

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES  
OF THE  
SEVENTY-FIFTH LEGISLATURE

OF THE  
STATE OF MAINE.

1911

---

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

---

AUGUSTA  
KENNEBEC JOURNAL PRINT  
1911

---

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fifth  
Legislature

*1911*

---

CHAP. 19

Plantation may accept provisions on or before Nov. 1, 1912.

—county commissioners shall be notified.

Section 2. Said plantation may accept the provisions hereof on or before the first day of November, in the year of our Lord nineteen hundred and twelve, in which case the clerk of said plantation shall immediately notify the clerk of the county commissioners of Somerset county of such action, who shall make a record of that fact, and thereupon said commissioners shall be relieved from all duties respecting the ways and bridges in that plantation from and after the first day of December following said action of said plantation.

Approved February 15, 1911.

Chapter 19.

An Act granting Bradbury Smith the right to establish and maintain a ferry between Sullivan and Hancock.

Be it enacted by the People of the State of Maine, as follows:

Right to establish and maintain a ferry granted to Bradbury Smith.

Section 1. Bradbury Smith of Sullivan and his 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 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 they are 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 Smith or his 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 and proper for the 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 where real estate is taken by railroads.

—wharves, slips, landings, toll houses, etc., authorized.

—may take and hold real estate at terminal points.

—damages, how assessed, if parties fail to agree.

—proviso.

It is provided that said Smith shall use row boats for the

CHAP. 19

transportation of passengers only when unavoidable accident or casualty prevents the operation of the power boat.

Section 2. The following rates of toll are hereby established; for a single team and carriage not exceeding two persons, thirty-five cents; for a double team and carriage 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; touring cars, one dollar, and run-abouts, fifty cents. Said Smith is 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, it being understood and agreed that the rate for the transportation of freight shall not exceed that as expressed in the freight bills of nineteen hundred ten and as tabulated on the nineteen hundred ten freight book of said Smith.

Rates of toll established.

—freight and baggage shall be transported at a reasonable rate.

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, or when attending all passenger trains which stop at said Waukeag station, the persons operating said ferry shall be liable in an action on the case to the person injured for his damages.

When ferry shall be operated.

—transportation of foot passengers.

—liable for unreasonable neglect or delay.

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 Smith or his assigns, to their use, in an action on the case.

Penalty for operating a ferry contrary to the provisions of this act.

Section 5. Said Smith or his assigns, shall give a bond to the treasurer of the county of Hancock in such sum as the county

Bond shall be given for faithful per-

## CHAP. 19

formance of the provisions of this act.

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.

County commissioners shall have supervision of all matters pertaining to ferry.

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 cases all the powers, rights and privileges hereby granted to said Smith shall cease and terminate, and thereupon the said commissioners shall appraise the boats, apparatus and other 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 said Smith the value of said boats, apparatus and other personal property as appraised by said commissioners.

—county commissioners may revoke all powers and privileges.

Said commissioners shall also have the power, at any time, during the continuance of this charter, after petition and hearing, when in their judgment the public interest demands it, to revoke all the powers and privileges granted by this act, and thereupon they shall appraise all the boats, apparatus, and all other property that may have been acquired under the provisions of section one of this act, 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; provided, however, that if said Smith or his assigns shall, within a reasonable time, be able to dispose of said property at an advance over the value as appraised by the county commissioners, he or his assigns shall have the authority and right to do so.

—appraise all property.

—person appointed to run ferry shall purchase property.

—proviso.

—costs of hearing, when held, how paid.

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

Section 7. Said Smith 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. The person or persons to whom said privileges are assigned shall be acceptable to the county commissioners.

CHAP. 20

Privileges granted by this act may be transferred in writing.

Section 8. Chapter twenty-nine of the private and special laws of nineteen hundred and five is hereby repealed.

Certain act repealed.

Approved February 15, 1911.

### Chapter 20.

An Act to regulate fishing in Little Lobster Lake, so-called, in the County of Piscataquis.

*Be it enacted by the People of the State of Maine, as follows:*

Section 1. It shall be unlawful for any person to fish for, take, catch or kill any kind of fish at any time in Little Lobster lake, so-called, situated in the county of Piscataquis, for a period of two years from the time this act takes effect.

Fishing in Little Lobster lake prohibited for two years.

Section 2. It shall also be unlawful for any person to have in possession any kind of fish at any time taken in violation of the provisions of the first section of this act.

Unlawful to have fish in possession.

Section 3. Whoever violates any provision of this act shall be subject to the same penalty as is provided in the general law of the state for the illegal fishing for, taking, catching and having in possession of trout or land-locked salmon.

Penalty for violation of this act.

Section 4. In all prosecutions arising under this act, municipal and police courts and trial justices within their respective counties shall have, upon complaint, original and concurrent jurisdiction with the supreme judicial and superior courts, and all fines, forfeitures and penalties recovered by any person for any violation of this act shall be paid forthwith by the person receiving the same to the state treasurer.

Court jurisdiction.

—fines, how disposed of.

Approved February 15, 1911.