

MAINE STATE LEGISLATURE

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FIFTY-SIXTH LEGISLATURE.

HOUSE.

No. 93.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SEVENTY-SEVEN.

AN ACT to make free Merrymeeting bridge.

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

SECTION 1. The proprietors of Merrymeeting bridge
2 are hereby authorized to transfer and convey, by gift,
3 their said bridge, with all the franchises, buildings,
4 land and appurtenances thereto belonging, to the
5 county of Sagadahoc.

SECT. 2. The county of Sagadahoc is hereby author-
2 ized and empowered to take and hold said bridge with
3 all the franchises, buildings, land and appurtenances
4 thereto belonging, and maintain the same in suitable
5 repair ; *provided*, that said bridge shall be forever free
6 for public travel and use.

SECT. 3. When said bridge and its appurtenances
2 shall be conveyed, under the provisions of the first

3 section of this act, to said county, it shall be the duty
4 of the county commissioners of said county thereafter
5 to apportion and assess, annually, under the same rules
6 and penalties that are now provided by law for the
7 assessment and collection of the county tax, the ex-
8 pense of maintaining and supporting said bridge and
9 its appurtenances, upon the county of Sagadahoc, and
10 upon the city of Bath and the towns of Topsham, Bow-
11 doinham and Bowdoin, in said county, in the following
12 proportions, to wit: upon the county of Sagadahoc,
13 one third; upon the city of Bath, one half; and upon
14 each of the towns of Topsham, Bowdoinham and Bow-
15 doin, one-eighteenth; *provided*, that the inhabitants of
16 said county, at their annual town meetings in the year
17 eighteen hundred and seventy-seven, shall by a ma-
18 jority vote accept this act; *and provided, also*, that
19 the inhabitants of the city of Bath, and of each of the
20 towns of Topsham, Bowdoinham and Bowdoin, shall
21 accept by a majority vote at said meeting their re-
22 spective apportionments herein made; and the muni-
23 cipal officers of said city and towns shall insert in their
24 respective warrants for said meetings an article for this
25 object, as aforesaid; the vote at said meetings shall
26 be by printed ballot, thus: (for the county vote)

27 Merrymeeting Bridge, Yes;

28 Merrymeeting Bridge, No;

29 and for the apportionment vote in the city of Bath and
30 the said towns of Topsham, Bowdoinham and Bow-
31 doin, thus :

32 Merrymeeting Bridge Apportionment, Yes ;

33 Merrymeeting Bridge Apportionment, No.

34 The ballots shall be received, sorted, counted and de-
35 clared as provided in section four, chapter seventy-
36 eight of the revised statutes, for election of county
37 commissioners; and like proceedings as provided in
38 said section of said chapter shall be had, excepting
39 that the clerks in said city and towns shall transmit
40 true copies thereof to the county commissioners for the
41 county of Sagadahoc within ten days, who shall open
42 and compare the votes so returned, and if errors appear
43 in the returns they shall be corrected on proper evi-
44 dence; and if there be a majority of ballots with Yes,
45 it shall be a decision in favor of that part of the act to
46 which it applies; if there be a majority of ballots with
47 No, it shall be a rejection of the same.

SECT. 4. If said apportionment is not approved by
2 said city and towns, or either of them, as provided in
3 the preceding section, the supreme judicial court,
4 sitting in the county of Sagadahoc, shall, upon appli-
5 cation of the county commissioners of said county, or
6 of any town therein, appoint a board of commissioners,
7 consisting of three disinterested and suitable persons,

8 not residents of said county, and said commissioners,
9 having been first duly sworn to the faithful and im-
10 partial discharge of their duties, shall, after due notice
11 to all parties interested and a hearing thereon, deter-
12 mine and decree in what proportions the said county
13 of Sagadahoc and the city and towns aforesaid, in
14 view of the special benefits derived or to be derived
15 by said county and towns respectively, under the pro-
16 visions of the second section of this act, shall annually
17 defray the expense of maintaining and supporting said
18 bridge and its appurtenances, and all expenses properly
19 incurred under the provisions of this act, including
20 their own fees ; *provided* that not more than one-third
21 of said expense shall be assessed upon said county ;
22 and their determination and award, or that of a major
23 part of them, shall be made in writing, and reported
24 to the supreme judicial court for the county of Saga-
25 dahoc, and to the county commissioners of said county,
26 and the same shall be binding upon all parties inter-
27 ested therein.

SECT. 5. Liability for defects in said bridge shall
2 exist on the part of said county and the towns therein,
3 on such proportions as they severally pay toward the
4 cost of keeping the same in repair.

SECT. 6. This act shall take effect when approved.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
January 31, 1877. }

Reported from the Committee on Ways and Bridges, by Mr. MADDOCKS of Southport, and on motion of Mr. JEWETT of Richmond, laid on the table and ordered printed.

ORAMANDAL SMITH, *Clerk.*