

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE.

1859.

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

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1859.



PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1859.

vehicles; but this exception shall not extend to persons taken in for the purpose of avoiding toll; and only one person as a driver to each team shall be allowed to pass free of toll; and said tolls may be commuted by this corporation with any person or corporation, by taking of him or them a sum certain for a specified time instead thereof; persons going or returning from military duty, persons going to or returning from any place of public worship on the Sabbath, and persons going to or returning from funerals, shall be allowed to pass free of toll.

Certain persons exempt from toll.

SECT. 4. At the place of collecting tolls, said corporation shall keep constantly exposed to view a board or sign upon which shall be plainly printed the rates of toll aforesaid; and whenever the toll-gatherer shall be absent from the toll-house, the gates shall be left open, and the bridge toll free; and said toll shall commence on the day when said bridge is first opened for passengers.

Sign.

Toll to be free in absence of toll gatherer.

SECT. 5. If said corporation shall neglect or refuse for the space of five years from the passage of this act to build and complete said bridge, then this act shall be void and of no effect.

Time to build limited.

SECT. 6. Any two persons named above, may call the first meeting of the corporation, by posting up notice of the time, purpose and place of meeting, in two public places in the town of Bethel fourteen days before the time of said meeting.

First meeting, how called.

[Approved March 22, 1859.]

Chapter 304.

An act in relation to weirs below low water mark in Soward's bay in Lubec, Washington county.

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

SECT. 1. Samuel A. Lawrence, James M. Bangs, John G. W. Avery and Enoch S. Fowler of Lubec, in the county of Washington, shall have the privilege of erecting and maintaining fish weirs below low water mark in front of their respective lots; *provided always*, that such weirs shall be erected within the bounds which shall be defined by the extension of the side lines of the aforesaid proprietors in the same course as they cross Soward's neck, so called, and that no weirs shall be built by authority of this act which shall interfere with the rights of riparian owners to build upon their own lots above low water mark, or so as to interfere with the navigation of the channel of the thoroughfare, so called, in Lubec.

Authorized to build fish weirs.

Proviso.

CHAP. 305.

Liability for erecting, &c. fish weirs in certain cases.

SECT. 2. Any person or persons who shall erect or maintain any fish weir below low water mark in said thoroughfare in Soward's bay in said Lubec in any manner unauthorized by this act, shall be liable to an action of trespass to be maintained by any party aggrieved thereby; and any weirs so erected or maintained shall be abated as a nuisance upon complaint made to any court proper to try the same.

SECT. 3. This act shall have effect on and after its approval by the governor.

{Approved March 22, 1859.}

Chapter 305.

An act to incorporate the Campbell's Cove Free Bridge Company.

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

Corporators.

SECT. 1. Alden Blossom, Charles Thorp, Willard Lewis, William Decker, Charles Reed, Silas Orne, James F. Hodgdon, Thomas Berry, William Thompson, Thomas Orne and Charles B. Fisher, with their associates and successors, be and they hereby are incorporated into a company by the name of The Campbell's Cove Free Bridge Company, with all the rights, powers and privileges conferred on such corporations by the laws of this state, and subject to all the liabilities and restrictions thereof.

Corporate name.
Rights, powers and privileges.

Authorized to build, &c.

SECT. 2. Said corporation is authorized to build and maintain a free bridge across Campbell's cove in the town of Boothbay, in the county of Lincoln, at or near Thompson's ferry, and to take, purchase and hold such real and personal estate as may be necessary for that purpose.

May hold real and personal estate.

How constructed, &c.

SECT. 3. Said bridge shall be built of good and suitable materials, and at all times kept in good repair, and safe and convenient for the public travel, shall be not less than seventeen feet in width and have a good and sufficient railing extending the whole length and on each side of the bridge.

Draw, dimensions of, &c.

SECT. 4. Said bridge shall be constructed with a suitable draw for the passage of vessels, not less than twenty-eight feet in width at the deepest channel passed over by said bridge; with such piers and machinery for opening and closing said draw as may be required to secure a safe and speedy passage of vessels through the same; and said corporation shall at all times, when required so to do cause said draw to be opened for the passage of vessels through the same

Regulations for passage of vessels, &c.