

MAINE STATE LEGISLATURE

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SEVENTY-FIFTH LEGISLATURE

HOUSE

NO. 10

House of Representatives, Jan. 24, 1911.

Tabled for printing by Mr. Strickland, pending reference to committee.

C. C. HARVEY, Clerk.

STATE OF MAINE

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

AN ACT relative to the Bangor and Brewer highway bridge.

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

Section 1. The county commissioners of the county of
2 Penobscot are hereby authorized and directed forthwith as
3 soon as this act shall take effect to construct two new steel
4 spans with suitable approaches substantially replacing the
5 two wooden spans now a part of the Bangor and Brewer
6 highway bridge over the Penobscot river, connecting the city
7 of Bangor with the city of Brewer.

Said spans and approaches shall be of the same width as
9 the steel spans now a part of said bridge and shall be of
10 sufficient strength safely to permit the passage of electric

11 cars over said spans and approaches in addition to other
12 traffic thereby to be accommodated.

The said county commissioners also are hereby authorized
14 and directed forthwith as soon as this act shall take effect,
15 to alter or repair the existing piers and abutments of said
16 bridge as may be necessary, and if they shall deem it neces-
17 sary the said county commissioners shall construct new piers
18 and abutments to said bridge.

Sect. 2. The cost and expense incurred hereunder shall
2 in the first instance be paid by the county of Penobscot.

The county commissioners of the said county of Penobscot
4 are hereby authorized and directed to borrow on the credit
5 of the said county of Penobscot such sum or sums of money
6 as may be required for said cost and expense, and to cause
7 to be issued such notes, bonds or obligations of said county
8 of Penobscot as may be necessary for said purpose.

All money so borrowed shall be deposited in the county
10 treasury of the county of Penobscot, and the treasurer of
11 said county shall pay out the same as ordered by the county
12 commissioners and shall keep a separate and accurate ac-
13 count of all moneys borrowed and expended, including in-
14 terest.

Sect. 3. When all said work shall be completed and the
2 cost and expense of the same ascertained, said County Com-
3 missioners shall file a report of the fact, together with the
4 total amount of such cost and expense in the office of the
5 clerk of courts of Penobscot County; whereupon and upon

6 application of the said County Commissioners to the Su-
7 preme Judicial Court and after such notice as said Supreme
8 Judicial Court may order, and hearing, said Supreme Judi-
9 cial Court shall appoint a board of three commissioners who
10 shall be sworn to the faithful performance of their duties
11 hereunder.

Said Board of Commissioners after notice and hearing
13 shall proceed to assess the amount of said cost and expense
14 as contained in said report upon such cities and towns as
15 they shall award and determine to be especially benefited by
16 said improvements to said Bangor and Brewer highway
17 bridge, and in such amounts as they shall award and deter-
18 mine to be proportionate to the special benefits conferred
19 upon said cities and towns so assessed.

The said cities and towns so assessed shall within such time
21 and in such manner as said commissioners shall determine
22 pay into the treasury of the County of Penobscot the several
23 amounts so assessed against them.

Sect. 4. The award, determination and assessments of the
2 commissioners appointed under Section three of this act, or
3 of a majority of them shall be reported in writing to the
4 Supreme Judicial Court and filed in the office of the clerk
5 of courts for said Penobscot County and upon acceptance
6 by said Supreme Judicial Court shall be binding upon all
7 cities and towns named therein.

The County of Penobscot shall recover in an action on the
9 case against each city and town so assessed the amounts so
10 assessed against each city and town.

Sect. 5. The commissioners appointed under Section three
2 of this act shall severally receive such compensation for their
3 services as shall be approved and allowed by said Supreme
4 Judicial Court, and the amounts so allowed shall be added
5 to and made a part of the cost and expense of said improve-
6 ments.

Sect. 6. After said improvements have been completed,
2 upon application therefore, by any corporation operating an
3 electric railroad in the cities of Bangor and Brewer, said
4 application to be addressed to the Supreme Judicial Court
5 and filed in the office of the clerk of courts for the County
6 of Penobscot, the said Supreme Judicial Court shall deter-
7 mine upon what conditions and by the payment of what sum
8 of money the said corporation shall be granted the right
9 to lay its tracks and operate its railroad over said bridge and
10 over and upon such streets and ways in said cities of Ban-
11 gor and Brewer as may be necessary to connect with the
12 tracks of said corporation as are then already laid and main-
13 tained in the streets and ways of said Bangor and said Brew-
14 er by said corporation.

Sect. 7. After said sum of money shall be determined by
2 said Supreme Judicial Court, upon payment of said sum
3 and upon compliance with any and all conditions fixed by
4 said Supreme Judicial Court if any, as provided in Section
5 six, the said corporation shall have the right for a period of
6 fifty years from the date of said payment, to lay and main-
7 tain its tracks and to operate its said railroad over said bridge

8 and over said connecting streets and ways in the cities of
9 Bangor and Brewer.

Sect. 8. Said sum of money when so paid by said corpora-
2 tion shall be paid to the cities and towns assessed under
3 Section three of this act, and shall be divided among said
4 cities and towns in the proportion in which said cities and
5 towns are assessed for said improvements under Section
6 three of this act.

Sect. 9. After said improvements shall be made the said
2 bridge shall be maintained as provided by law unless in the
3 conditions mentioned in Section six of this act the said
4 Supreme Judicial Court shall otherwise determine.

Sect. 10. All acts and parts of acts inconsistent herewith
2 are hereby repealed.