

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

HOUSE

NO. 133

House of Representatives, Feb. 4, 1913.

*Tabled pending reference to a committee, by Mr. Goodwin
of Mexico, and ordered printed.*

W. R. ROIX, Clerk.

STATE OF MAINE

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

AN ACT to authorize the towns of Mexico and Rumford in
the county of Oxford to purchase the toll bridge between
said towns erected and owned by the Mexico Bridge Com-
pany.

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

Section 1. The residents of the towns of Mexico and
2 Rumford are hereby authorized and empowered to acquire
3 by purchase or by exercise of the right of eminent domain,
4 which right is hereby expressly delegated to said towns for
5 said purpose, the toll bridge, approaches and toll house,
6 together with all franchises belonging to the same, belong-

7 ing to the Mexico Bridge Company, extending from the
8 town of Mexico across the Androscoggin river to the town
9 of Rumford from a point near the Ridlonville post office.
10 Said Mexico Bridge Company are hereby authorized to sell
11 and transfer all their franchises and property to said towns
12 of Mexico and Rumford.

Sect. 2. In exercising any right of eminent domain con-
2 ferred upon said towns by law from time to time or any
3 right of eminent domain through or under the franchises
4 of said towns acquired by virtue of this act, said towns
5 shall file in the office of the county commissioners of Ox-
6 ford county, and record in the registry of deeds in said
7 county, a brief description of such bridge, approaches, toll
8 house and property to be so taken and the names of the
9 owners thereof so far as known, and on the filing of said
10 description and names, said bridge, approaches and toll
11 house shall be deemed to be taken under the right of emi-
12 nent domain, but title thereto shall not vest in said towns
13 until payment therefor.

Sect. 3. If said bridge company and said towns shall not
2 mutually agree upon the sum to be paid therefor, either
3 party upon petition to the county commissioners of the
4 county where said bridge, approaches and toll house are
5 situated, may have damages assessed by them. The pro-
6 cedure and all subsequent proceedings and right of appeal
7 thereon shall be had under the same restrictions, conditions
8 and limitations as are, or may be by law prescribed in the

9 case of damages by the laying out of highways.

Sect. 4. Whenever the residents of the towns of Mexico
2 and Rumford at any meeting, either special or otherwise,
3 duly called and held, shall vote to take said bridge, each
4 of said towns are hereby authorized to raise by taxation or
5 loan as they may vote a sufficient amount of money to pay
6 for said bridge, either as mutually agreed upon or as found
7 and determined by the county commissioners of Oxford
8 county as aforesaid.

Sect. 5. The ownership and division of said bridge shall
2 be half and half, that is from the center of the inside of
3 the abutment on the Mexico side to the inside of the abut-
4 ment on the Rumford side, the easterly half to be the prop-
5 erty of the town of Mexico and the westerly half to be the
6 property of the town of Rumford, and to be owned and
7 paid for accordingly, and each of said towns shall be liable
8 for all damages that shall be determined by due process of
9 law or by mutual agreement that may have occurred on its
10 respective one-half part.

Sect. 6. Each town shall maintain and keep in repair from
2 time to time its respective one-half part, and both of said
3 towns through their municipal officers are hereby authorized
4 to operate and maintain said bridge as a toll bridge and to
5 collect tolls at a rate not exceeding the rate now prescribed
6 by said bridge company.

Sect. 7. One-half part of all the expenses of the repair
2 and maintenance of said bridge together with the expense

3 of the toll gatherer shall be borne by each town, that is,
4 one-half part of the expense of the toll gatherer together
5 with the total expenses that each town may incur by reason
6 of maintaining and repairing its respective one-half part.
7 All money received for tolls after such taking shall be set
8 aside and used as fast as accumulated by each town to
9 reimburse it for its amount paid for said bridge, and when-
10 ever the tolls so collected shall have reimbursed said towns
11 for the amount so paid, said bridge shall be declared and
12 used by the general public as a free bridge and the county
13 commissioners may locate a legal highway across the same
14 and its approaches and the same shall then be deemed a
15 public highway.

Sect. 8. Each of said towns are hereby authorized and
2 empowered at any regular meeting to raise money by taxa-
3 tion or by loan to carry out the purposes of this act includ-
4 ing the original cost, cost of maintenance and carrying on
5 the same. At any time after the taking of said bridge and
6 before the tolls collected have reimbursed said towns, both
7 of them are hereby authorized and empowered to vote to
8 make the same a free bridge, and when such vote has been
9 taken in both towns the same shall be declared to be free
10 from all tolls and used and treated as a public highway,
11 each town to repair and maintain its respective one-half
12 part. In all cases where money is to be raised for the pur-
13 chase of said bridge or for its repair and maintenance, the
14 inhabitants of each town shall act separately, but in all

15 cases in regard to the management of said bridge, the
16 municipal officers of each town or a majority of each, act-
17 ing together, shall be considered and treated as a joint com-
18 mission with full power and authority.

Sect. 9. In case the county commissioners of Oxford
2 county are called upon to value said bridge and property,
3 their award shall be filed in the clerk's office for the county
4 of Oxford within three months after their hearing and
5 determination. After the report is so filed any single jus-
6 tice of the supreme judicial court either in term time or
7 vacation, after notice and hearing may confirm or reject
8 said report or recommit it as justice so requires. The
9 award of the county commissioners shall be conclusive as to
10 valuations. Upon confirmation of their report the court
11 so sitting either in term time or in vacation shall thereupon
12 after hearing make a final decree upon the whole matter
13 including the transfer of the property and franchises, juris-
14 diction of which is hereby conferred with the same power
15 to enforce said decree as in equity cases. All the costs and
16 expenses arising out of such petition and appraisal shall be
17 paid and borne as directed by the court in said final decree.
18 The findings of such justice as to such costs and their ap-
19 portionment shall be final.

Sect. 10. Should said towns vote to proceed to take over
2 said bridge by the right of eminent domain as conferred
3 herein, such vote shall be taken not later than Aug. 1, 1914,
4 but the right to purchase said bridge and property by mutual

5 agreement shall not expire until after Aug. 1, 1915.

Sect. 11. The Mexico Bridge Company shall on or before May 1, 1913 furnish to both the municipal officers of the town of Mexico and the town of Rumford a full and accurate statement of the original cost of construction of said bridge, approaches and toll house, giving in detail the cost of both superstructure of said bridge, its piers and all things pertaining thereto as well as the cost of foundation, together with a detailed report of the cost of all maintenance and repairs each year to the first day of January, 1913; also shall furnish to said municipal officers an accurate and detailed report of all the gross earnings of said bridge each year to said January 1, 1913; also the full and complete cost of management and caring for the same, and shall further present for the examination of said municipal officers all the books, papers, and contracts made by said bridge company in explanation and support of all of said statements above required, the same to cover all time from the commencement of work on said bridge to January 1, 1913.

Sect. 12. Upon payment or tender by said towns of the amount of the final award or valuation of said bridge to be made up to May 1, 1913, the Mexico Bridge Company shall transfer and deliver a full and valid title to said bridge and all its appurtenances to said towns free and clear of all liens or claims of every name and nature, including all its franchises.