

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-SECOND LEGISLATURE

OF THE

STATE OF MAINE.

1885.

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1885.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1885.

Chapter 495.

An Act to incorporate the People's Ferry Company.

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

SECT. 1. Frederick H. Harford, Charles A. Tilton, Tristram G. Hutchins, David A. Kincaid, Aurelius V. Cole, Andrew W. Smart, Rotheus M. Cole, Caleb Dyer, William Spear, Nathan R. Dyer, M. Saunders Small, Albert M. Spear, and their associates, successors and assigns, are hereby created a body politic and corporate by the name of the People's Ferry Company with power by that name to sue and be sued, to have and use a common seal, to establish suitable by-laws and regulations for the proper management of its affairs, not repugnant to the laws of the state, and to exercise and enjoy all the powers and privileges incident to regular corporations.

Corporators.

Corporate name.

—powers and privileges.

SECT. 2. The capital stock of said company shall not be less than ten thousand dollars, nor more than sixty thousand dollars, and shall be divided into shares of fifty dollars each.

Capital stock.

SECT. 3. Said corporation is hereby authorized to establish, set up and maintain a steam ferry across Fore river, between Ferry village in Cape Elizabeth and Portland, at such places as said corporation may select and acquire by lease, purchase, gift or in some other lawful manner, with a double end ferry boat or boats to be propelled by steam and such other boats as may be suitable and convenient for the night time or when said river is obstructed by ice.

Authorized to establish steam ferry between Cape Elizabeth and Portland.

SECT. 4. That a toll be and is hereby granted and established for the use of said corporation according to the following rates, namely: For each foot passenger, not exceeding four cents, and thirty-five tickets for foot passengers shall be sold upon demand for one dollar; for one vehicle drawn by one horse with driver, ten cents; for one coach with two horses and driver, fifteen cents; for each additional horse or person, four cents; for each cart or sled with two oxen and driver, fifteen cents; for each additional yoke of oxen, five cents; all other neat cattle and beasts of burden, three cents; sheep, swine and smaller animals, two cents each; and for each hundred weight of freight or less, four cents; and for

Tolls established

CHAP. 495

all trips made between nine o'clock in the evening and eleven and one-half o'clock at night, double fare may be charged.

Shall provide landings, boats and attendance.

SECT. 5. That said corporation shall, at all times, keep at the ferry established as aforesaid, after suitable and convenient landing places are provided, a boat or boats in good repair, suitable and convenient for the accommodation of travelers, their horses, carriages, carts, teams and cattle, and until such landing places are provided as aforesaid, such double end ferry boats may be used for the carriage of passengers and freight, and said corporation shall cause due and ready attendance on patrons, to be given on all occasions; and for every neglect of such attendance, said corporation shall forfeit and pay five dollars, and for every neglect in keeping such boat or boats, unless prevented by unavoidable circumstances or accident, fifty dollars, each penalty to be recovered by action of debt in any court of competent jurisdiction, to the use of any person who shall sue therefor, and shall be further liable to pay, in an action on the case, such special damages as any person may sustain by its unreasonable neglect.

—penalty for neglect.

—how recovered.

Time for running boats, fixed.

SECT. 6. The time for running said boat or boats, unless prevented by accident or unavoidable casualty, shall be from six o'clock in the forenoon to eleven and one-half o'clock in the night time; and from six o'clock in the forenoon until nine o'clock in the afternoon, two round trips shall be made hourly, and from nine o'clock in the afternoon until eleven and one-half o'clock in the night time, one round trip shall be made hourly.

First meeting, how called.

SECT. 7. Any three persons named in the first section of this act are hereby authorized to call the first meeting of the corporation by giving notice in the Cape Elizabeth Sentinel seven days before the time of said meeting.

Act void unless ferry is in operation within two years.

SECT. 8. Unless the ferry hereby authorized is established and put in operation within two years from the approval of this act, then the same shall be void. And it is provided that the county commissioners of the county of Cumberland shall not be called upon to locate a public highway in tide waters in the city of Portland under the act of eighteen hundred and seventy-three, entitled "An Act to authorize and empower the county commissioners of Cumberland county to construct and maintain a public highway into tide waters in

Highway to, in tide waters, not to be located till ferry is established.

the city of Portland," until a double end team ferry-boat suitable for the carriage of teams and carriages is put upon said ferry route and its continuous operation secured to the satisfaction of said county commissioners.

SECT. 9. This act shall take effect when approved.

Approved March 4, 1885.

Chapter 496.

An Act to incorporate the Rockabema Improvement Company.

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

SECT. 1. Charles D. Bryant, John Gardiner, A. H. Chase, J. W. Palmer, R. H. Pomeroy, F. W. Ayer, George W. Smith, Charles F. Palmer, Walter E. Palmer, William Engel and Llewellyn Powers, their associates and assigns, are hereby incorporated under the name of the Rockabema Improvement Company, with all the powers and privileges of similar corporations.

Corporators.

Corporate name.

SECT. 2. The said corporation is authorized to build dams, side dams, remove rocks, and make other improvements in so much of the west branch of the Mattawamkeag river and Rockabema stream which lie westerly of the Aroostook road, so called, passing through Moro plantation and township number seven, range five, west of the east line of the state, in the county of Aroostook, to facilitate the driving of logs and lumber down the same, and for this purpose the said corporation may take land and materials necessary to build such dams and make such improvements, and may flow contiguous lands so far as necessary to raise suitable heads of water; and if the parties cannot agree upon the damages, the corporation shall pay the proprietors of the land and materials taken. Such damages shall be ascertained and determined by the county commissioners of the county of Penobscot, in the same manner and under the same conditions and limitations as are by law provided in the case of damages in the laying out of highways, and for the damage occasioned by the flowing of land the said corporation shall not be liable to an action at common law, but the person injured may have

Authorized to build dams, etc.

—purpose.

—may take land and materials.

—damages, how determined.

—damages for flowage.