

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-SECOND LEGISLATURE

HOUSE.

No. 48

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIVE.

AN ACT granting Jesse K. Mitchell and John J. Cameron the right to establish and maintain a ferry between Sullivan and Hancock.

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

Section 1. Jesse K. Mitchell and John J. Cameron of
2 Sullivan and their assigns are hereby authorized to estab-
3 lish and maintain a ferry for the space of ten years between
4 the towns of Sullivan and Hancock, in the county of Han-
5 cock, across Taunton bay, or Sullivan river, so called, from
6 the terminus of the road as now existing, on the Sullivan
7 shore to the terminus of the road now existing on the Han-
8 cock shore; with the right to keep and maintain suitable
9 boats to be propelled by oars, sails, cable, naphtha, gasoline,

10 or similar motive power, for the prompt and safe conveyance
11 and transportation of passengers, teams, carriages and
12 freight, and he is hereby authorized for this purpose to lay
13 and maintain a cable across said Sullivan river, between the
14 termini above mentioned but in such a way as not to obstruct
15 navigation. Said Mitchell and Cameron or their assigns
16 are hereby authorized and empowered to erect and maintain
17 at the terminal points of said ferry such wharves, slips, land-
18 ings, toll houses, waiting rooms and other structures, includ-
19 ing a proper and suitable walk from the Waukeag station of
20 the Maine Central Railroad Company to the Hancock
21 terminus of said ferry as may be necessary for the proper
22 and convenient operation and maintenance of said ferry; and
23 for that purpose to take and hold or purchase and lease real
24 estate at the terminal points of said ferry. If the parties
25 cannot agree as to the value of any land taken under this act,
26 the value shall be fixed and the damages assessed in the man-
27 ner provided by law in cases when real estate is taken by
28 railroads.

Sect. 2. The following rates of toll are hereby established;
2 for a single team and carriage carrying not exceeding two
3 persons, thirty-five cents; for a double team and carriage
4 carrying not exceeding two persons, fifty cents; for each
5 person exceeding two, five cents; and for each additional
6 horse, ten cents; for a foot passenger ten cents; for a yoke
7 of cattle and driver thirty-five cents; for same with cart, fifty
8 cents; for an ox or horse not driven in harness, fifteen cents;
9 and for each additional, ten cents, the driver paying as a foot
10 passenger; and for sheep or swine, five cents per head; for a
11 bicycle and rider, fifteen cents. Said Mitchell and Cameron
12 are hereby required to transport freight and baggage to and
13 from said Waukeag station to the Sullivan terminus of said
14 ferry for a proper and reasonable compensation.

Sect. 3. Said ferry shall be operated, when the weather
2 permits, from half past five o'clock in the forenoon until nine
3 o'clock in the afternoon, between the dates of May fifteen
4 and September fifteen of each year, and from sunrise until
5 half past seven o'clock in the afternoon between the dates of
6 September fifteen and May fifteen inclusive of each year.
7 But transportation shall be provided for foot passengers to
8 and from all trains stopping at said Waukeag station. For
9 any unreasonable neglect or delay to transport either pas-
10 sengers or freight during the hours thus named, the persons
11 operating said ferry shall be liable in an action on the case
12 to the person injured for his damages.

Sect. 4. Any person who keeps a ferry contrary to the
2 provisions of this act, or who transports passengers, teams,
3 carriages or freight between said towns of Sullivan and
4 Hancock, across said Taunton bay or Sullivan river within
5 three-fourths of a statute mile above or below the ferry estab-
6 lished by this act, for hire, or who furnishes for hire a boat,
7 or other craft for such purpose, forfeits four dollars for each
8 day such ferry is kept or for each time of transportation,
9 the same to be recovered by said Mitchell and Cameron or
10 their assigns, to their use, in an action on the case.

Sect. 5. Said Mitchell and Cameron or their assigns, shall
2 give a bond to the treasurer of the county of Hancock in
3 such sum as the county commissioners of said county shall
4 require, and with two sureties approved by said commis-
5 sioners, for the faithful performance of the provisions of this
6 act. Any one injured in person or property by the neg-
7 ligence or fault of the persons operating said ferry, or their
8 employees, may commence a suit on such bond in which the
9 proceedings shall be similar to those in actions on the bonds
10 of sheriffs, or instead may sue the person operating said
11 ferry in an action on the case.

Sect. 6. The county commissioners of Hancock county
2 shall have supervision of all matters pertaining to all appara-
3 tus used in operating said ferry and service at the same, and,
4 upon petition and hearing may order the same to be
5 improved, and if said order shall not be complied with to
6 their satisfaction, and they shall so determine and decree,
7 then and in such case all the powers, rights and privileges
8 hereby granted to said Mitchell and Cameron shall cease and
9 terminate, and thereupon the said commissioners shall
10 appraise the boats, apparatus and other personal property
11 used in running and operating said ferry at its fair value,
12 and all the powers, rights and privileges hereby granted and
13 specified in this act shall inure to and become vested in such
14 person or persons as said commissioners shall then appoint
15 and their assigns, provided said person or persons so
16 appointed shall within such time as shall be specified by said
17 commissioners pay to the said Mitchell and Cameron the
18 value of said boats, apparatus and other personal property
19 as appraised by said commissioners.

Said commissioners shall also have power, at any time, dur-
21 ing the continuance of this charter, after petition and hearing,
22 when in their judgment the public interest demands it, to
23 revoke all the powers and privileges granted by this act, and
24 thereupon they shall appraise all of the boats, apparatus and
25 other personal property, used in running and operating said
26 ferry at its fair value and any person who may be appointed
27 to run said ferry by said commissioners under the statutes of
28 Maine shall purchase said property at said appraisal if the
29 owner thereof assents thereto.

When, at any hearing under the provisions of this section,
31 the said commissioners shall find the person operating said
32 ferry to be at fault, the latter shall pay costs of hearing, not
33 including counsel fees; otherwise said costs shall be paid by
34 the petitioner.

Sect. 7. Said Mitchell and Cameron or their assigns may
2 transfer by assignment in writing the privileges granted by
3 this act, and the person so transferring said rights shall be
4 relieved from all obligations imposed by this act.

Sect. 8. This act shall take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, February 2, 1905.

Reported by Mr. HALE, from Committee on Judiciary and ordered
printed under joint rules.

E. M. THOMPSON, *Clerk.*