

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)

FIFTH REVISION.

THE
REVISED STATUTES

OF THE

STATE OF MAINE,

PASSED SEPTEMBER 1, 1903, AND TAKING EFFECT JANUARY 1, 1904.

BY THE AUTHORITY OF THE LEGISLATURE.



AUGUSTA :
KENNEBEC JOURNAL PRINT,
1904.

by the state or the United States, or to any cart or wagon owned by the settlers in the vicinity and used for farming purposes. The owner or driver of a team violating this section, forfeits twenty dollars and one dollar more for each mile of road passed, to be recovered by complaint before a municipal or police court or trial justice in the county where the offense was committed, and on a libel or complaint, he may issue his warrant to seize and detain such team to respond to such fine and cost.

—penalty, for violation.

CHAPTER 25.

FERRIES.

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. Whenever said commissioners remove a ferryman, they shall appraise the boat and other personal property used in running the ferry, at its fair value, and the person appointed shall purchase the same at said appraisal, if the person removed assents thereto.

County commissioners may license ferries, establish tolls, take bond.
R. S., c. 20, § 1.
8 Me., 368.
42 Me., 20.

—property to be appraised on removal of ferryman.

SEC. 2. They may establish ferries at such times and places as are necessary, and fix their tolls, and shall discontinue such ferries when, in their judgment, it may be expedient. When no person is found to keep them for the tolls, the towns in which they are established shall provide a person to be licensed to keep them, and shall pay the expenses, beyond the amount of tolls received, for maintaining them. When established between towns, they shall 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. 20, § 2.
1903, c. 105.

SEC. 3. Every keeper of a ferry shall 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 the prosecutor 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. 20, § 3.

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

Who may sue ferryman's bond.
R. S., c. 20, § 4.
See c. 82, § 14.

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

Steam or horse ferry.
R. S., c. 20, § 5.

SEC. 6. A person, who keeps a ferry contrary to the provisions of sections one or two, or without authority transports passengers or property across any licensed or established ferry for hire, or furnishes for hire, a boat or other craft for such purpose, 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. 20, § 6.

SEC. 7. When tidal waters, over which ferries are established, become so frozen that travelers may pass on the ice, the keepers of them shall

Ice to be leveled and way kept in

CHAP. 25.

repair in winter.
R. S., c. 20, § 7.
79 Me., 463.

Penalty for neglect and liability.
R. S., c. 20, § 8.

Use of horse or steamboats.
R. S., c. 20, § 9.

Use of other boats.
R. S., c. 20, § 10.

Obstructions to ferries, prohibited; penalty.
R.S., c. 20, § 11.

Piers sunk to guide boats at ferries.
R. S., c. 20, § 12.
42 Me., 19.

Somerset commissioners, jurisdiction of.
R. S., c. 20, § 13.

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 shall 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; 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, for 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 any person or corporation for damages occasioned thereby.

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

SEC. 11. Whoever places a weir 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 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 unreasonable delay or wilful misconduct.

SEC. 12. The proprietors of a ferry, to guide their boats, may sink piers near their ferry ways, above, and below the same, 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.

SEC. 13. The commissioners of the county of Somerset have exclusive jurisdiction in all matters relating to ferries between the counties of Somerset and Kennebec.

Note. Penalty for evading payment of fare on ferry, c. 52, § 7; for disorderly conduct § 80, 81.