascertained, as provided in the sixth section of this act; *provided however*, that such railroad corporation shall not have a right so to use such bridge as to prevent the common travel of carriages, teams and foot passengers, without the consent of the said bridge corporation.

First meeting,  
how called.

SECT. 9. Either of the corporators named in this act, is hereby authorized to call the first meeting of said corporation, to be held in some place in Bath, by posting up notices in two or more public places in said Bath and in Woolwich, seven days at least before the time fixed for the meeting, and also by publishing such notice in two papers in Bath, two weeks in succession, the first publication to be fourteen days at least prior to said meeting.

SECT. 10. This act to take effect and be in force from and after its approval by the governor.

[Approved April 14, 1857.]

**Chapter 100.**

An act to change the name of Joseph Morang.

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

Name changed.

That from and after the first day of May, one thousand eight hundred and fifty-seven, Joseph Morang, of Pittston, shall be allowed to take the name of Joseph A. Hoit.

[Approved April 14, 1857.]

**Chapter 101.**

An act for the protection of deer on Cross island.

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

Deer, hunting of,  
&c., prohibited.

Penalty.

—how recovered.

If any person shall hunt, chase, or kill any deer upon Cross island, so called, in Machias bay, in the county of Washington, without permission of the owner of said island, he shall, for every such offense, forfeit the sum of twenty dollars to the use of the county, to be recovered on complaint before a justice of the peace,