

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1887.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

AUGUSTA:
SPRAGUE & SON, PRINTERS TO THE STATE.
1887.

ACTS AND RESOLVES

OF THE

SIXTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE.

1889.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

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1889.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1889.

CHAP. 499

Shall be subject to examination by bank examiner.

First meeting, how called.

SECT. 13. Said corporation shall be subject to examination by the bank examiner, as provided by section one hundred and nineteen, chapter forty-seven, Revised Statutes.

SECT. 14. The first meeting of said corporation may be called by a written notice thereof, signed by any two corporators herein named, served upon each corporator, by giving the same in hand, or sending the same by mail to the last known place of residence.

SECT. 15. This act shall take effect when approved.

Approved March 5, 1889.

Chapter 499.

An Act to incorporate the Bar Harbor and Lamoine Steam Ferry Company.

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

Corporators.

SECT. 1. Halsey J. Boardman, Sidney M. Hedges, John Shoenbar, William F. Desisles, Everard H. Greely, their associates and successors are hereby incorporated into a corporation by the name of the Bar Harbor and Lamoine Steam Ferry Company for the purpose of establishing and maintaining a ferry for transportation of passengers and freight between Lamoine and Mount Desert island, as below named, with all the powers and privileges incident to or usually granted to similar corporations.

—corporate name.

—purpose.

Authorized to establish a ferry for twenty-five years.

—route.

—when ferry shall be operated.

SECT. 2. Said corporation is hereby empowered to establish a ferry for twenty-five years between East Lamoine point, so called, in Lamoine, Hancock county, Maine, and any point or points in the town of Eden, Hancock county, Maine, between Bar Harbor and Salisbury's cove, both inclusive. Said ferry may be operated at such times and between such points within the aforesaid limits as said corporation may desire, provided, that it shall be operated at least two months in each year between said East Lamoine point and some point within said limits in Eden and between the first day of April and the first day of December. Prior to the suspension of operation of said ferry at the close of its yearly season of operation, a notice signed by any officer of said corporation, stating the date of such proposed suspension shall be published in some

—notice of suspension, shall be published.

newspaper in said county of Hancock, at least seven days before such date of suspension.

SECT. 3. Said corporation may use a boat or boats for the operation of said ferry, propelled by steam or boats propelled by other means when necessary.

May operate by steam, or other power.

SECT. 4. Said corporation may build, erect and maintain for use in the premises such piers, abutments, wharves, slips and landings as may be necessary therefor and may take real estate necessary for these purposes. It may occupy such lands and enter upon them to make surveys and locations, and shall file in the registry of deeds in said county of Hancock, plans of such location and lands signed by its president, and within thirty days thereafter publish notice thereof in some newspaper in said Hancock county, such publication to be continued three weeks successively.

May build wharves, etc.

—may take land.

SECT. 5. Should the said corporation and the owner of such land fail to agree upon the damages to be paid for such taking, the land owner may within two years after filing of plans of location, apply to the commissioners of said county of Hancock and have such damages assessed as is provided by law in cases wherein real estate is taken for railroads, so far as the same is consistent with provisions of this charter, and when inconsistent or at variance with this charter, the charter shall control. If the corporation shall fail to pay such land owner, or deposit for his use with the clerk of the county commissioners such sum as may be finally awarded as damages, with costs, within ninety days after final judgment, the said location shall be thereby invalid as against said land owner, and the company forfeit all rights under the same. A tender may be made by the corporation to the land owner before proceedings are instituted, to the commissioners, and if such land owner secures more damages than were tendered by said company, he shall recover costs, otherwise the company shall recover costs. In case said company shall begin to occupy such lands before the rendition of final judgment, the land owner may require said company to file its bond to him with the county commissioners, in sum and with such sureties as they shall approve conditioned for said payment or deposit. Failure to apply for damages within said two years shall be held to be a waiver of the same. No action shall be brought against

Damages, how ascertained, in case of disagreement.

CHAP. 499

said corporation for such taking and occupation of real estate until after such failure to pay or deposit as aforesaid.

May hold real estate.

SECT. 6. Said corporation may hold real and personal estate sufficient for all its purposes aforesaid.

Tolls, established.

SECT. 7. A toll is hereby granted and established for the benefit of said corporation, such as may be fixed upon and agreed upon between the county commissioners for said county of Hancock and said corporation, and in case of disagreement in regard to the rates of said toll, the same shall be fixed by a commission, consisting of three persons, to be selected as follows: one by the commissioners of said Hancock county, one by the chief justice of the supreme judicial court of Maine, and one by said corporation. The rates of toll may be changed once during any year in the same method just described, by which they are to be originally fixed and agreed upon.

—rates, may be changed.

Capital stock.

SECT. 8. The capital stock of said corporation shall not exceed one hundred thousand dollars. It may be fixed upon at the first meeting of the incorporators by them, and may subsequently be increased by said corporation to any amount not exceeding one hundred thousand dollars. The stock shall be divided into shares of five dollars each.

L. & Mt. D. Land Co., authorized to purchase stock.

SECT. 9. The Lamoine and Mount Desert Land Company are authorized to purchase stock in said ferry company, with all rights of the holders of such stock therein.

May issue bonds, and mortgage property.

SECT. 10. Said Bar Harbor and Lamoine Steam Ferry Company may issue its bonds for construction, maintenance and operation of its works and its ferry, in all the premises, upon such rates and terms as it may deem expedient, not exceeding the sum of one hundred thousand dollars, and secure the same by mortgage of any property and franchise of said ferry company.

First meeting, how called.

SECT. 11. The first meeting under this charter shall be called by a written notice signed by any one corporator above named, stating the time and place of meeting, served upon the other corporators above named, either personally or by leaving the same at the last and usual place of abode of each, at least seven days before the time of such meeting; or said first meeting may be called by a written notice signed by any one corporator above named, stating the time and place of meeting, published in the Ellsworth American, a newspaper printed and published at Ellsworth, Maine, at least seven

days before the time of such meeting. In either case the certificate of the signer of the notice shall be sufficient proof as to the service or publication of the notice.

SECT. 12. This act shall take effect when approved.

Approved March 5, 1889.

CHAP. 500

Chapter 500.

An Act to incorporate the Union Light and Power Company.

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

SECT. 1. Henry W. Burgett of Brookline, Norfolk county, Massachusetts, Thomas W. Pierce and Isaac F. Abbott, both of Dover, Strafford county, New Hampshire, Hermon L. Horne of Norway, Oxford county, Maine, their associates, successors and assigns, are hereby constituted a body politic and corporate, by the name of Union Light and Power Company, for the purpose of doing a general illuminating, heating and power business, by the manufacture, distribution and sale of gas and electricity, either or both of them, in the county of York, in the state of Maine, and in the county of Strafford in the state of New Hampshire, with all the powers and privileges and subject to all the duties and liabilities by law incident to corporations of a similar nature.

Corporators.

Corporate name.

—purposes.

SECT. 2. The said company is hereby authorized to acquire by lease or purchase the property, rights, franchises, privileges and immunities of any gas or electric light company now or hereafter existing in any town or city in said county of York, or said county of Strafford in the state of New Hampshire, upon such terms and conditions as may be mutually agreed upon, and upon such lease or purchase, and a transfer and conveyance of the same to the said Union Light and Power Company, it shall succeed to, and enjoy all the rights, privileges and immunities now enjoyed and belonging to, or hereafter granted to any such gas or electric light company.

Authorized to lease property, etc., of any other corporation.

SECT. 3. The said company is hereby authorized to construct and maintain its line of wires in accordance with the laws of the state of Maine.

Shall construct its line in accordance with the laws of this state.