

# MAINE STATE LEGISLATURE

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# Sixty - Third Legislature.

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HOUSE.

No. 76.

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## STATE OF MAINE.

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The majority of the Committee on Ways and Bridges, to which was referred the Bill entitled "An Act relating to Pride's Bridge on Presumpscot River, between the towns of Deering and Westbrook," have had the same under consideration and ask leave to report that the same ought to pass.

H. F. Daggett,	} <i>Majority of Committee.</i>
T. B. Young,	
A. W. Rich,	
C. P. Silsby,	
C. H. Jones,	
B. L. Sanborn,	
Albert Whitcomb, S. P. Judkins,	

AN ACT relating to Pride's Bridge, on Presumpscot River,  
between the towns of Deering and Westbrook.

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

SECTION 1. The bridge known as Pride's Bridge, on  
2 Presumpscot River, between the towns of Deering and  
3 Westbrook, shall hereafter be maintained and kept in  
4 pair by said towns of Deering and Westbrook, and all  
5 legal liability for the support of the same shall be borne  
6 by said towns, each within its own limits.

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

A minority of the Committee on Ways and Bridges, to which was referred the Bill entitled "An Act relating to Pride's Bridge, on Presumpscot River, between the towns of Westbrook and Deering," have had the same under consideration, and ask leave to report that the same ought not to pass, and herewith submit their reasons, in statement annexed marked "B."

W. M. KIDDER,  
FRANCIS H. WITHAM.

### STATEMENT OF REASONS FOR MINORITY REPORT.

It appeared in evidence that the bridge to which this bill applies, lies across Presumpscot River, upon the boundary line between Westbrook and Deering.

The town of Falmouth comprised in 1786, what are now the towns of Falmouth, Portland, Westbrook and Deering. In 1786 Falmouth "Neck" now Portland, in area 1466 acres, was set off and with 180 acres lying without and adjoining, incorporated as the town of Portland; in 1814 Westbrook was set off from Falmouth, and in 1871 Deering was set off from Westbrook.

The history of the Old town of Falmouth in the movement to set off the Neck, shows that there was an agreement among the inhabitants of the town, assented to in town meeting, and embodied in the act incorporating Portland, by which the burdens of supporting the many bridges, as well as the other public burdens of the town were equalized as far as was possible. There were then within the limits of Old Falmouth five (5) large bridges.

The territorial extent of the "Neck" was extremely small as compared with that of the rest of the town. It had but one bridge, and that lying only in part within its limits. It had two-fifths of the valuation and population, very nearly.

The division of public burdens seems, under the act incorporating Portland, to have been just and equitable. Portland

## PRESUMPCOT RIVER BRIDGE.

assumed and undertook to maintain for her share of the bridges lying outside her limits, two, (2) viz: the one across Presumpscot River called Pride's Bridge, named in this bill, and the Great Bridge at Stroudwater across Fore River.

Under this compact Portland has maintained these bridges for a century. By numberless acts extending through all this long time, it has acknowledged its obligation to support them.

No resolve has been shown the minority of your committee, why this compact should be broken. On the contrary there seem to us to be conclusive reasons, aside from the obligations of the contracting parties which we believe should not be set aside by the Legislature, why this compact should not be abrogated.

The town of Deering is so situated geographically, that it is the neck of the tunnel for a vast amount of travel into the city of Portland. In consequence of this, and from its vicinity to the city, it has been obliged to expend annually on its fifty miles of roads and its bridges, an average of four (4) dollars and thirty cents on every thousand dollars of its valuation, while Portland expends less than two (2) dollars annually on each thousand dollars of its valuation, upon about the same length of streets and bridges.

The town of Westbrook, within whose limits one-half of Pride's bridge is located, has about forty-five (45) miles of roads and bridges. Its valuation for the year 1886 is \$2,251,000, represented for the most part by manufacturing and other property in the villages of Saccarappa and Cumberland Mills, which are at a considerable distance from this bridge, and wholly upon the other great thoroughfares between Portland and the back towns. In these villages there are two large bridges across the same river (Presumpscot), which are wholly supported by the town, and there is a constantly increasing demand for a third bridge between these two.

The debt of the town of Westbrook now exceeds \$83,000, \$76,000 of which is bonded, and has been increased nearly two-thirds since the year 1883 by necessary expenditures for sewers, macadamizing roads and the erection of new school

buildings; and this debt is still increasing. Besides thus adding to its permanent debt, the town has raised by taxation and expended on its roads, bridges and sidewalks for many years past an annual sum of between three (3) and four (4) dollars on every thousand dollars of its valuation.

It is also shown in evidence that less than one-thirteenth of the taxable property of the town, and a still smaller fraction of its population, are accommodated by Pride's bridge. In fact, this bridge is not so much for the benefit of Westbrook and Deering, which annually expend large sums to keep in repair the great thoroughfare of which it is a part, as for the convenience of the towns in the central and northern part of Cumberland County in going to and returning from the city of Portland.

The ability of Portland to support these bridges is now much greater, comparatively, than at the time it assumed this obligation.

The valuation of Portland for 1886 is.....	\$33,433,200
“ “ Deering “ “ .....	2,573,960
“ “ Westbrook for 1866 is.....	2,251,000
	\$4,824,960
Total valuation of the two towns.....	\$4,824,960

Instead of being but four-fifths that of the remaining country, as in 1786, the valuation of Portland is now nearly seven times greater than that of the towns of Deering and Westbrook combined.

To recapitulate :

Portland expends on roads and bridges, annually, less than two dollars on every thousand dollars of valuation. Deering four dollars and thirty cents, and Westbrook between three and four dollars.

And it further appears in the evidence that the town of Deering, under its act of incorporation, paid to the town of Westbrook the sum of \$9,800 to equalize the burdens of supporting roads and bridges, and that the bridge to which this bill applies was not taken into account in this equalization.

The passage of this bill would, therefore, render unjust this adjustment of public burdens between Westbrook and Deering in 1871, and also that between Falmouth and Westbrook in 1814; and in our judgment will subject many towns to the danger of having new obligations unjustly imposed upon them and ancient rights taken away.

And for these and other reasons the minority of your Committee believe that this bill ought not to pass.



STATE OF MAINE.

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HOUSE OF REPRESENTATIVES. }  
February 4, 1887. }

On motion of Mr. FOGG of Portland, tabled and ordered printed, pending acceptance of report.

NICHOLAS FESSENDEN, *Clerk.*