

MAINE STATE LEGISLATURE

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THE
REVISED STATUTES

OF THE
STATE OF MAINE,

PASSED JANUARY 25, 1871;

TO WHICH ARE PREFIXED
THE CONSTITUTIONS

OF THE
UNITED STATES AND OF THE STATE OF MAINE:

WITH AN APPENDIX.

BY AUTHORITY OF THE LEGISLATURE.



PORTLAND:
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CHAP. 20.

CHAPTER 20.

FERRIES.

- SEC. 1. County commissioners; license ferries, establish tolls, take bonds:
2. May establish them to be supported by towns, penalty for neglect.
 3. Penalty for neglect to keep safe boat, and to give prompt attendance.
 4. Person injured by neglect or default of ferry-man, may sue on his bond.
 5. No ferry to be established within one mile of a steam or horse ferry.
 6. Penalty for keeping a ferry, or transporting, contrary to law.
 7. Ice to be leveled and way kept in repair in winter.
 8. Penalty for neglect of it, liability for injuries.
 9. Licensed ferry-men not to use steam or horse-boats.
 10. At steam and horse ferries other boats may be used in times of danger.
 11. Obstructions of ferry ways prohibited. Penalty.
 12. Piers may be sunk at ferries to guide boats.
 13. Jurisdiction of Somerset county commissioners.

County commissioners may license ferries, establish tolls, take bond.
R. S. c. 20, § 1.
8 Me. 365.
42 Me. 9.
Property to be appraised on removal of ferryman.
1860, c. 147.

SEC. 1. County commissioners may license persons to keep ferries at such places and for such times, as are necessary, except where they are otherwise legally established; may establish tolls for the passage of persons and property; revoke such licenses at pleasure; and shall take from the person licensed, a bond to the treasurer of state, with sureties, for the faithful performance of his duties. Whenever said commissioners remove a ferryman, they shall appraise the boat and other personal property used in running the ferry, at its fair value, and the person appointed shall purchase the same at said appraisal, if the person removed assents thereto.

They may establish ferries to be supported by towns, penalty for neglect.
R. S. c. 20, § 2.

SEC. 2. They may establish ferries at such times and places as are necessary, and fix their tolls. When no person is found to keep them therefor, the towns in which they are established, are to provide a person to be licensed to keep them, and are to pay the expenses, beyond the amount of tolls received, for maintaining them. When established between towns, they are to be maintained by them in such proportions as the commissioners order. For each month's neglect to maintain such ferry or its proportion thereof, a town forfeits forty dollars.

Penalty for neglect to keep safe boat, and for neglect of attendance.
R. S. c. 20, § 3.

SEC. 3. Every keeper of a ferry is to keep a suitable and safe boat, or boats for use on the waters to be passed, and give prompt attendance for passage, according to the regulations established for the ferry. For neglecting to keep such boat, he forfeits twenty dollars, and for neglect of attendance, one dollar, to him who sues therefor in an action of debt; and is liable in an action on the case to the party injured for his damages.

SEC. 4. Any one injured in his person or property by the negligence or default of a ferryman may commence a suit on his bond, in which the proceedings are to be similar to those in actions on the bonds of sheriffs.

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A person injured by default of a ferryman may sue bond.

R. S. c. 20, § 4.

SEC. 5. When a ferry is established by the legislature to be passed by a steam or horse boat, no other ferry can be established on the same river within one mile above or below it.

Ferry not within one mile of steam or horse ferry. R. S. c. 20, § 5.

SEC. 6. A person, who keeps a ferry contrary to the provisions of sections one and two, or without authority transports passengers or property across any licensed or established ferry for hire, or 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, and is also liable to the party injured and keeping the ferry at or near the place, for damages sustained by him in an action on the case.

Penalty for keeping a ferry or conveying passengers or property contrary to law. R. S. c. 20, § 6. 1860, c. 156.

SEC. 7. When tidal waters, over which ferries are established, become so frozen that travelers may pass on the ice, the keepers of them are to level the ice and clear and repair the passage way from day to day, so that the same may at all times be safe and convenient for travelers with teams, sleds, and sleighs. Such way for passage may be made from a public landing sufficiently near to be connected with the opposite ferry landing. The commissioners are to fix a reasonable compensation therefor, to be paid from the county treasury. Or they may contract with another person to perform such duties, and give notice thereof to the keeper of the ferry before the river is closed; and during the continuance of such contract the liabilities of the keeper are transferred to the person contracting.

Ice to be leveled and way kept in repair in winter. R. S. c. 20, § 7.

SEC. 8. The ferryman, or person so contracting, forfeits ten dollars for each day's neglect to perform such duty, and is liable, in an action on the case, to pay damages to any person injured thereby.

Penalty for neglect and liability for injury. R. S. c. 20, § 8.

SEC. 9. A licensed ferryman, who uses at his ferry a boat propelled by steam or horse power, forfeits his license, and is liable to pay the damages occasioned thereby to any person or corporation. This provision is not applicable to a ferryman owning or using such a boat for his ferry on March sixth, eighteen hundred and thirty.

Licensed ferrymen not to use horse boats or steam boats. R. S. c. 20, § 9.

SEC. 10. Persons required to use, at a ferry, steam or horse boats, when the passage by them is dangerous, may use other safe boats.

At horse and steam ferries other boats used in times of danger. R. S. c. 20, § 10.

SEC. 11. Any person, who places a wier or other obstacle, or without necessity, anchors or places a raft, vessel, or water craft, so as to obstruct the ordinary passage way of any boat at a ferry licensed or established, forfeits twenty dollars to the use of the proprietor of the ferry, to be recovered in an action on the case; unless such obstruction was inadvertently made, and removed within thirty minutes, if practicable, after notice given of its improper position, or

Obstructions to ferries prohibited; penalty. R. S. c. 20, § 11.

CHAP. 21. unless it was occasioned by hauling into a wharf, pier, landing, or dock, without any unreasonable delay or willful misconduct.

Piers may be sunk to guide boats at ferries. R. S. c. 20, § 12, 42 Me. 9.

SEC. 12. The proprietors of a ferry, to guide their boats, may sink piers above and below and near their ferry ways, on each side of the river, not more than twelve feet in length or breadth, and not so sunk as to injure any wharf or landing, where vessels had previously taken or discharged freights.

Somerset commissioners, jurisdiction of. 1860, c. 167, § 1.

SEC. 13. The commissioners of the county of Somerset have exclusive jurisdiction in all matters relating to ferries between the counties of Somerset and Kennebec.

CHAPTER 21.

WORK HOUSES.

- SEC. 1.** Towns may provide work houses. Persons liable to commitment.
2. Towns may choose overseers of such houses.
 3. Duties of such overseers.
 4. Contiguous towns may unite in building work houses.
 5. Joint board of overseers, and their powers in such case. How chosen, and mode of proceeding.
 6. Quarterly and other meetings of such board.
 7. Choice of officers.
 8. By-laws, when and how made. Duties and proceedings.
 9. Proportion in which expenses are to be paid.
 10. Mode of recovery from delinquent towns.
 11. Overseers may order commitment of certain persons.
 12. Neither town may commit more than its proportion.
 13. Idlers having no settlement may be committed.
 14. Delinquent town may be deprived of the right to occupy the house.
 15. Either town may furnish additional materials for labor.
 16. Master to keep a registry.
 17. Controversy between master and overseers, how determined.
 18. Each town liable for its own commitments. Mode of discharge.
 19. Persons committed, to be kept employed.
 20. Work houses may be discontinued.

Towns may provide work houses. Persons liable to commitment. R. S. c. 21, § 1. See c. 24, § 20.

SEC. 1. Any town may erect or provide a work house for the employment and support of persons of the following description: all poor and indigent persons, maintained by or receiving alms from the town; all able-bodied persons not having estate or means otherwise to maintain themselves, who refuse or neglect to work; all persons who live a dissolute and vagrant life and exercise no ordinary calling or lawful business sufficient to gain an honest livelihood; and all such