

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE,

1857.

Published by the Secretary of State, agreeably to Resolves of June 23, 1820, February 26, 1840,
and March 16, 1842.

AUGUSTA:
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1857.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1857.

Chapter 18.

CHAP. 18.

An act to incorporate the Cape Elizabeth Steam Ferry Company.

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

SECT. 1. David A. Sawyer, David W. Kincaid, Woodbury Dyer and Abraham Osgood, junior, and their associates and successors, be, and are hereby made and constituted a corporation, by the name of the Cape Elizabeth Steam Ferry Company, with power to prosecute and defend suits at law ; to have and use a common seal ; to make by-laws and regulations for the direction of its affairs, not repugnant to the laws of the state ; to lease or to purchase and hold such real and personal estate as may be necessary to effect the objects of the corporation, and to use and enjoy all the powers, rights and immunities, incident to such corporations.

Corporators.
Corporate name.
Powers and privileges.
By-laws.
May hold real and personal estate.

SECT. 2. Said corporation is hereby authorized and empowered to set up, establish and maintain a ferry across Fore river, between Ferry village, in said Cape Elizabeth, and Portland, at such place as said corporation may select ; *provided*, the same be set up and established, to start from and land at such places or landings, or wharves, as said corporation may purchase or lease for the purpose ; with the right to maintain, keep and run a suitable boat, or boats, propelled by steam power, for the safe and convenient transportation of foot passengers and freight.

Authorized to establish ferry.
Proviso.

SECT. 3. A toll is hereby granted and established for the sole benefit of said corporation, as follows : for each foot passenger, four cents ; for each hundred pounds of freight, four cents ; and smaller amounts at that rate ; *provided, however*, the rate of toll may at any time be modified by the legislature.

Toll granted.
—rate of.

SECT. 4. The time for running said boat, or boats, shall be from six o'clock in the forenoon, to nine o'clock in the afternoon, from the first of April to the first of October ; and from eight o'clock in the forenoon, to eight o'clock in the afternoon, from the first of October to the first of April, in each year ; and if said corporation shall neglect or fail to furnish suitable and proper attendance, and suitable, safe and proper boat, or boats, at any time within the hours herein prescribed for the running of said boat, or boats, for the transportation of passengers and freight, as authorized by this act, said corporation shall forfeit and pay for each offense ten dollars, to be recovered in an action of the case, by the person aggrieved thereby, in any court of competent jurisdiction. Said corporation shall, also, be liable in a like action, to the party injured, for any loss or dam-

Time of running.
If neglect, &c.
—forfeiture.
—how recovered.
Liability.

CHAP. 19.

age occasioned by the negligence or want of proper care on the part of said corporation, its agents or servants.

First meeting,
when and how
called.

SECT. 5. Whenever reliable subscriptions to the amount of four thousand dollars shall be obtained to the capital stock of this corporation, the person first named in this act shall be authorized to call a meeting for organization under this charter, by giving notice to all interested, of the time and place of meeting, at least seven days before it is to take place.

Certain acts
repealed.

SECT. 6. The act entitled an act to incorporate the Portland and Cape Elizabeth Ferry Company, approved July third, eighteen hundred and forty-seven, and all other acts, and parts of acts, inconsistent with this act, are hereby repealed.

Forfeiture of
charter.

SECT. 7. The legislature may at any time enlarge, restrict or annul the powers, privileges and immunities granted by this act. And unless the ferry be established, and the boat, or boats, provided for by this act, be put in actual operation within six months from the passage thereof, the powers and privileges herein granted shall be forfeited and of no effect.

[Approved March 4, 1857.]

Chapter 19.

An act additional to "An act to provide in part for the expenditures of the government," approved February twenty eighth, eighteen hundred fifty-seven.

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

SECT. 1. The act entitled "An act to provide in part for the expenditures of the government," approved February twenty-eighth, eighteen hundred and fifty-seven, shall take effect from and after the approval of this act by the governor.

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

[Approved March 6, 1857.]