

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-SECOND LEGISLATURE

OF THE
STATE OF MAINE

1905.

Published by the Secretary of State, agreeably to Resolves of
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1905.

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mitted to the directors and to the bank examiner whenever requested. No loans shall be made to any officer, or to any director of said bank or trust company except by approval of a majority of said executive board in writing, and said corporation shall have no authority to hire money or to give notes unless by vote of said executive board duly recorded.'

Section 5. This act shall take effect when approved.

Approved February 14, 1905.

Chapter 29.

An Act granting Jesse K. Mitchell and John J. Cameron 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:

Jesse K. Mitchell and John J. Cameron authorized to maintain ferry.

Section 1. Jesse K. Mitchell and John J. Cameron of Sullivan and their assigns are hereby authorized to establish and maintain a ferry for the space of ten 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 now existing on 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 Mitchell and Cameron or their assigns are 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, including a proper and suitable walk from the Waukeag station of the Maine Central Railroad Company to the Hancock terminus of said ferry 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.

-location.

-methods of transportation.

-may maintain wharves, etc.

-may acquire real estate at terminal points.

-damages, how assessed.

Rates of toll.

Section 2. The following rates of toll are hereby established; for a single team and carriage carrying not exceeding two per-

sons, 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, fifteen cents. Said Mitchell and Cameron are hereby required to transport freight and baggage to and from said Waukeag station to the Sullivan terminus of said ferry for a proper and reasonable compensation.

Section 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 to and from all trains stopping at said Waukeag station. 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 person injured for his damages.

Time when
ferry shall be
operated.

Section 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 Mitchell and Cameron or their assigns to their use in an action on the case.

Exclusive
rights.

Section 5. Said Mitchell and Cameron or their 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 employees, 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.

Shall give
bond.

—liabilities.

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County commissioners shall have supervision of.

Section 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, and they shall so determine and decree, then and in such case all the powers, rights and privileges hereby granted to said Mitchell and Cameron shall cease and terminate, and thereupon the said commissioners shall appraise the boats, apparatus and other personal property used in running and operating said ferry at its fair value, and all the powers, rights and privileges hereby granted and specified in this act shall inure to and become vested in such person or persons as said commissioners shall then appoint and their assigns, provided said person or persons so appointed shall within such time as shall be specified by said commissioners pay to the said Mitchell and Cameron the value of said boats, apparatus and other personal property as appraised by said commissioners.

—may revoke powers granted by this act.

Said commissioners shall also have power, at any time, during the continuance of this charter, after petition and hearing, when in their judgment the public interest demand it, to revoke all the powers and privileges granted by this act, and thereupon they shall appraise all of the boats, apparatus and other personal property, used in running and operating 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 owners thereof assent thereto.

—costs of hearing by whom paid.

When, at any hearing under the provisions of this section, the said commissioners shall 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 the petitioner.

Franchise may be assigned.

Section 7. Said Mitchell and Cameron or their 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.

Section 8. This act shall take effect when approved.

Approved February 14, 1905.