

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-FOURTH LEGISLATURE

SENATE.

No. 208

MAJORITY REPORT.

STATE OF MAINE.

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

AN ACT to provide for the ownership and maintenance of highway bridges by the State and the construction of such bridges by the State, county and towns.

Be it enacted by the People of the State of Maine, as follows:

Section 1. The municipal officers of the several towns of
2 the different counties in the State shall make an inspection
3 and list of all the highway bridges that are thirty feet or
4 more in length and constructed prior to the first day of Jan-
5 uary, A. D. 1909.

All bridges shall be measured exclusive of approaches, and must be a part of some legally established road in the different counties. The lists shall contain a fairly accurate description of each bridge stating as nearly as may be its location, its length, the number of piers and abutments, material, or materials of which it is built and the material of the foundations.

When the municipal officers of different towns have completed their lists as aforesaid they shall make duplicate copies thereof and shall on or before the first day of July, 1909, file one of the lists aforesaid with the county commissioners of their respective counties and the other with the commissioner of highways of the State of Maine. It shall be the duty of the county commissioners of the several counties to forward to the commissioner of highways of the State of Maine any additional information that he may desire in regard to the provisions aforesaid. All such bridges shall, after the first day of July, 1909, be the property of the State of Maine, in consideration of said State maintaining and repairing the same, and shall thereafterwards be known as State bridges. All bridges under construction on the first day of July, 1909, shall when completed be the property of the State of Maine in consideration of the State maintaining the same and shall thereafterwards be known as State bridges as hereafter provided. The commissioner of highways of the State of Maine shall designate by sign, number or otherwise each and every

32 bridge in the State and shall have supervision of all main-
33 tenance, construction and repairs of all bridges over thirty
34 feet in length in the different towns of the State.

Sect. 2. All repairs of the State bridges as aforesaid shall
2 be made by the commissioners of the different counties of
3 the State wherein such bridges are located at the expense of
4 the State, county and towns same as new bridges. Such
5 repairs or renewals shall be made subject to the supervision
6 and approval of the commissioner of highways of the State
7 of Maine. All expense in moneys paid out for repairs and
8 renewals under this act shall be paid by the county treas-
9 urer in the county wherein the bridge is located upon the
10 presentment of a bill approved by the board of county com-
11 missioners or a majority thereof and accompanied by proper
12 vouchers for such expense.

The county commissioners in the different counties shall on
14 the first day of January and July of each year render to the
15 commissioner of highways of the State of Maine an item-
16 ized statement of all moneys expended together with the
17 vouchers therefor for the repairs and renewals provided by
18 this act. Upon approval of the commissioner of highways
19 the governor and council shall authorize the State treasurer
20 to repay to each county one-third of the amount so expended;
21 and the town or towns in which the bridge is located shall
22 also reimburse the county one-third of the cost so the cost of

23 maintenance shall be borne one-third by the State, one-third
24 by the county and one-third by the town or towns.

Such statements forwarded to the commissioner of high-
26 ways shall be sworn to by the county commissioners of the
27 respective counties. No items of expenditure shall be strick-
28 en from the statement forwarded by the commissioners of the
29 several counties, unless said commissioners have an oppor-
30 tunity to appear before the governor and council or a com-
31 mittee thereof and be heard thereon.

Whenever a bridge taken by the State under the provisions
33 of this act is wholly or in part kept in repair, or any money is
34 contributed by any individual, firm or corporation for the
35 maintenance of said bridge under or by virtue of any exist-
36 ing contract, or judgment or decision of any tribunal, the
37 State shall succeed to all the rights of said town under said
38 contract, judgment or decision.

Sect. 3. The county commissioners shall have the same
2 right to take land or any private property for the purpose
3 of locating a new bridge as they now have in laying out,
4 altering or discontinuing highways in incorporated places.
5 The rights and remedies of all parties shall be the same as
6 now provided by law for land taken for laying out, altering
7 and discontinuing highways. The damages thereof shall be
8 paid by the State, but no damage shall be paid nor shall any
9 right thereto accrue to any claimant until the land or other

10 property so taken has been entered upon and possession taken
11 for the purpose of construction or use.

Sect. 4. Whenever a petition of ten or more inhabitants
2 of any town or towns is presented to the county commis-
3 sioners praying for the construction of any bridge therein
4 thirty feet or more in length, exclusive of the necessary ap-
5 proaches on any legally established road, said commission-
6 ers shall notify the commissioner of highways of the State
7 of Maine, and also give notice as now required by law for
8 laying out, altering or discontinuing a highway, and if, after
9 a hearing of interested parties, said commissioners decide
10 that public necessity requires the construction of said bridge,
11 they shall notify the commissioner of highways of the State
12 of Maine to that effect, who will make an investigation and
13 report the result of his researches to said county commis-
14 sioners. If his decision is to the effect that public necessity
15 does not require said bridge, he will so notify said commis-
16 sioners, and if they are not satisfied with the decision of said
17 commissioner of highways, they may within fourteen days
18 after receiving said notice appeal from his decision to a com-
19 mittee of three members of the executive council who shall
20 be appointed by the governor to hear and determine such
21 appeals. If said county commissioners decide that such a
22 bridge is not required for public necessity, they shall notify
23 the petitioners, or as many of them as they may deem prope.

24 who may appeal to the committee of the executive council as
25 aforesaid any time within fourteen days after notice has
26 been received by them of the decision of said county com-
27 missioners. In all cases said committee of the executive
28 council shall give reasonable notice to all parties in such
29 manner and form as they may determine, and after a public
30 hearing they shall decide as to the construction of the bridge
31 in question and their decision shall be final. If said com-
32 mittee of executive council shall decide that such public
33 necessity exists and that the bridge should be built, they shall
34 show certificate in writing to the commissioner of highways
35 of the State of Maine, who will notify the county commis-
36 sioners of the county in which the bridge is located and the
37 municipal officers of the town or towns. When the construc-
38 tion of a bridge has been determined upon, either on an
39 appeal or otherwise, as provided in this section, the county
40 commissioners shall proceed to make contracts for the con-
41 struction of the same, subject to the approval of the com-
42 missioners of highways. The county commissioners shall
43 have power to borrow money for this purpose on the credit
44 of their county and to issue negotiable notes or bonds for the
45 same.

Upon the completion of the bridge as aforesaid the county
47 commissioners shall certify to the commissioners of high-
48 ways and to the municipal officers of the different towns in
49 which it is located and cost of same. The commissioner of

50 highways shall notify the governor and council who will
51 authorize the State treasurer to reimburse the county in
52 which said bridge was located one-third the cost so certified,
53 and the town or towns in which said bridge is located shall
54 also reimburse the county for one-third of the cost so cer-
55 tified so that the cost of new bridges constructed by author-
56 ity of this section shall be borne one-third by the State, one-
57 third by the county, one-third by the town or towns in which
58 said bridge is located, in proportion to the valuation of said
59 towns. All bills forwarded to the commissioner of high-
60 ways shall be sworn to as provided in a preceding section.

Sect. 5. When a petition is presented to the commissioners
2 of any county praying for the construction of a bridge, thirty
3 feet or more in length, exclusive of necessary approaches on
4 any legally established road to be located in two or more
5 counties, the commissioners receiving said petition shall call
6 a meeting of the commissioners of all said counties to be
7 held at a time and place named by causing an attested copy
8 of such petition and their order thereof to be served on the
9 chairman of all interested counties and they shall also notify
10 by letter, or otherwise, the commissioner of highways of the
11 State of Maine the time and place of said meeting. They
12 shall also cause notice of same to be printed in at least one
13 paper in each of said counties and if there is no paper in any
14 of the interested counties, then notice shall be published in an
15 adjoining county, and by posting a notice of such meeting

16 in two places in each town in which said bridge is to be
17 located, and also shall cause to be served a notice of said
18 meeting upon the clerk of the respective towns; these notices
19 shall be posted, published and served at least fourteen days
20 prior to the time of said meeting. The majority of the
21 county commissioners of the different counties present may
22 render a decision. The duty of carrying this decision into
23 effect shall be performed by such member or members of the
24 board of commissioners as they shall designate. Commis-
25 sioners may adjourn from time to time as they may deem
26 advisable.

Appeals from the decisions of the commissioners may be
28 had as in section four. If the committee of the executive
29 council decide upon appeal that the necessity exists and that
30 the bridge is to be built, they shall so certify in writing to the
31 commissioner of highways, the chairman of the board of the
32 commissioners of the interested counties, and one or more
33 selectmen of the different towns in which the bridge is to be
34 located. Upon the completion of said bridge the county
35 commissioners of the different counties shall certify to the
36 commissioner of highways as in section four the cost of said
37 bridge, who in turn will notify the governor and council of
38 the same. Upon receipt of the proper certificate the gover-
39 nor and council shall authorize and direct the State treas-
40 urer to reimburse the counties the cost so certified. In the
41 construction of bridges in two or more counties each county

42 shall bear an equal part of one-third of the expense thereof.

Sect. 6. Whenever a toll bridge of a legally established
2 highway is the property of an individual, firm or corporation
3 the county commissioners of the different counties shall give
4 notice to the owners of the intention of the State of Maine
5 to purchase the same. Said county commissioners upon due
6 notice to the interested parties, will order a hearing and shall
7 after the same, decide in their judgment how much shall be
8 paid by the State to the individual, firm, or corporation own-
9 ing the same. If the owners of the bridge are not satisfied
10 with the amount awarded by the county commissioners, they
11 shall appeal to the supreme judicial court of the county in
12 which the bridge is located. If the bridge is between two
13 or more counties, they may appeal to the court in either of
14 the counties. The chief justice of the court or any justice
15 thereof shall appoint three disinterested men to determine
16 the value of the bridge in controversy, who will listen to
17 such evidence of the same as they may think necessary and
18 shall order notice given upon such a hearing.

After the hearing as aforesaid, said committee shall report
20 their findings to the clerk of the supreme judicial court in
21 the county where the original petition was filed. This may
22 be done either in term time or vacation and the chief justice
23 or any justice of the supreme judicial court may confirm the
24 same or recommit it for correction of errors, if in their judg-
25 ment justice so requires.

Sect. 7. The expenses and pay of said appraisers shall be
2 paid in equal parts by the State of Maine and by the individ-
3 ual, firm or corporation owning the bridge. Until the own-
4 ers of such toll bridge shall have received the amount agreed
5 upon or determined as aforesaid their right to take tolls as
6 existed in the beginning of the proceedings specified in this
7 act shall be continued, subject, however, at all times to leg-
8 islative regulation. The provisions of the act shall not be
9 construed as in any way affecting the right of owners of toll
10 bridges to surrender such bridges to the State or to any
11 county as now provided by law. Whenever the amount is
12 decided upon the county commissioners shall certify upon
13 oath the amount as awarded, to the commissioner of high-
14 ways of the State, who in turn will approve the same and
15 forward it to the governor and council for payment. The
16 governor and council shall thereupon authorize and direct
17 the State treasurer to pay the individual, firm or corporation
18 the amount so certified as provided by law.

In the event of the destruction of any State bridge by fire,
20 flood or other casualty, the commissioner of highways of the
21 State of Maine shall investigate the same and authorize the
22 county commissioners to rebuild the same as in section four.

Sect. 8. The municipal officers of any town where a State
2 bridge is located shall act as agent to the county commis-
3 sioners in repairing any sudden defect which renders pub-
4 lic travel dangerous. After repairing such defect they shall

5 immediately notify the county commissioners and shall file
6 their sworn statement with original vouchers of the actual
7 money expended for the same, which shall be paid one-third
8 each by the State, county and town or towns upon the
9 approval of the county commissioners and commissioner of
10 highways as provided in preceding sections.

If, after twenty-four hours actual notice, the municipal offi-
12 cers neglect to repair any sudden defect in a State bridge,
13 the town or towns where such bridge is located shall be liable
14 for all damages and injuries to persons and property caused
15 thereby.

Sect. 9. Whoever received any bodily injury or suffers
2 damage to his property through any defect or want of repair
3 or sufficient railing in any State bridge, they may recover
4 of the town for the same in an action on the case to be com-
5 menced within one year from the date of such injury or
6 suffered damage, provided that the municipal officers of the
7 town or towns in which the bridge is located or the county
8 commissioners of the county or counties in which the bridge
9 is located or the commissioner of highways of the State of
10 Maine had twenty-four hours actual notice of the defect
11 or want of repair and if the aggrieved parties had notice of
12 the condition of said bridge previous to the time of injury,
13 he cannot recover of the town, unless he has previously noti-
14 fied one of the municipal officers of the town or towns where-
15 in the bridge is located, of the defective condition of said

16 bridge, and any person who sustains such injury or damage,
17 as aforesaid, or some person in his behalf, shall, within
18 fourteen days thereafter notify one of the municipal officers
19 of said towns in which the bridge is located by a sworn
20 statement setting forth the claims for damages and specify-
21 ing in writing the nature of his injuries, and the nature and
22 location of the defect which caused the injury.

If the life of any person is lost through such defect his
24 executor or administrator may recover of the town in which
25 the bridge is located in an action on the case brought for the
26 benefit of the estate of the deceased, such sum as the jury
27 may deem a just and fair compensation, not exceeding five
28 thousand dollars, with reference to the pecuniary injury
29 resulting from such death to the person for whose benefit
30 such action is brought. In the trial of any such case the
31 court may, upon motion of either party, order a view of the
32 premises where the defect or want of repair is alleged.

Any action for damages under the provisions of this section
34 may be brought in any county or counties where such bridge
35 is located or in an adjoining county at the election of the
36 plaintiff.

Sect. 10. Whenever suit is brought against any town in
2 the State as provided in the preceding section, the municipal
3 officers of said town shall immediately notify the commis-
4 sioner of highways who shall make an investigation and
5 notify the attorney general, who shall defend said case or to

6 adjust it as he may deem right and proper. All bills for
7 services for the defence or settlement of such actions shall
8 be approved by the commissioner of highways before pay-
9 ment, and the town or counties in which the bridge is located
10 shall pay the same upon the approval of said commissioner
11 of highways. The State of Maine shall reimburse any town
12 for all moneys expended in the defence or settlement of such
13 action, and shall reimburse said town or counties for any
14 amount paid on a judgment recovered against the same in
15 an action as provided in the preceding section, and also pay
16 the same for counsel fees as aforesaid. The municipal offi-
17 cers of the different towns and cities shall certify under oath
18 the amount so paid, including counsel fees, to the governor
19 and council of the State of Maine, who will authorize the
20 treasurer to reimburse said town for said amount so paid.
21 In all cases where an electric railroad passes over a State
22 highway bridge the compensation for that privilege shall be
23 determined by the commissioners of said county where such
24 road passes, subject to appeal to the supreme court.

Sect. 11. The commissioner of highways is hereby author-
2 ized and empowered to employ such additional aid as he may
3 deem necessary to effectually carry out the work as pre-
4 scribed by this act, and the payment of the same shall be
5 from the fund appropriated by the legislature for the main-
6 tenance, building and repair of bridges.

Sect. 12. The word "town" in this act shall be construed

2 as including cities, towns, organized plantations and bridge
3 districts. The word "bridges" as used in this act shall be
4 construed as including bridges and causeways across tide
5 waters.

Sect. 13. All acts and parts of acts inconsistent with this
2 act are hereby repealed.

Sect. 14. A tax of one-half mill on a dollar shall annually
2 be assessed upon all property in the State, according to the
3 valuation thereof, and shall be known as the mill tax for
4 the construction and repairs of bridges as heretofore pro-
5 vided, and the governor and council are hereby authorized to
6 expend the money derived from such tax for the purpose
7 heretofore mentioned.

STATE OF MAINE.

The Committee on Ways and Bridges, to which was referred the bill, entitled "An Act to provide for the ownership and maintenance of highways bridges by the State, and construction of such bridges by the State, county and towns," have had the same under consideration, and ask leave to report the same in a new draft, under the title of "An Act to provide for the ownership and maintenance of highway bridges by the State, and construction of such bridges by the State, county and towns," and that it ought to pass.

Per Order,

DORR,
HOLT,
DOBLE,
DRAKE,
COLE,
DONIGAN,
ROBBINS,

For the Committee.

NEW DRAFT.

STATE OF MAINE.

MINORITY REPORT.

AN ACT relating to the construction and maintenance of
bridges.

Be it enacted by the People of the State of Maine, as follows:

Section 1. On and after the first day of January, A. D.
2 1910, all bridges having a clear span, between abutments of
3 twenty-five feet or more, which form a part of any high-
4 way, shall be maintained and kept in repair by the county
5 commissioners of the county in which the bridge is located.
6 Or, if any such bridge lies in two or more counties, it shall
7 be maintained and kept in repair by the county commis-
8 sioners of such counties jointly, each county contributing to
9 the cost of maintaining and repairing such bridge in pro-
10 portion to its respective valuation last made by the board
11 of State assessors.

Sect. 2. On and after the first day of January, A. D.
2 1910, all bridges which form a part of any highway and

3 having a clear span of ten feet or more and which are not
4 maintained by the several counties under section one of this
5 act, and all bridges which form a part of any town way or
6 street and having a clear span of ten feet or more, and
7 which cities and towns are now obliged by law to maintain
8 and repair, shall continue to be maintained and kept in repair
9 by the city or town in which such bridge is located; and
10 upon certificate under oath by the treasurer of any city or
11 town made quarterly on the first day of January, April, July
12 and October of each year, to the county commissioners of
13 the county in which such city or town is located, containing
14 an itemized statement of the amount of moneys expended
15 by such city or town in maintaining and repairing bridges
16 under this section during the three months next preceding,
17 the county commissioners shall forthwith, when satisfied of
18 the correctness of such statement, draw their order upon
19 the county treasurer for the payment of two-thirds of the
20 amount of such expense to the treasurer of such city or
21 town. In case any such bridge lies in two or more towns,
22 and more than one of said towns is obliged by law to con-
23 tribute to the maintenance and repair of said bridge, the
24 treasurer of each town shall certify to the county commis-
25 sioners the amount expended by his town in maintaining
26 and repairing its part of said bridge, and the county com-
27 missioners shall thereupon, when satisfied of the correctness
28 of such statement, order the county treasurer to pay to the

29 treasurer of each town two-thirds of such amount so ex-
30 pended by it.

Sect. 3. Whenever public convenience and safety requires
2 the rebuilding of any bridge with a clear span of twenty-
3 five feet or more between the abutments and forming a part
4 of any highway, or it becomes necessary to construct a new
5 bridge with a clear span of twenty-five feet or more between
6 abutments and forming a part of any highway hereafter lo-
7 cated, the county commissioners of the county in which such
8 bridge is located shall proceed to rebuild or construct the
9 same; and if such bridge lies in two or more counties, the
10 county commissioners of such counties shall jointly, or, if
11 they so elect, by a committee composed of the chairmen of
12 the several boards of county commissioners of such coun-
13 ties, have charge of the rebuilding or construction of such
14 bridge. If such bridge lies wholly in one county, the ex-
15 pense of such construction shall fall on the county in which
16 such bridge is located, and in case such bridge lies in two
17 or more counties, the expense of the same shall be appor-
18 tioned to each county in proportion to their last valuation
19 by the board of State assessors.

Sect. 4. Whenever the municipal officers of any city or
2 town are of the opinion that public convenience and safety
3 requires the rebuilding or construction of a bridge that such
4 city or town is obliged to maintain under section two of
5 this act, they may petition the county commissioners of their

6 county, setting forth the location of the bridge, its size, and
7 the kind of bridge which, in their judgment, is required,
8 and the probable cost of the same, whereupon the county
9 commissioners shall, after notice and hearing, decide whether
10 such bridge shall be rebuilt or constructed as petitioned for,
11 and if they decide that public convenience and safety does
12 require the rebuilding or construction of a bridge as peti-
13 tioned for, they shall forthwith proceed to rebuild or con-
14 struct such a bridge at the place described in the petition as
15 in their judgment public safety and convenience requires.
16 After such bridge has been completed, the town in which
17 such bridge is located, upon receipt of a sworn statement
18 from the county treasurer of the total cost of rebuilding or
19 constructing such bridge, shall pay to the county treasurer
20 one-third of such total cost. In case any bridge requiring
21 to be rebuilt or constructed lies in two or more towns, the
22 municipal officers or a majority thereof of all such towns
23 shall join in such petition, and one-third of the total cost, in
24 case such bridge is so rebuilt or constructed, shall be appor-
25 tioned by the county treasurer among said towns in propor-
26 tion to the part they are required by law to maintain. The
27 county commissioners shall file their decision on all petitions
28 filed under this section with their clerk and immediately for-
29 ward by mail a copy of the same to the clerk of all towns
30 joining in such petitions. Within thirty days of the receipt
31 of such notice, the municipal officers or a majority of all

32 those joining in such a petition may take an appeal from the
33 decision of the county commissioners to the State Commis-
34 sioner of Highways and the two county commissioners from
35 different adjoining counties whose residence is nearest the
36 location of the bridge described in the petition, who shall
37 act as a board in considering such appeal, they shall at some
38 convenient place in the county near the location of the bridge,
39 appoint by public notice a time and place for hearing all
40 parties interested therein and their decision on such petition
41 shall be final. In case they shall decide that public con-
42 venience and safety requires the rebuilding or construction
43 of such bridge, the county commissioners, on receipt of
44 notice from the State Commissioner of Highways to that
45 effect, shall forthwith proceed to rebuild or construct such
46 bridge as required by said decision, the cost of such rebuild-
47 ing or construction in all such cases to be apportioned and
48 paid as heretofore provided. The county commissioners,
49 setting on the board of appeal as provided in this section,
50 shall be entitled to receive three dollars per day for their
51 services and necessary traveling expenses, which shall be
52 paid by the county in case the decision of the county com-
53 missioners is reversed, and by the town or towns joining
54 in such petition in case the decision of the county commis-
55 sioners is sustained. The municipal officers of any town
56 upon receipt of notice of the proportional part it is required
57 to pay of the cost of rebuilding or constructing any bridge

58 under the provisions of this section, may, within thirty days
59 after receipt of such notice, appear before the county com-
60 missioners and be heard upon the amount certified by the
61 county treasurer to be due from their town, and within ten
62 days after the county commissioners have announced their
63 final decision thereon, which shall be in writing and a copy
64 forwarded to such municipal officers, shall have the right
65 of appeal from such decision of the county commissioners
66 to the State Commissioner of Highways, whose decision
67 after hearing all the parties interested therein, shall be final.
68 Upon the rendering of the decision of the State Commis-
69 sioner of Highways, the amount he finds due from any
70 town, or in case of failure to appeal the amount certified
71 by the county treasurer in the first instance, or determined
72 upon by the county commissioners after hearing, shall con-
73 stitute a judgment against such town, and in case any town
74 refuses or neglects to pay such amount within ninety days
75 after first receiving notice from the county treasurer, unless
76 an appeal is taken as herein authorized, or within sixty days
77 after receipt of the decision of the State Commissioner of
78 Highways on such appeal, the county commissioners may
79 issue a warrant of distress to collect the same, as is pro-
80 vided in section fifty-nine of chapter twenty-three of the
81 Revised Statutes.

Sect. 5. Whenever any bridge with a clear span between
2 abutments of twenty-five feet or more is to be rebuilt or
3 constructed, under the provisions of this act, the State Com-
4 missioner of Highways, or some competent engineer, shall
5 approve all plans before the work of construction has com-
6 menced, and, if requested by the county commissioners, shall
7 submit plans and specifications for their approval for the
8 rebuilding or construction of any bridge to be rebuilt or
9 constructed under this act. The State Commissioner of
10 Highways shall at all times give such advice and assistance
11 in the rebuilding and construction of bridges to the several
12 boards of county commissioners as the other duties of his
13 office will permit.

Sect. 6. Counties are hereby authorized to raise money
2 by taxation or by the issue of notes and bonds of the county
3 for the purpose of carrying out the provisions of this act.

Sect. 7. The county commissioners of each county shall
2 have the right of eminent domain vested in them so far as
3 it may be necessary to carry out the provisions of this act,
4 and shall exercise such right in the same manner as is pro-
5 vided in chapter twenty-three of the Revised Statutes for
6 the taking of land for laying out highways; and all damages
7 awarded shall be considered a part of the total cost of the
8 bridge, the rebuilding or construction of which renders the
9 exercise of such right of eminent domain necessary.

Sect. 8. County commissioners of any county may appoint
2 agents to make the necessary repairs on bridges which they
3 are required to maintain under the provisions of this act,
4 and may authorize the municipal officers or the road com-
5 missioner of any town or city to act as their agent in making
6 such repairs.

Sect. 9. Nothing in this act shall invalidate any existing
2 contract, judgment or decision of any tribunal whereby any
3 bridge is wholly or partly kept in repair, or any money is
4 contributed for that purpose by any individual, firm or cor-
5 poration. All money, which by the terms of any such con-
6 tract, judgment or decision is expressly contributed to any
7 town for the purpose of maintenance of any bridge to be
8 maintained by the county under the provisions of this act,
9 shall be immediately paid by the town treasurer upon receipt
10 of the same to the treasurer of the county, and in case such
11 contribution is for the maintenance of a bridge, which a
12 town or towns is obliged to maintain under the provisions
13 of this act, the amount thereof shall be deducted from the
14 total expense of maintenance and repairs of said bridge
15 before being apportioned between said town or towns and
16 the county.

Sect. 10. The term bridge in this act shall also include
2 all bridges or causeways across tide waters. All bridges
3 having a clear span of ten feet or more, shall be subject to
4 the provisions of this act, whether now maintained by any

5 county, city, town, organized plantation or bridge district.
6 Nothing in this act, however, shall relieve the State from
7 the burden of maintaining any bridges it may now by law
8 be required to maintain.

Sect. 11. All acts or parts of acts in so far as they are
2 inconsistent with this act are hereby repealed.

STATE OF MAINE.

The Committee on Ways and Bridges, to which was referred the bill, entitled "An Act to provide for the ownership and maintenance of highway bridges by the State and the construction of such bridges by the State, county and towns, have had the same under consideration, and ask leave to report the same in a new draft, under the title of "An Act relating to the construction and maintenance of bridges," and that it ought to pass.

Per Order,

P. THERRIAULT,
JASPER WYMAN,
EDGAR E. ROUNDS,

For the Committee.



STATE OF MAINE.

IN SENATE,

February 16, 1909.

Majority and minority reports, Committee on Ways and Bridges, on bill "An Act to provide for the ownership and maintenance of highway bridges by the State and the construction of such bridges by the State, county and towns," each report submitting the bill in new draft, and both reports, pending acceptance of either, with new draft of bills, tabled for printing on motion by Mr. THERRIAULT and 500 extra copies ordered printed.

F. G. FARRINGTON, *Secretary.*