

1889

Bar Harbor and Lamoine Steam Ferry Company

The Company

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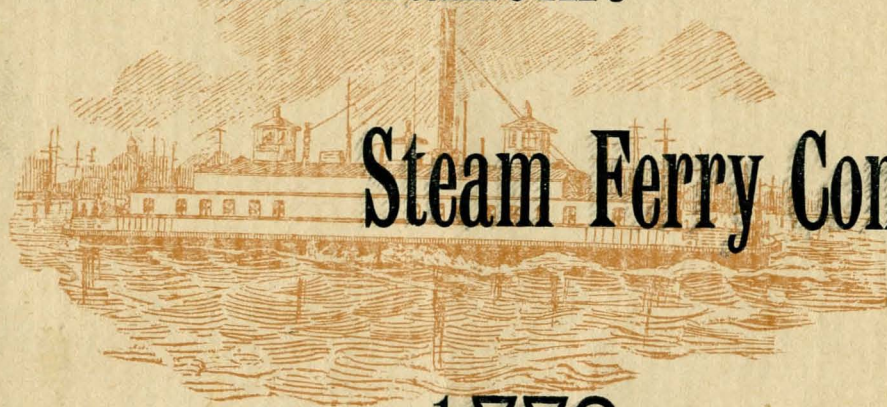
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Bar Harbor and Lamoine



Steam Ferry Company.

1889.

BAR HARBOR AND LAMOINE==

==STEAM FERRY COMPANY.

INCORPORATED FOR THE PURPOSE OF ESTABLISHING AND MAINTAINING A FERRY LINE BETWEEN
SAND POINT, NEAR THE CELEBRATED OVENS, MOUNT DESERT ISLAND, AND EAST
LAMOINE POINT, DIRECTLY OPPOSITE, ON THE MAIN LAND.

1889.

BAR HARBOR AND LAMOINE STEAM FERRY COMPANY.

Organized Under Special Charter from the State of Maine, Approved March 5th, 1889.

CAPITAL STOCK, \$30,000. Divided into 6,000 shares, par value \$5 each. Full paid and unassessable.

SIDNEY M. HEDGES, *President.*

CHARLES C. BURRILL, *Treasurer.*

MELVIN S. SMITH, *Clerk.*

DIRECTORS.

HALSEY J. BOARDMAN,	.	BOSTON, MASS.	HUTSON B. SAUNDERS,	.	Ellsworth, Maine.
SIDNEY M. HEDGES,	.	" "	WILLIAM F. DESISLES,	.	East Lamoine, "
JOHN SHOENBAR,	.	" "	DANIEL W. BREWER,	.	Bar Harbor, "
CHARLES C. BURRILL,	.	Ellsworth, Maine.	ELIHU T. HAMOR,	.	" "
EVERARD H. GREELY,	.	" "	S. H. RODICK,	.	" "
ARNO W. KING,	.	" "			

PRINCIPAL OFFICES.

244 WASHINGTON STREET,
ROOM 46, BOSTON, MASS.

BURRILL NATIONAL BANK BUILDING,
ELLSWORTH, MAINE.

THE growth and popularity of Bar Harbor as a place of fashionable summer resort, has been remarkable. For so brief a time as the place has been in existence for this purpose, the history of the country shows nothing like it; and it is still advancing with such rapidity — growing each day more and more strongly in the public favor — that it is not to be wondered at that new requirements for the development of its facilities for the accommodation of those who have made, and those who contemplate making this charming locality their place of summer residence, are constantly developing themselves.

It is almost superfluous at this late day to say anything in favor of this lovely spot, where nature and art vie with each other to make it attractive; but all credit must be awarded those enterprising and public spirited individuals who, by reason of their wealth, enlightenment, liberality and social position, have contributed so largely and so judiciously toward making Bar Harbor what it unquestionably is — one of the most fashionable, refined and romantic seaside resorts to be found on the American continent.

Among the great necessities for improved facilities, is the establishment of a steam ferry between Sand Point, in immediate proximity to the celebrated "Ovens," on Mount Desert Island, and East Lamoine Point on the main land; the distance between the two points being but three quarters of a mile. This want has been provided for by the recent incorporation of the "Bar Harbor and Lamoine Steam Ferry Company," and the communication will be regular and continuous throughout all seasons. The organization of the new company under the provisions of the charter, was completed on the 3d of April, 1889.

There can be no existing doubts as to the necessity, the great utility, or the vast public convenience of this ferry. Its establishment will supply a long-felt and much-needed want and will open up to the residents, not only of Bar Harbor, but to those living in its near neighborhood, enlarged facilities and opportunities for visiting and enjoying the beauties of their surroundings, hitherto unattainable. It will

- insure convenient, expeditious, and at all times safe and sure means of reaching the main land from the island of Mount Desert and *vice versa*, in all states of the weather. By the ferry the water trip from the main land to the Mount Desert shore is but three quarters of a mile, and a most delightful drive of three and one half miles over a perfectly kept and most thoroughly constructed carriage road, conveys passengers to the central portion of the village of Bar Harbor.

The benefits derivable from the establishment and operation of this ferry are innumerable, and will prove themselves of the utmost consequence to the residents of Bar Harbor, and all neighboring settlements, for it will at once become an important factor in the general convenience and prosperity.

By means of the facilities offered, farmers will be enabled to supply cottagers, hotels, restaurants and all classes of consumers with produce of all kinds at greatly reduced prices, directly from their own teams and with greater frequency. Transshipment of produce from rail to boat, and from thence to wagon on the wharf at Bar Harbor, as at present, will thus be avoided. There will be, as a matter of course, a great saving in freight and attendant expenses, and all this will inure to the benefit of the consumers, who will find their living expenses during the season materially reduced.

Another element in favor of the new ferry, is the pleasant means it will afford of reaching Bar Harbor, by leaving the cars at the Franklin Road station on the Mount Desert Branch of the Maine Central Railroad. This will necessitate water travel of only three quarters of a mile and will greatly reduce the distance in mileage. It will open up new and attractive resorts for driving and recreation on the main land, hitherto not accessible to the sojourners of Mount Desert, and bring under the eye new scenes and new views of sea and shores, with all their attendant beauties, of Mount Desert and other places which in the past it has been extremely difficult, and at times impossible to reach.

The ferry boat which it is proposed to put on the route, will be a two gangway double ender, with a capacity of conveying from twelve to fifteen teams and the requisite number of passengers on each trip. Safe and commodious ferry slips, docks and stations are to be constructed on both shores; and regular and special trips are to be made as frequently and at such other times as are best suited to the public convenience.

To every resident and every real estate owner on the island of Mount Desert and all neighboring settlements benefitted thereby, the enterprise cannot fail of commending itself in the strongest possible terms. It would appear to need no other recommendation than its own announcement. All in any way familiar with the necessities and conveniences of the residents of the island alone, will at once see what great benefit the establishment of the ferry will prove to each and every one. Its foundation is assured; its success is a certainty.

Your co-operation in carrying out the project, by subscribing to the capital stock, is respectfully solicited.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND EIGHTY-NINE.

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:

SECTION 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.

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

SEC. 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.

SEC. 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.

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

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

SEC. 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.

SEC. 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.

SEC. 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.

SEC. 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.

SEC. 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.

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

IN HOUSE OF REPRESENTATIVES, MARCH 2, 1889.

This bill having had three several readings, passed to be enacted.

FRED N. DOW, *Speaker*.

IN SENATE, MARCH 5, 1889.

This bill having had two several readings, passed to be enacted.

HENRY LORD, *President*.

MARCH 5, 1889.

Approved.

EDWIN C. BURLEIGH, *Governor*.

BY-LAWS

OF THE

BAR HARBOR AND LAMOINE STEAM FERRY COMPANY.

ARTICLE I.

SECTION 1. OFFICERS. The officers of the Company shall be a President, Treasurer, Clerk, Assistant Clerk, and not less than five, nor more than eleven Directors, all of whom must be stockholders of record. All elected officers shall serve one year or until their successors are elected. Except that officers first elected under these By-Laws shall serve until the second Saturday in July, A. D. 1890, or until their successors are elected.

ARTICLE II.

SEC. 1. PRESIDENT. The President shall be elected annually by the Directors from among their number. He shall be President of the Board of Directors and of the stockholders.

SEC. 2. DUTIES OF THE PRESIDENT. He shall preside at all meetings of the Directors or stockholders. He shall sign all certificates of stock for said Company, and in its name and behalf may execute and acknowledge all deeds of lands, contracts and other instruments, and may affix the Corporate seal thereunto. He may cause the call of special meetings of the Directors or stockholders when requested to

do so in writing by persons representing not less than one third of the Capital Stock issued. And meetings of the Directors when requested so to do by a majority or any two of the board in writing.

SEC. 3. COMPENSATION OF THE PRESIDENT. He shall receive such compensation as the Directors may determine.

SEC. 4. In the absence of the President, the Directors or stockholders may choose one of their number to preside.

ARTICLE III.

SEC. 1. TREASURER. The Treasurer shall be elected by the Directors annually.

SEC. 2. DUTIES. He shall keep all moneys of the Company, and disburse the same under the general direction of the Board of Directors. He shall at each annual meeting of the stockholders present a statement of his accounts audited by a committee from the Board of Directors, with proper vouchers for the preceding year. He shall sign, as Treasurer, all certificates of stock and affix thereunto the seal of the Corporation. He shall have the power to authorize any incorporated Trust Company or National Bank which may be approved by the Directors, to issue and transfer certificates of stock and affix the Corporate seal thereto. He shall keep in the manner prescribed by the Directors all of the accounts of the Company, and discharge such other duties as may be presented by them. He shall receive such compensation as the Directors may determine, and shall give bonds in such sum and with such securities as they may require.

ARTICLE IV.

SEC. 1. CLERK. The Clerk shall be elected annually by the Directors.

SEC. 2. He shall keep a record of all meetings of the stockholders and Directors. He shall perform any other duties pertaining to his office, as may be prescribed by the Directors. He shall receive such compensation as they may determine.

SEC. 3. ASSISTANT CLERK. The Board of Directors may appoint an Assistant Clerk who shall in the absence of the Clerk perform his duties. The Treasurer, Clerk and Assistant Clerk may be one person.

SEC. 4. In the absence of Clerk and Assistant Clerk, the Directors or stockholders may choose a Clerk pro tem.

ARTICLE V.

SEC. 1. DIRECTORS. The Board of Directors shall consist of not more than eleven nor less than five.

SEC. 2. They shall be elected at the annual meeting of the stockholders from among their number.

SEC. 3. DUTIES AND POWERS. The Directors shall have entire control and management of the property, affairs and business of the corporation, and the full powers of the corporation shall be vested in them for the purposes of the corporation. They shall have the power to remove all officers of the Company for sufficient cause, and to fix their compensation. They may make rules and regulations for the government of the corporation, not inconsistent with the laws of Maine, or these By-Laws. They may also prescribe By-Laws and Regulations for their own government, if they see fit, not inconsistent with these By-Laws. They shall have the power to fill vacancies in any office of the Company, and the persons so chosen shall serve for the unexpired term or until others are elected or chosen in their place.

Especially shall they have the power to purchase, acquire, improve, lease, sell and authorize conveyance of any and all lands, buildings, personal property and all material necessary to the business of the

Company, and are empowered to authorize the issue of the stock of the corporation in payment thereof subject to the limitations of the laws of Maine.

They may also do all things deemed by them essential or advisable in carrying out the business and purposes of the corporation. Employing such servants and agents, and appointing such officers as they see fit, with power to fix the compensation of the same. The full power of the Board of Directors may by them be conferred upon or delegated to any one or more of their number, so far as they see fit.

SEC. 4. If any Director elected, and duly notified by the Clerk of his election as a Director of this Company, shall not within thirty days after such notification, signify his acceptance in writing to the Clerk, his place as a Director shall be declared vacant; and the board shall elect a Director from among the stockholders to fill such vacancy. The Directors shall have power to fill any vacancy in the board, by the election of a stockholder to fill such vacancy.

SEC. 5. COMPENSATION. The Directors as such, shall receive no compensation, but shall be allowed their reasonable traveling expenses, when actually engaged in the service of the corporation.

ARTICLE VI.

SEC. 1. MEETINGS. The annual meeting of the stockholders shall be held at Ellsworth, Hancock county, Maine, or at such other place as the Directors may appoint, on the second Saturday in July in each year, beginning on the second Saturday of July, A. D. 1890. The call for the annual meeting shall be signed by the Clerk.

SEC. 2. Special meetings of the stockholders shall be held upon the call of the President when requested in writing by persons representing not less than one third of the Capital Stock issued, and

otherwise may be called by the President at his discretion, as above stated. No business shall be transacted at special meetings except that mentioned in the call, or notice.

SEC. 3. The notice of the annual meeting shall be signed by the Clerk, as herebefore stated. The notice for all other meetings may be signed by either the President or Clerk. All notices must state the time and place of the meeting, and be published in a public newspaper in Hancock county, Maine, at least seven days before the meeting. A copy of the notice, with certificate of the person who signed the notice, shall be recorded on the corporation records, and such record shall be sufficient evidence of such notice and publication.

SEC. 4. At all meetings of the stockholders, each stockholder shall be entitled to as many votes as he holds shares, and representation by proxy duly appointed shall be allowed, such proxies to be filed with the Clerk before the meeting begins.

ARTICLE VII.

SEC. 1. The Stock Book of the Company shall be closed five days preceding the annual election of Directors, or the payment of a dividend, and the list of the stockholders prepared at that time, shall designate who shall be entitled to vote, or receive such dividends.

ARTICLE VIII.

SEC. 1. These By-Laws may be repealed, amended or added to, and new by-laws may be adopted by a majority vote of the stockholders present at any annual meeting, or a special meeting called for that purpose.

Ellsworth

MAP

SHOWING PROPOSED

RAILROAD

TO

LAMOINE POINT

AND

Maine Central R. R. to Mt. Desert Ferry
& Steamboat Connection with Bar Harbor

— ALSO —

BAR HARBOR & LAMOINE STEAM FERRY CO'S ROUTE
TO
BAR HARBOR

