

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

THE
REVISED STATUTES

OF THE

STATE OF MAINE,

PASSED APRIL 17, 1857;

TO WHICH ARE PREFIXED

THE CONSTITUTIONS

OF THE

UNITED STATES AND OF THE STATE OF MAINE:

WITH AN

APPENDIX.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE.

BANGOR:
WHEELER & LYNDE.

1857.

CHAP. 19.

Teams to walk on bridges.

R. S., c. 26, § 8, 9.
1848, c. 36.

Boards forbidding fast driving to be exposed; penalty.

R. S., c. 26, § 10.

Driver not to leave team without one in charge, without fastening.

R. S., c. 26, § 7.

Certain teams to have wide rimmed wheels on certain oads.

Penalty for violation.

Team may be seized.

1845, c. 155, § 1, 2, 3.

SEC. 7. No team is permitted to travel faster than a walk on a bridge erected wholly or partly by the state, nor on any bridge covered with plank and fifty feet long composing part of a way, when forbidden by the municipal officers of the town required to keep it in repair, nor on a bridge owned by a corporation, when forbidden by it.

SEC. 8. For a willful violation of the provisions of the preceding section, a person forfeits three dollars to be recovered on complaint, one half to the use of the owners of the bridge, the other half to the state, provided that a board, legibly-painted in black letters on a white ground, is kept exposed in some conspicuous place at each end of the bridge; but no person passing after sunset and before sunrise is liable to such forfeiture without proof of actual notice.

SEC. 9. The driver of a team having passengers therein conveyed for hire, who leaves it without any person in charge of it and without fastening it securely, may be punished by fine not exceeding thirty dollars or by imprisonment not exceeding one month.

SEC. 10. Teams with wheels, when drawn by more than two horses or oxen, must have the rims of their wheels at least four inches wide, when drawn by more [than four] horses or oxen at least five inches wide, when traveling on the Mattanawcook road from Milford to Lincoln village; the military road from there to Houlton; Aroostook road from the military road to Aroostook river; Fish river road from that river to Fort Kent; and the road from Guilford village to Moosehead lake. And no team drawn by more than six horses or oxen is allowed to travel on them. These provisions are not applicable to stage or pleasure carriages, or to those owned by the state or the United States, or to any cart or wagon owned by settlers in the vicinity and used for farming purposes. The owner or driver of a team violating this provision forfeits twenty dollars, and one dollar more for each mile of road passed, to be recovered by complaint before a justice of the peace in the county where the offence was committed; and on a libel or complaint he may issue his warrant to seize and detain such team to respond such fine and costs.

CHAPTER 20.

FERRIES.

- SEC. 1. County commissioners; license ferries, establish tolls, take bond.
2. May establish them to be supported by towns, penalty for neglect.
3. Penalty for neglect to keep safe boat, and to give prompt attendance.
4. Person injured by neglect or default of ferryman may sue on his bond.
5. No ferry to be established within one mile of a steam or horse ferry.
6. Penalty for keeping a ferry, or transporting, contrary to law.
7. Ice to be leveled and way kept in repair in winter.
8. Penalty for neglect of it, liability for injuries.
9. Licensed ferrymen not to use steam or horse-boats.

SEC. 10. At steam and horse ferries other boats may be used in times of danger.

CHAP. 20.

11. Obstructions of ferry ways prohibited. Penalty.

12. Piers may be sunk at ferries to guide boats.

SEC. 1. County commissioners may license persons to keep ferries at such places and for such times, as are necessary, except where they are otherwise legally established; may establish tolls for the passage of persons and property; revoke such licenses at pleasure; and shall take from the person licensed, a bond to the treasurer of state, with sureties, for the faithful performance of his duties.

County commissioners may license ferries, establish tolls, take bond.
8 Greenl. 365.
R. S., c. 27,
§ 1, 2.

SEC. 2. They may establish ferries at such times and places as are necessary, and fix their tolls. When no person is found to keep them therefor, the towns in which they are established, are to provide a person to be licensed to keep them, and are to pay the expenses, beyond the amount of tolls received, for maintaining them. When established between towns, they are to be maintained by them in such proportions as the commissioners order. For each month's neglect to maintain such ferry or its proportion thereof, a town forfeits forty dollars.

They may establish ferries to be supported by towns, penalty for neglect.
R. S., c. 27,
§ 6, 7, 8.

SEC. 3. Every keeper of a ferry is to keep a suitable and safe boat, or boats for use on the waters to be passed, and give prompt attendance for passage, according to the regulations established for the ferry. For neglecting to keep such boat, he forfeits twenty dollars, and for neglect of attendance, one dollar, to him who sues therefor in an action of debt; and is liable in an action on the case to the party injured for his damages.

Penalty for neglect to keep safe boat, and for neglect of attendance.
R. S., c. 27,
§ 4, 5.

SEC. 4. Any one injured in his person or property by the negligence or default of a ferryman may commence a suit on his bond, in which the proceedings are to be similar to those in actions on the bonds of sheriffs.

A person injured by default of a ferryman may sue bond.
R. S., c. 27,
§ 3.

SEC. 5. When a ferry is established by the legislature to be passed by a steam or horse boat, no other ferry can be established on the same river within one mile above or below it.

Ferry not within one mile of steam or horse ferry.
1842, c. 16.

SEC. 6. A person, who keeps a ferry contrary to the provisions of sections one and two, or without authority transports passengers or property across any licensed or established ferry for hire, forfeits four dollars for each day such ferry is kept, or for each time of transportation, and is also liable to the party injured and keeping the ferry at or near the place, for damages sustained by him in an action on the case.

Penalty for keeping a ferry or conveying passengers or property contrary to law.
R. S., c. 27, § 9.

SEC. 7. When tidal waters, over which ferries are established, become so frozen that travelers may pass on the ice, the keepers of them are to level the ice and clear and repair the passage way from day to day, so that the same may at all times be safe and convenient for travelers with teams, sleds, and sleighs. Such way for passage may be made from a public landing sufficiently near to be connected with the opposite ferry landing. The commissioners are to fix a reasonable compensation therefor, to be paid from the county treasury. Or they may contract with another person to perform such duties, and give notice thereof to the keeper of the ferry before the river is closed;

Ice to be leveled and way kept in repair in winter.
R. S., c. 27,
§ 10, 11.

CHAP. 20.

Penalty for neglect and liability for injury.
R. S., c. 27, § 12.

Licensed ferry-men not to use horse boats or steam boats.
R. S., c. 27, § 13.

At horse and steam ferries other boats used in times of danger.
R. S., c. 27, § 14.

Obstructions to ferries prohibited; penalty.
R. S., c. 27, § 15, 16.

Piers may be sunk to guide boats at ferries.
R. S., c. 27, § 17.

and during the continuance of such contract the liabilities of the keeper are transferred to the person contracting.

SEC. 8. The ferryman, or person so contracting, forfeits ten dollars for each day's neglect to perform such duty, and is liable, in an action on the case, to pay damages to any person injured thereby.

SEC. 9. A licensed ferryman, who uses at his ferry a boat propelled by steam or horse power, forfeits his license, and is liable to pay the damages occasioned thereby to any person or corporation. This provision is not applicable to a ferryman owning or using such a boat for his ferry on March sixth, eighteen hundred and thirty.

SEC. 10. Persons required to use, at a ferry, steam or horse boats, when the passage by them is dangerous, may use other safe boats.

SEC. 11. Any person, who places a wier or other obstacle, or without necessity, anchors or places a raft, vessel, or water craft, so as to obstruct the ordinary passage way of any boat at a ferry licensed or established, forfeits twenty dollars to the use of the proprietor of the ferry, to be recovered in an action on the case; unless such obstruction was inadvertently made, and removed within thirty minutes, if practicable, after notice given of its improper position, or unless it was occasioned by hauling into a wharf, pier, landing, or dock, without any unreasonable delay or willful misconduct.

SEC. 12. The proprietors of a ferry, to guide their boats, may sink piers above and below and near their ferry ways, on each side of the river, not more than twelve feet in length or breadth, and not so sunk as to injure any wharf or landing, where vessels had previously taken or discharged freights.

CHAPTER 21.

WORK HOUSES.

- SEC. 1. Towns may provide work houses. Persons liable to commitment.
2. Towns may choose overseers of such houses.
3. Duties of such overseers.
4. Contiguous towns may unite in building work houses.
5. Joint board of overseers, and their powers in such case. How chosen, and mode of proceeding.
6. Quarterly and other meetings of such board.
7. Choice of officers.
8. By-laws, when and how made. Duties and proceedings.
9. Proportion in which expenses are to be paid.
10. Mode of recovery from delinquent town.
11. Overseers may order commitment of certain persons.
12. Neither town may commit more than its proportion.
13. Idlers having no settlement may be committed.
14. Delinquent town may be deprived of the right to occupy the house.
15. Either town may furnish additional materials for labor.
16. Master to keep a registry.