

MAINE STATE LEGISLATURE

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NEW DRAFT.

Seventieth Legislature.

HOUSE.

No. 114

STATE OF MAINE.

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

AN ACT to amend chapter two hundred and eight of the Private and Special Laws of one thousand eight hundred and ninety-five, entitled "An Act to enable the proprietors of the Bangor Bridge to dispose of their bridge property.

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

Section 1. Chapter two hundred and eight of the private
2 and special laws of one thousand eight hundred and ninety-
3 five is hereby amended so that said chapter as amended shall
4 read as follows:

'Sect. 1. The cities of Bangor and Brewer, or either of
6 them, with the assistance of the county of Penobscot as here-
7 inafter provided, are authorized to take and purchase the

8 bridge, property and appurtenances of the Bangor Bridge
9 Company, on the payment to said company of such sum as
10 may be agreed upon; or as may be found as the value of
11 said bridge, property and appurtenances, by a committee of
12 three disinterested men, to be appointed by the chief justice
13 of the supreme judicial court, the award of a majority of
14 whom shall be reported to the supreme judicial court, in
15 Penobscot county, in term time or in vacation and the said
16 chief justice may confirm the same or recommit it for the cor-
17 rection of errors, if justice so requires. The award of the
18 committee shall be conclusive as to the amount.'

Sect. 2. The said cities of Bangor and Brewer may at any
2 time, file a petition in the clerk's office of the supreme judicial
3 court for said county of Penobscot, in term time or in vaca-
4 tion, addressed to the said chief justice of said court, who,
5 after notice to said bridge company and said county commis-
6 sioners, shall, after hearing and within twenty days after the
7 filing of said petition, appoint said committee, who shall
8 forthwith organize, and after due notice and hearing, pro-
9 ceed under proper instruction from said court, to the
10 determination of the value of said bridge, property and
11 appurtenances. In assessing and determining the value, the
12 committee shall not award anything for franchises.

Sect. 3. Until this value shall be agreed upon, or deter-
2 mined as aforesaid, and the amount thereof shall be paid to
3 said bridge company, the right to take tolls as established by
4 chapter three hundred and twenty-five of the laws of eighteen
5 hundred and forty-six, and not exceeding the rates now
6 charged shall be continued, subject, however to legislative
7 regulation, as provided in said chapter.

Sect. 4. If the cities of Bangor and Brewer and the county
2 commissioners of Penobscot county shall jointly agree with
3 said bridge company upon said value, or if said value be

4 determined as aforesaid, the said county commissioners are
5 hereby directed and authorized to cause forthwith to be paid
6 to said bridge company from the treasury of the county
7 of Penobscot and of the moneys of said county a sum equal
8 to one-half of the value of said bridge ascertained in either of
9 the above named ways ; provided, however, that if said one-
10 half of said value shall exceed the sum of twelve thousand
11 dollars said county of Penobscot shall pay said sum of
12 twelve thousand dollars to said bridge company for its por-
13 tion of said value and no more ; provided further that such
14 payment by said county to said bridge company shall not be
15 made unless and until said cities shall pay the remainder of
16 said value ascertained as aforesaid. And if, in either case,
17 said cities shall be unable to agree upon the respective pro-
18 portions to be paid by them of the remainder of the value of
19 said bridge ascertained as aforesaid, and shall be unable to
20 agree in what proportions said bridge shall be maintained
21 by them after said payment of said value to said bridge com-
22 pany such respective proportions shall be determined at the
23 request of either city, and after notice to the other and hear-
24 ing, by the county commissioners of Penobscot county. When
25 said amounts shall be so determined the said cities shall pay
26 the same to the said bridge company and said bridge shall be
27 maintained by said cities in the proportions determined as
28 aforesaid.

Sect. 5. From and after payment of said value to said
2 bridge company said bridge and its approaches shall be a
3 highway and shall be maintained by said cities of Bangor and
4 Brewer in the proportions agreed upon by said cities or deter-
5 mined by said county commissioners as above provided.

Sect. 6. The county commissioners of Penobscot county are
2 hereby authorized and directed to proceed forthwith as soon
3 as said value shall be agreed upon or determined as provided

4 by this chapter and the proportionate amount of said value
5 to be paid by said cities shall have been agreed upon by said
6 cities or determined according to the provisions of this chap-
7 ter, to obtain loan or loans of money for said purpose of pay-
8 ing its portion of the value of said bridge as aforesaid and
9 cause notes or obligations of said county with coupons for
10 interest not exceeding six per cent to be issued upon such
11 time as they may deem expedient.

Sect. 7. This act shall take effect when approved.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES,

AUGUSTA, February 8, 1901.

Reported by Mr. HUTCHINS of Brewer, from the Penobscot Delegation, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*