

# MAINE STATE LEGISLATURE

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# SEVENTY-THIRD LEGISLATURE

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HOUSE.

No. 115

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## STATE OF MAINE.

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

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AN ACT granting to Arthur S. Mc Avey the right to establish  
and maintain a ferry in the harbor of Stockton Springs.

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

Section 1. Arthur S. McAvey of Searsport and his  
2 assigns are hereby authorized to establish and maintain a  
3 ferry for the space of ten years in the harbor of Stockton  
4 Springs, between the Cape Jellison Docks of the Northern  
5 Maine Seaport Railroad Company in the town of Stockton  
6 Springs, the Kidder's Point Docks of said Railroad Company  
7 and the village of Stockton Springs, all of which stations  
8 front on the harbor of Stockton Springs; with the right to  
9 keep and maintain suitable boats to be propelled by oars,

10 sails, cable, naphtha, gasolene, steam or similar motive  
11 power, for the prompt and safe conveyance and transporta-  
12 tion of passengers, baggage and freight.

Sect. 2. The following rates of toll are hereby established :  
2 for each passenger between either of said stations the sum of  
3 ten cents, and said Mc Avey is hereby required to transport  
4 freight and baggage to and from said points for a proper  
5 and reasonable consideration.

Sect. 3. Said ferry shall be operated when the weather  
2 permits from six o'clock in the forenoon until six o'clock in  
3 the afternoon, between the dates of May fifteen and Septem-  
4 ber fifteen in each year, and from sunrise until half past five  
5 o'clock in the afternoon between the dates of September  
6 fifteen and May fifteen inclusive in each year. For any  
7 unreasonable neglect or delay in transporting passengers or  
8 freight during the hours thus named, the said Mc Avey or  
9 his assigns, shall be liable in an action on the case to the  
10 party injured for his damages.

Sect. 4. Any person who keeps a ferry contrary to the  
2 provisions of this act, or who transports passengers or  
3 freight between said points, namely, Cape Jellison Docks,  
4 Kidder's Wharf and the village of Stockton Springs, for  
5 hire, or who furnishes for hire a boat or other craft for  
6 such purpose, forfeits four dollars for each day such ferry  
7 is kept, or for each time of transportation, the same to be  
8 recovered by said Mc Avey or his assigns to his or their use,  
9 in an action on the case.

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

Sect. 6. The county commissioners of Waldo county shall  
2 have supervision of all matters pertaining to all apparatus  
3 used in operating said ferry and services 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, may revoke all the privileges granted in  
7 this act; and may, after petition, notice and hearing, at any  
8 time, revoke the same, when in their judgment the public  
9 interests demand it. When at any hearing they find the  
10 person operating said ferry to be at fault, the latter shall  
11 pay costs of hearing, not including counsel fees; other-  
12 wise said costs shall be paid by the petitioner. If said com-  
13 missioners shall under the foregoing provisions revoke the  
14 privileges granted by this act, they shall thereupon appraise  
15 the boats, apparatus and other personal property used in  
16 running said ferry at its fair value, and any person who

17 may be appointed to run said ferry by said commissioners  
18 under the statutes of Maine, shall purchase said property  
19 at said appraisal, if the owner thereof assents thereto.

Sect. 7. Said Mc Avey or his assigns may transfer, by  
2 assignment in writing, the privileges granted by this act,  
3 and either may so transfer his rights hereunder, and the  
4 party so transferring said rights shall be wholly relieved  
5 from all obligations imposed by this act.

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

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STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, February 6, 1907.

Reported by Mr. LANE from Committee on Ways and Bridges, and  
ordered printed under joint rules.

E. M. THOMPSON, *Clerk.*