

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1847.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840,
and March 16, 1842.

Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1847.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE,

1847.

Chapter 28.

CHAP. 28.

An act to incorporate the Portland and Cape Elizabeth Ferry Company.

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

SECT. 1. Nathan Dyer, George Turner, James B. Cahoon, Oliver E. Silsby and Samuel Blanchard, and their associates and successors, be and they are hereby constituted and made a body corporate and politic, by the name of the Portland and Cape Elizabeth Steamboat Ferry Company ; with power to sue and be sued ; to have and use a common seal and change the same at pleasure ; to make and establish any by-laws and regulations for the better management of the affairs of said corporation, not repugnant to the laws of the state ; and to use and enjoy all the powers, rights and immunities, incident to such corporations.

Corporators.

Corporate name.

By-laws.

SECT. 2. Said corporation may take and hold such real and personal estate, not exceeding the sum of fifteen thousand dollars, as may be necessary and proper for prosecuting the objects of their corporation.

May take and hold real and personal estate.

SECT. 3. Said corporation is hereby authorized and empowered to set up, establish and maintain a ferry across Fore river, between Portland and Cape Elizabeth, at such place as said corporation may select and choose ; *provided*, the same be set up and established to start from and land at, such places or landings or wharves, as said corporation may own, or purchase, or lease for the purpose ; with a right to maintain and keep a suitable boat or boats, to be propelled by steam power or otherwise, as may be judged best for the safe and convenient conveyance and transportation of passengers, freight, horses, neat cattle and other animals, carriages of all kinds, carts and teams ; and with the power to use, at any and all times, steam-boats or such other boats as they may judge best.

Authorized to establish a ferry across Fore river.

Proviso.

SECT. 4. A toll is hereby granted and established for the sole benefit of said corporation, according to the following rates ; for each foot passenger three cents ; for each hack drawn by two horses, twenty-five cents ; for each chaise, carryall, gig or sulky, drawn by one horse, twelve cents ; and when conveying but a single passenger, eight cents ; each carryall drawn by two horses, twelve cents ; each cart, sled or wagon, drawn by two beasts, twelve cents ; each wagon or buggy drawn by one horse, eight cents ; omnibus drawn by two horses and containing not more than ten passengers, thirty-five cents ; for an omnibus drawn by four horses, fifty cents ; and for all freight, at the rate of three cents per hundred. And the time for running said ferry boats shall be from six o'clock in the forenoon to nine o'clock in the afternoon, from the first of

Toll granted.

Rates.

Time for running their ferry-boats.

CHAP. 28. April to the first of October; and from the first of October to the first of April, at eight o'clock in the morning and evening: *provided, however*, that the rate of toll shall always be subject to be regulated and changed by the legislature.

Said corporators may own the stock in such proportions as they think proper.

SECT. 5. It shall and may be lawful for the said Nathan Dyer and George Turner, and their associates and successors, to own, occupy and improve the whole of the stock in said corporation in such proportions as they may deem meet and for their interest; and said stock shall be considered and deemed and taken to be personal property to all intents and purposes and be subject to all the laws of the state regulating personal estate.

Stock to be considered personal property.

Suitable boats to be kept, and proper attendance furnished.

SECT. 6. Said corporation shall keep at all times and hours, as prescribed by this act, a suitable boat or boats at said ferry where the same may be located for the purposes in this act set forth; and shall cause to be furnished at all hours suitable and proper attendance for the comfort and accommodation of passengers and the safe transportation of freight; and shall be responsible in an action on the case in any court of competent jurisdiction; for any loss or damage happening or accruing through the negligence or want of proper care, or for want of good faith, in said corporation, their servants or agents.

Responsible for loss or damage.

Penalty for neglect to furnish suitable boat, &c.

SECT. 7. If said corporation shall neglect to furnish, at the times appointed, suitable and proper attendance upon, and a suitable and proper boat, for the purposes of this act, said corporation shall forfeit and pay for each offence, ten dollars to be sued for in any court of competent jurisdiction by any person who may sue therefor.

How recovered.

Grant void, unless said ferry is established within two years.

SECT. 8. If said corporation shall neglect for the space of two years from the passage of this act, to set up and establish said ferry, according to the provisions of this act, then this grant shall be void.

First meeting, how called.

SECT. 9. Said George Turner is authorized and empowered to call a meeting for the purpose of organizing said corporation, at such time and place as he may select, by giving personal notice to all persons interested, seven days before the time appointed for said meeting.

SECT. 10. The legislature may, at any time, enlarge, restrict or annul the powers, privileges and immunities granted by this act.

[Approved July 3, 1847.]