

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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SEVENTY-SIXTH LEGISLATURE

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HOUSE

NO. 446

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*House of Representatives, March 7, 1913.*

*Reported by Mr. Morison from Committee on Ways and  
Bridges, and ordered printed under joint rules.*

*W. R. ROIX, Clerk.*

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STATE OF MAINE

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

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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.

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*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,  
7 belonging to the Mexico Bridge Company, extending  
8 from the town of Mexico across the Androscog-  
9 gin river to the town of Rumford from a point near the  
10 Ridlonville post office. Said Mexico Bridge Company are  
11 hereby authorized to sell and transfer all their franchises  
12 and property to said towns 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 shall  
5 file in the office of the county commissioners of Oxford  
6 county, and record in the registry of deeds in said county,  
7 a brief description of such bridge, approaches, toll house  
8 and property to be so taken and the names of the owners  
9 thereof so far as known, and on the filing of said description  
10 and names, said bridge, approaches and toll house shall be  
11 deemed to be taken under the right of eminent domain, but  
12 title thereto shall not vest in said towns until payment there-  
13 for.

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

8 tions as are, or may be by law prescribed in the case of  
9 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 of  
4 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 be  
2 half and half, that is from the center of the inside of the  
3 abutment on the Mexico side to the inside of the abutment  
4 on the Rumford side, the easterly half to be the property  
5 of the town of Mexico and the westerly half to be the prop-  
6 erty of the town of Rumford, and to be owned and paid  
7 for accordingly, and each of said towns shall be liable for  
8 all damages that shall be determined by due process of law  
9 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  
2 from time to time its respective one-half part, and both of  
3 said towns through their municipal officers are hereby  
4 authorized to operate and maintain said bridge as a toll  
5 bridge and to collect tolls at a rate not exceeding the rate  
6 now prescribed 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 reim-  
9 burse it for its amount paid for said bridge, and whenever  
10 the tolls so collected shall have reimbursed said towns for  
11 the amount so paid, said bridge shall be declared and used  
12 by the general public as a free bridge and the county com-  
13 missioners may locate a legal highway across the same and  
14 its approaches and the same shall then be deemed a public  
15 highway. This said bridge when taken by purchase or the  
16 right of eminent domain shall not be continued as a toll  
17 bridge later than five years from January 1, 1914, and shall  
18 be made a free bridge on or before that date by the towns  
19 herein named.

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, each  
11 town to repair and maintain its respective one-half part.  
12 In all cases where money is to be raised for the purchase  
13 of said bridge or for its repair and maintenance, the inhab-  
14 itants of each town shall act separately, but in all cases in  
15 regard to the management of said bridge, the municipal  
16 officers of each town or a majority of each, acting together,  
17 shall be considered and treated as a joint commission with  
18 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 justice  
6 of the supreme judicial court either in term time or vacation,  
7 after notice and hearing may confirm or reject said report  
8 or recommit it as justice so requires. The award of the  
9 county commissioners, or committee in case of an appeal,  
10 shall be conclusive as to valuations. Upon confirmation of  
11 their report the court so sitting either in term time or in  
12 vacation shall thereupon after hearing make a final decree  
13 upon the whole matter including the transfer of the prop-  
14 erty and franchises, jurisdiction of which is hereby con-  
15 ferred with the same power to enforce said decree as in  
16 equity cases. All the costs and expenses arising out of such  
17 petition and appraisal shall be paid and borne as directed

18 by the court in said final decree. The findings of such jus-  
19 tice as to such costs and their apportionment 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  
2 May 1, 1913, furnish to both the municipal officers of the  
3 town of Mexico and the town of Rumford a full and accu-  
4 rate statement of the original cost of construction of said  
5 bridge, approaches and toll house, giving in detail the cost  
6 of both superstructure of said bridge, its piers and all  
7 things pertaining thereto as well as the cost of foundation,  
8 also shall furnish to said municipal officers an accurate and  
9 detailed report of all the gross earnings of said bridge each  
10 year to said January 1, 1913; and shall further present for  
11 examination of said municipal officers all the books, and  
12 papers, in explanation and support of all of said statements  
13 above required, the same to cover all time from the com-  
14 mencement of work on said bridge to January 1, 1913, the  
15 above to be as full and complete as the books, papers and  
16 knowledge shall permit.

Sect. 12. Upon payment or tender by said towns of the  
2 amount of the final award or valuation of said bridge to  
3 be made up to May 1, 1913, the Mexico Bridge Company

4 shall transfer and deliver a full and valid title to said bridge  
5 and all its appurtenances to said towns free and clear of all  
6 liens or claims of every name and nature, including all its  
7 franchises