

MAINE STATE LEGISLATURE

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STATE OF MAINE

R E P O R T

OF THE

ATTORNEY GENERAL

for the calendar years

1949 - 1950

It was called to my attention at the 1945 session of the legislature by the State Highway Commission that when the spring floods came and ice piled up at the site of the old dam and below that site, it overflowed No. 1 highway and washed out considerable of the hard surface and endangered the three bridges mentioned in Chapter 115 of the Resolves of 1945; and that was the reason that the towns of Winterport and Frankfort and the State Highway Commission sought authority from the legislature to construct this dam.

RALPH W. FARRIS
Attorney General

April 14, 1949

To Hon. Frederick G. Payne, Governor of Maine

I have your memo of April 13th, enclosing a letter which you received from Capt. S. E. Peabody of Beals Island, Maine, dated April 11th. You ask me to advise you what should be done about his matter.

He states that transportation between Beals and Jonesport is serviced by a small boat for passengers which will accommodate only fifteen or twenty people at a time and at low tide many times women and children have to climb down over wharves, up over high ladders, or out of the ferry boat into a skiff and walk up through mud to the bank.

Until 1925 Beals was a part of the town of Jonesport. In that year it was set off and incorporated and has since had local government. . .

By way of comment I will say that it has not been the policy of the State to provide ferries for the counties and towns. I remember when the Town of Islesboro was contemplating providing transportation facilities by ferry for passengers and freight they came to the legislature, and the town was authorized and empowered to raise money to provide and maintain such transportation facilities for passengers and freight by boat as may, in the judgment of the municipal authorities, be found necessary for the welfare of the inhabitants of said town.

In view of the fact that the Maine Register of 1948-9 gives the population of Beals as 524 and the estates as \$142,363, it seems to me that the selectmen of Beals and Jonesport should get together and provide transportation facilities for the inhabitants of both towns who commute between said towns.

In order for the towns to raise money for this purpose, they would have to be specially authorized by the legislature. If a bill could be introduced by unanimous consent, the two towns could put in a Private & Special Act authorizing and empowering them to raise money to provide for this transportation across the narrow strip of tide water which lies between them.

I would advise Captain Peabody as to the procedure he might pursue in this regard.

RALPH W. FARRIS
Attorney General