

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-SECOND LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1853.

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

Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1853.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1853.

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Proviso.

cove and river aforesaid, at a point in said low water mark forty-five rods distant from, and above the northerly side of the bridge aforesaid where the same touches the channel of said river; thence by said low water mark northeasterly to a point intersected by a line drawn from the first bounds mentioned above on the shore of Portland harbor, east thirty degrees south; thence by said line to said first bounds mentioned, excepting the right of way pertaining to said bridge and the traveled road, being the same premises conveyed by Francis O. J. Smith to said United States of America, by his deed dated the twenty-second day of November, in the year of our Lord one thousand eight hundred and fifty-two; said above described tract containing about seventeen acres; *provided, however,* that this state shall retain and doth hereby retain a concurrent jurisdiction with the United States of America, in and over the above described tract, so far as that all civil and criminal processes issued under the authority of this state or of any officers thereof, may be executed on any part of said tract ceded as aforesaid, or in any buildings that may be erected thereon, in the same way and manner as if the jurisdiction had not been ceded as aforesaid.

SECT. 2. This act shall take effect from and after its approval by the governor.

[Approved March 9, 1853.]

Chapter 50.

An act to incorporate the Bangor and Brewer Ferry Company.

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

Corporators.

SECT. 1. James Dunning, Henry A. Wood, Ambrose C. Wilson, Edward H. Burr, Samuel H. Dale, Jonas Cutting, and Hollis Bowman, their associates, successors and assigns, are hereby constituted and made a body corporate and politic, by the name of the Bangor and Brewer Ferry Company, with power to sue and be sued, to make and establish by-laws and regulations for the government of the affairs of said corporation; and to use and enjoy all the powers, rights and immunities incident to such corporations.

Corporate name.

Rights, powers and duties.

Authorized to maintain a ferry.

Location.

SECT. 2. Said corporation is hereby authorized to establish, set up and maintain a ferry across the Penobscot river, between Bangor and Brewer, at the ferry-way near the foot of Union

street in said Bangor to the ferry-way opposite the same in the town of Brewer; with a right to maintain and keep a suitable boat or boats to be propelled by steam power, horse power or otherwise, for the safe and convenient conveyance and transportation of passengers, carriages, teams and freight.

Boats.

SECT. 3. A toll is hereby granted and established for the sole benefit of said corporation according to such rates as they may require, in no case to exceed the present rates now allowed by law to the Bangor Bridge Company, a corporation now having the right of bridge toll upon said Penobscot river.

Toll.

SECT. 4. Said corporation is hereby authorized to build, erect and maintain any piers, wharves, docks, buildings or other conveniences which shall be necessary for maintaining said ferry on the shores and landing places aforesaid, and at such other places as the county commissioners for the county of Penobscot shall, upon petition, notice and hearing, adjudge convenient and necessary; *provided*, said corporation shall pay the owner or owners of land or privilege so occupied and improved such damages as the county commissioners aforesaid shall assess; *provided also*, said corporation upon the Bangor side of said river shall not build any piers or works to extend further into said stream than the outside line of wharves at said point as at present established, unless deemed necessary and suitable by the city of Bangor to extend farther.

Wharves, &c., authorized to build, &c.

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Damages, &c.

Proviso.

SECT. 5. The duties and penalties named in sections ten and twelve of chapter twenty-seven of the revised statutes said corporation is hereby made subject to, for such time as they may continue to exercise the use of the franchise hereby granted them; the expense of the same to be paid by said corporation and not by the county of Penobscot as heretofore provided; said liability however not to attach during the pendency of a license for a passenger ferry, which is now or that may be granted between the same points by the county commissioners of said county.

Duties, penalties, &c.

Expenses, how paid.

Liability not to attach in certain cases.

SECT. 6. In case said county commissioners shall hereafter grant such passenger ferry license, it shall be with the limitation that the same shall be void and terminated whenever suitable boats shall have been provided and employed according to the provisions of this act, and during the use of the same as aforesaid.

Passenger ferry, license for limited, &c.

SECT. 7. If said corporation shall neglect to furnish suitable and proper boat, and suitable and proper attendance upon the same during the season for running the ferry and at all proper hours, it shall forfeit and pay for each offense a fine of one

Penalty for neglect to provide boats, &c.

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dollar, to be sued for and recovered in any court of competent jurisdiction by any person who may sue for the same.

Time for
establishing
ferry limited

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

SECT. 9. This act shall be in force from and after its approval by the governor.

[Approved March 10, 1853.]

Chapter 51.

An act to incorporate the Gardiner Gas Light Company.

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

Corporators.

SECT. 1. F. A. Butman, junior, Josiah Maxcy, S. G. Moore, their associates and successors, are hereby constituted a body politic and corporate by the name of the Gardiner Gas Light Company, and are vested with all the powers and privileges, and subject to all the restrictions and liabilities by law incident to corporations of a similar nature.

Corporate
name.

Authorized to
hold real and
personal
estate.

SECT. 2. Said corporation is authorized to hold all such real and personal estates as may be necessary and proper to enable them to carry on the manufacture, distribution and sale of gas, for the purpose of lighting the streets, factories and all other buildings and works in the city of Gardiner, and to construct such reservoirs, gasholders, gaspipes and other things as may be requisite and proper for such purpose; *provided*, the whole amount of the capital stock of said company shall not exceed one hundred thousand dollars.

Reservoirs, &c.

Gaspipes,
authorized to
to lay, by
consent of city
authorities.

SECT. 3. Said corporation shall have the right to lay gaspipes in any of the public streets or highways in said city of Gardiner, the consent of the authorities of said city having first therefor been obtained, and relay and repair the same, subject to such regulations as the health and safety of the citizens and the security of the public travel may require, and as may be prescribed by the authorities aforesaid.

City of
Gardiner may
hold stock, &c.

SECT. 4. The city of Gardiner may take and hold stock in said corporation, not exceeding a sum the legal interest of which will pay for all gas consumed and used for the purpose of lighting the streets and buildings belonging to said city of Gardiner.

First meeting,
how called.

SECT. 5. Any two of the persons named in this act may call the first meeting of said corporation by notice published in any