

MAINE STATE LEGISLATURE

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Sixty-Seventh Legislature.

SENATE.

No. 28.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND NINETY-FIVE.

AN ACT to provide for a Free Public Highway over the
Bangor and Brewer Toll Bridge.

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

SECTION 1. On the second day of November, A. D.
2 1896, or as soon thereafter as practicable, the county
3 commissioners of Penobscot county, are hereby directed
4 to lay out a common highway over and upon the bridge
5 across the Penobscot river, and its approaches, now
6 operated by the Bangor Bridge Company under the sev-
7 eral charters and acts relating to said company, and said
8 bridge shall thenceforth be a free public highway subject

9 to all the provisions of law relating to such highways, and
10 be supported and maintained by the cities of Bangor and
11 Brewer in proportion to their respective state valuations
12 for the year 1896 and such subsequent valuations as the
13 state shall fix.

SECT. 2. No petition shall be required to give said
2 commissioners jurisdiction under this act, and in laying out
3 said highway they shall, in respect to notice, damages,
4 return and record of their doings, conform substantially to
5 the provisions of law relating to the laying out of highways.

SECT. 3. If any damages shall be allowed to any per-
2 son or corporation by reason of such laying out, the same
3 shall be paid by said cities of Bangor and Brewer in pro-
4 portion to their respective state valuations for the year
5 1896, and may be recovered as provided in section forty
6 of chapter eighteen of the Revised Statutes; provided,
7 however, that said cities either severally or jointly, and
8 any person or corporation aggrieved by any estimate of
9 damages by said county commissioners on account of such
10 laying out, may appeal therefrom in the same manner and
11 with the same rights provided by law for persons
12 aggrieved by the estimate of damages by county commis-
13 sioners on account of the laying out of highways.

SECT. 4. The maintenance and repair of such bridge
2 shall be under the equal supervision and control of the
3 municipal officers of said cities, and in case of disagree-
4 ment, the county commissioners upon petition of any

5 citizen of either of said cities may cause necessary repairs
6 to be made and the expense thereof shall be paid by said
7 cities as provided in section one ; and the liability of said
8 cities for any injury arising from any defect or want of
9 repair of said bridge, shall be a joint liability in the pro-
10 portions provided in section one ; but any judgment
11 recovered in such case shall be apportioned by the court
12 according to said valuations, and separate executions
13 issued against each municipality for its several part
14 thereof.

SECT. 5. The highways leading to said bridge shall be
2 maintained and repaired by the city in which they are
3 respectively situated, in the same manner as other high-
4 ways.

SECT. 6. Nothing in this act shall be construed to
2 enlarge or extend any right of the Bangor Bridge Company
3 conferred by its charter and acts additional thereto, nor as
4 a waiver by the state of any right or privilege accruing to
5 it by virtue of the limitation, in said acts, of the right of
6 said company to take toll.

STATE OF MAINE.

IN SENATE, January 29, 1895.

Presented by Mr. ENGEL of Penobscot, and on motion by same Senator laid on table to be printed, pending reference to Committee on the Judiciary.

KENDALL M. DUNBAR, *Secretary.*