

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE

1897

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PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE.

1897.

CHAP. 435

Corporation authorized to raise money.

Sect. 2. The Farmington Village Corporation is hereby vested with the authority to raise such sum or sums of money as are necessary for the payment of the purchase price of said works or in payment of future extensions, additions or improvements of the same, by assessment upon the polls and property within its territory or by the issuance of bonds of the corporation and to execute its mortgage of the above works and rights as security for their payment.

Approved March 11, 1897.

Chapter 435.

An Act relating to Chapter one hundred and eighty-nine of the Private and Special Laws of eighteen hundred and ninety-five, entitled "An Act to incorporate the Milbridge Water Company."

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

Charter extended.

Sect. 1. The rights, powers and privileges of the Milbridge Water Company which were granted by chapter one hundred and eighty-nine of the private and special laws of eighteen hundred and ninety-five, are hereby extended for eighteen months additional; and the persons named in said act shall have all the rights, powers and privileges that were granted by said act to be exercised in the same manner, and for the same purposes as provided in said act.

Sect. 2. This act shall take effect when approved.

Approved March 11, 1897.

Chapter 436.

An Act granting Ernest E. Abbott the right to establish and maintain a ferry between Sullivan and Hancock.

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

Ernest E. Abbott, authorized to establish a ferry.

Sect. 1. Ernest E. Abbott of Hancock and his assigns are hereby authorized to establish and maintain a ferry for the space of eight years between the towns of Sullivan and Hancock, in the county of Hancock, across Taunton bay, or Sullivan river, so called, from the terminus of the road as now existing on the Sullivan shore to the terminus of the road as now existing on

—location.

the Hancock shore; with the right to keep and maintain suitable boats to be propelled by oars, sails, cable, naphtha, gasoline, or similar motive power, for the prompt and safe conveyance and transportation of passengers, teams, carriages and freight, and he is hereby authorized, for this purpose, to lay and maintain a cable across said Sullivan river, between the termini above mentioned, but in such a way as not to obstruct navigation. Said Abbott or his assigns is hereby authorized and empowered to erect and maintain at the terminal points of said ferry such wharves, slips, landings, toll houses, waiting rooms and other structures as may be necessary for the proper and convenient operation and maintenance of said ferry; and for that purpose to take and hold or purchase and lease real estate at the terminal points of said ferry. If the parties cannot agree as to the value of any land taken under this act, the value shall be fixed and the damages assessed in the manner provided by law in cases when real estate is taken by railroads.

—motive power.

—may lay cable across Sullivan river.

—erect wharves, etc.

Sect. 2. The following rates of toll are hereby established; for a single team and carriage carrying not exceeding two persons, thirty-five cents; for a double team and carriage carrying not exceeding two persons, fifty cents; for each person exceeding two, five cents; and for each additional horse, ten cents; for a foot passenger, ten cents; for a yoke of cattle and driver, thirty-five cents; for same with cart, fifty cents; for an ox or horse not driven in harness, fifteen cents; and for each additional ten cents, the driver paying as a foot passenger; and for sheep or swine, five cents per head; for a bicycle and rider, twenty cents.

Tolls.

Sect. 3. Said ferry shall be operated, when the weather permits, from half past five o'clock in the forenoon until nine o'clock in the afternoon, between the dates of May fifteen and September fifteen of each year, and from sunrise until half past seven o'clock in the afternoon between the dates of September fifteen and May fifteen inclusive of each year. But transportation shall be provided for foot passengers from the last down train at night at Hancock, at fifteen cents each, but not later than half past nine in the afternoon, standard time. For any unreasonable neglect or delay to transport either passengers or freight during the hours thus named, the persons operating said ferry shall be liable in an action on the case to the party injured for his damages.

When ferry shall be operated.

—liable for neglect.

CHAP. 436

Penalty for keeping a ferry, contrary to provisions of this act.

Sect. 4. Any person who keeps a ferry contrary to the provisions of this act, or who transports passengers, teams, carriages or freight between said towns of Sullivan and Hancock, across said Taunton bay or Sullivan river within three-fourths of a statute mile above or below the ferry established by this act, for hire, or who furnishes for hire a boat or other craft for such purpose, forfeits four dollars for each day such ferry is kept or for each time of transportation, the same to be recovered by said Abbott or his assigns, to their use, in an action on the case.

Shall give bond.

Sect. 5. Said Abbott or his assigns, shall give a bond to the treasurer of the county of Hancock in such sum as the county commissioners of said county shall require, and with two sureties approved by said commissioners, for the faithful performance of the provisions of this act. Any one injured in person or property by the negligence or fault of the persons operating said ferry, or their employes, may commence a suit on such bond in which the proceedings shall be similar to those in actions on the bonds of sheriffs, or instead may sue the person operating said ferry in an action on the case.

—proceedings, in case of injuries.

County commissioners shall have supervision of ferry.

Sect. 6. The county commissioners of Hancock county shall have supervision of all matters pertaining to all apparatus used in operating said ferry and service at the same, and upon petition and hearing, may order the same to be improved, and if said order shall not be complied with to their satisfaction, may revoke all the privileges granted in this act; and may, after petition and hearing, at any time, revoke the same when in their judgment the public interests demand it. When at any hearing they find the person operating said ferry to be at fault, the latter shall pay costs of hearing, not including counsel fees; otherwise said costs shall be paid by petitioner. If said commissioners shall under the foregoing provisions revoke the privileges granted by this act, they shall thereupon appraise the boats, apparatus and other personal property used in running said ferry at its fair value, and any person who may be appointed to run said ferry by said commissioners under the statutes of Maine, shall purchase said property at said appraisal if the owner thereof consents thereto.

—may revoke privileges.

Privileges may be assigned.

Sect. 7. Said Abbott or his assigns may transfer, by assignment in writing, the privileges granted by this act, and the person so transferring said rights shall be relieved from all obligations imposed by this act.

Sect. 8. Chapter one hundred and fifty-nine of the private and special laws of eighteen hundred and ninety-five is hereby repealed.

CHAP. 437
Chapter 159,
private
laws, 1895,
repealed.

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

Approved March 12, 1897.

Chapter 437.

An Act to incorporate the Sunny Side Cemetery Association.

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

Sect. 1. Waldo Pettengill, Oliver A. Pettengill, Stanley Bisbee, George D. Bisbee, their associates, successors and assigns, are hereby made and constituted a body corporate by the name of the Sunny Side Cemetery Association; and the said corporation is hereby authorized to locate, construct, maintain and perpetuate a public cemetery within the town of Rumford, and for the purposes of said corporation may purchase, or take and hold as for public use, such land as may be necessary for the present or future requirements of said corporation; land so taken shall not extend nearer any dwelling house than twenty-five rods against the written protest of the owner made to the corporation.

Corpora-
tors.

—corporate
name.

—author-
ized to
maintain a
cemetery.

—may take
land.

Sect. 2. Whenever said corporation desires to take land of any person for such cemetery, or to enlarge the same, it shall first cause the same to be surveyed and a plan made and signed by the president and treasurer of said corporation, with the date of such survey. The original shall be filed in the office of the register of deeds for the county of Oxford and a copy of the same, attested by such register, given to the owner of the land described, or mailed to his last known post office address, and when said plan is so filed it shall be deemed and treated as taken by said corporation. If the owner of said land does not consent thereto, or the parties do not agree as to the necessity therefor, or the area necessary to be taken, the corporation may make written application to the county commissioners, describing the land and naming the persons interested; the commissioners shall appoint a time for the hearing near the premises and require notice to be given to the persons interested as they may direct, fourteen days at least

Proceed-
ings, when
land is
taken.