

# 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)

---

---

# Sixty-Fourth Legislature.

---

---

HOUSE.

No. 225.

---

---

## STATE OF MAINE.

---

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND  
EIGHTY-NINE.

---

AN ACT to incorporate the Bar Harbor and Lamoine  
Steam Ferry Company.

---

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

SECTION 1. Halsey J. Boardman, Sidney M.  
2 Hedges, John Shoenbar, William F. Desises,  
3 Everard H. Greeley, their associates and suc-  
4 cessors are hereby incorporated into a corporation  
5 by the name of the Bar Harbor and Lamoine Steam  
6 Ferry Company for the purpose of establishing and  
7 maintaining a ferry for transportation of passengers  
8 and freight between Lamoine and Mt. Desert Island  
9 as below named with all the powers and privileges  
10 incident to or usually granted to similar corpo-  
11 rations.

SECT. 2. Said corporation is hereby empowered  
2 to establish a ferry for twenty-five years between  
3 East Lamoine Point, so called in Lamoine, Han-  
4 cock county, Maine, and any point or points in the  
5 town of Eden, Hancock county, Maine, between  
6 Bar Harbor and Salisbury's Cove, both inclusive.  
7 Said ferry may be operated at such times and  
8 between such points within the aforesaid limits as  
9 said corporation may desire, provided that it shall  
10 be operated at least two months in each year be-  
11 tween said East Lamoine Point and some point  
12 within said limits in Eden and between the first day  
13 of April and the first day of December. Prior to  
14 the suspension of operation of said ferry at the  
15 close of its yearly season of operation, a notice  
16 signed by any officer of said corporation, stating  
17 the date of such proposed suspension shall be pub-  
18 lished in some newspaper in said county of Han-  
19 cock at least seven days before such date of  
20 suspension.

SECT. 3. Said corporation may use a boat or  
2 boats for the operation of said ferry propelled by  
3 steam or boats propelled by other means when  
4 necessary.

SECT. 4. Said corporation may build, erect, and  
2 maintain for use in the premises such piers, abut-

3 ments, wharves, stops and landings as may be  
4 necessary therefor and may take real estate neces-  
5 sary for these purposes. It may occupy such lands  
6 and enter upon them to make surveys and loca-  
7 tions, and shall file in the registry of deeds in said  
8 county of Hancock plans of such location and  
9 lands signed by its president, and within thirty  
10 days thereafter publish notice thereof in some  
11 newspaper in said Hancock county, such publica-  
12 tion to be continued three weeks successively.

SECT. 5. Should the said corporation and the  
2 owner of such land fail to agree upon the damages  
3 to be paid for such taking, the land owner may  
4 within two years after filing of plans of location,  
5 apply to the commissioners of said county of  
6 Hancock and have such damages assessed as is  
7 provided by law in cases wherein real estate is  
8 taken for railroads so far as the same is consistent  
9 with provisions of this charter, and when inconsis-  
10 tent or at variance with this charter, the charter  
11 shall control. If the corporation shall fail to pay  
12 such land owner, or deposits for his use with the  
13 clerk of the county commissioners such sum as  
14 may be finally awarded as damages with costs,  
15 within ninety days after final judgment, the said

16 location shall be thereby invalid as against said  
17 land owner and the company forfeit all rights under  
18 the same. A tender may be made by the corpora-  
19 tion to the land owner before proceedings are  
20 instituted to the commissioners and if such land  
21 owner secures more damages than were tendered  
22 by said company he shall recover costs, otherwise  
23 the company shall recover costs. In case said  
24 company shall begin to occupy such lands before  
25 the rendition of final judgment, the land owner  
26 may require said company to file its bond to him  
27 with the county commissioners in sum and with  
28 such sureties as they shall approve conditional for  
29 said payment or deposit. Failure to apply for  
30 damages within said two years shall be held to be  
31 a waiver of the same. No action shall be brought  
32 against said corporation for such taking and occu-  
33 pation of real estate until after such failure to pay  
34 or deposit as aforesaid.

SECT. 6. Said corporation may hold real and per-  
2 sonal estate sufficient for all its purposes aforesaid.

SECT. 7. A toll is hereby granted and established  
2 for the benefit of said corporation such as may be  
3 fixed upon and agreed upon between the county  
4 commissioners for said county of Hancock and said

5 corporation, and in case of disagreement in regard  
6 to the rates of said toll, the same shall be fixed by  
7 a commission consisting of three persons to be  
8 selected as follows: One by the commissioners of  
9 said Hancock county, one by the chief justice of  
10 the supreme judicial court of Maine, and one by  
11 said corporation. The rates of toll may be changed  
12 once during any year in the same method just  
13 described by which they are to be originally fixed  
14 and agreed upon.

SECT. 8. The capital stock of said corporation  
2 shall not exceed one hundred thousand dollars. It  
3 may be fixed upon at the first meeting of the cor-  
4 porators by them and may subsequently be increased  
5 by said corporation to any amount not exceeding one  
6 hundred thousand dollars. The stock shall be divided  
7 into shares of five dollars each.

SECT. 9. The Lamoine and Mt. Desert Land  
2 Company are authorized to purchase stock in said  
3 ferry company with all the rights of the holders of  
4 such stock therein.

SECT. 10. Said Bar Harbor and Lamoine Steam  
2 Ferry Company may issue its bonds for construc-  
3 tion, maintenance and operation of its works and  
4 its ferry in all the premises upon such rates and

5 terms as it may deem expedient, not exceeding the  
6 sum of one hundred thousand dollars, and secure  
7 the same by mortgage of any property, and fran-  
8 chise of said ferry company.

SECT. 11. The first meeting under this charter  
2 shall be called by a written notice signed by any  
3 one corporator above named, stating the time and  
4 place of meeting served upon the other corporators  
5 above named, either personally or by leaving the  
6 the same at the last and usual place of abode of  
7 each, at least seven days before the time of such  
8 meeting. Or said first meeting may be called by  
9 a written notice signed by any one corporator above  
10 named stating the time and place of meeting pub-  
11 lished in the Ellsworth American, (a newspaper  
12 printed and published at Ellsworth, Maine), at least  
13 seven days before the time of such meeting. In  
14 either case the certificate of the signer of the notice  
15 shall be sufficient proof as to the service or publi-  
16 cation of the notice.

SECT. 12. This act shall take effect when ap-  
2 proved.

STATE OF MAINE.

---

HOUSE OF REPRESENTATIVES, }  
February 21, 1889. }

Tabled pending third reading, and ordered printed on motion of Mr.  
MARSHALL of York.

NICHOLAS FESSENDEN, *Clerk.*