

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-SECOND LEGISLATURE

HOUSE.

No. 405

STATE OF MAINE.

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

AN ACT to assist in building a free bridge across Sheepscot
river between the towns of Wiscasset and Edgecomb.

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

Section 1. Seventeen thousand dollars, eight thousand
2 five hundred dollars of which shall be paid during the year
3 nineteen hundred and five, and the balance during the year
4 nineteen hundred and six, is hereby appropriated for the pur-
5 pose of assisting in the construction of a bridge across the
6 Sheepscot river between the towns of Wiscasset and Edge-
7 comb, the amount to be expended under the direction of the
8 county commissioners of the county of Lincoln who shall
9 contract for the same with a competent bridge builder. The
10 amount paid by the State shall not exceed seventeen twen-

11 tieths of the total cost of the bridge, not including the cost
12 of obtaining the franchise and structure of the Wiscasset
13 Bridge Company. The bridge shall be at least eighteen
14 feet wide, and located at or near the location of the present
15 toll bridge. All piling below low water mark to be of oak
16 and the bridge excepting plank of hard pine. Said county
17 commissioners shall determine the exact location of said
18 bridge. As soon as built the county commissioners of the
19 county of Lincoln shall lay out a free public highway to and
20 across said bridge.

Sect. 2. The towns of Wiscasset, Edgecomb, Boothbay,
2 Boothbay Harbor and Southport, assisted by the county of
3 Lincoln, shall employ a suitable draw tender and keep said
4 bridge in repair. The cost of maintaining said bridge shall
5 be borne by said county and towns as follows: The county of
6 Lincoln shall pay three hundred dollars annually, and the
7 said towns shall pay the balance of the expense in the fol-
8 lowing proportion: Wiscasset; eight-twentieths; Edgecomb,
9 four-twentieths; Boothbay, three-twentieths; Boothbay Har-
10 bor, four-twentieths, and Southport, one-twentieth. .

Sect. 3. For the purposes of this act the county commis-
2 sioners of the county of Lincoln are hereby authorized to
3 take the property and franchises of the Wiscasset Bridge
4 Company as for public uses by petition therefor in the man-
5 ner hereinafter provided. No such petition shall be filed by
6 said county commissioners hereunder until twenty legal
7 voters of the county of Lincoln shall file with them a written
8 request therefor, therein and thereby agreeing to furnish to
9 said county all necessary funds to pay the expenses of said
10 taking and the award thereunder, with all necessary costs
11 and charges, so that it shall appear from said request that
12 the county of Lincoln shall assume no part of said expense.
13 If said county commissioners are satisfied that the guaranty

14 in said request is sufficient to so protect said county they
15 shall thereupon institute condemnation proceedings here-
16 under. Thereupon said commissioners shall file a petition in
17 the clerk's office of the supreme judicial court for the county
18 of Lincoln, in term time or in vacation, address to any jus-
19 tice of said court, who, after notice to the said Wiscasset
20 Bridge Company, shall, after hearing and within twenty
21 days after the filing of said petition, appoint three disinter-
22 ested appraisers, none of whom shall be residents of the
23 county of Lincoln, for the purpose of fixing the valuation of
24 the plant, property and franchises of the said Wiscasset
25 Bridge Company. Said appraisers shall have the power of
26 compelling attendance of witnesses and the production of
27 books and papers pertinent to the issue, and may administer
28 oaths, and like penalties and proceedings shall be had so far
29 as applicable as witnesses summoned to attend the supreme
30 judicial court. The appraisers so appointed shall, after due
31 notice and hearing, fix the valuation of said plant, property
32 and franchises at what they are fairly and equitably worth,
33 so that the said Wiscasset Bridge Company shall receive just
34 compensation for all the same. The report of said ap-
35 praisers, or a majority of them, shall be filed in said clerk's
36 office in term time or vacation, and such single justice, or in
37 case of his inability to act, then any justice designated for the
38 purpose by the chief justice, may, after notice and hearing,
39 confirm or reject the same, or recommit it, if justice so re-
40 quires. The award of the appraisers shall be conclusive as
41 to valuation. Upon the confirmation of said report the
42 court so sitting shall thereupon, after hearing, make final
43 decree upon the entire matter, including the application of
44 the purchase money, discharge of incumbrances, and transfer
45 of the property, jurisdiction over which is hereby conferred,
46 with the same power to enforce said decree as in equity

47 causes. On payment or tender by said county commission-
48 ers of the amount so fixed, and the performance of all other
49 terms and conditions so imposed by the court, said entire
50 plant, property and franchises shall become vested in the
51 public for the purposes of this act, and be free from all liens,
52 mortgages and incumbrances theretofore created by the
53 said Wiscasset Bridge Company. All costs and expenses
54 arising under this section shall be paid and borne as directed
55 by the court. . The said county commissioners are further
56 authorized to purchase said plant, property and franchises
57 for the purposes of this act, upon such terms as may be
58 agreed upon, provided the funds therefor shall be furnished,
59 or fully and satisfactorily guaranteed, through a like request
60 of said twenty legal voters, as hereinbefore provided. Noth-
61 ing herein contained shall be construed to authorize the
62 county commissioners of the county of Lincoln to incur any
63 liability whatever in behalf of said county in the acquisition
64 of the properties and franchises of said Wiscasset Bridge
65 Company in any manner whatsoever, except through full and
66 satisfactory indemnity and guaranty as hereinbefore pro-
67 vided.

Sect. 4. This act shall take effect when approved.

STATEMENT OF FACTS.

The proposed bridge is to cross the Sheepscot river and connect the towns of Wiscasset and Edgecomb. It will be thirty-three hundred and thirty feet long. A toll bridge that existed at the point for a great many years became impassable in March, 1904. People wishing to go from Edgecomb to Wiscasset by team are obliged to drive fifteen miles to reach the opposite side of the river at Wiscasset. The towns of Wiscasset and Edgecomb are unable to build the bridge without help.

Wiscasset has a heavy debt and has numerous long bridges to support, one being over one thousand feet long. Edgecomb is a small farming town and has all the bridges she is able to build and maintain. The people of Edgecomb, Boothbay, Boothbay seat at Wiscasset. It is also on the direct road from Bath to Harbor and Southport cross this bridge in going to the county Damariscotta, Waldoboro and Rockland.



STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, March 7, 1905.

Reported by Mr. OAKES from Committee on Ways and Bridges
and ordered printed under joint rules.

E. M. THOMPSON, *Clerk.*