

# MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

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HOUSE

NO. 601

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*House of Representatives, March 9, 1915.*

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

*FORTUNAT BELLEAU, Clerk pro tem.*

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STATE OF MAINE

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

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AN ACT authorizing 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  
Company.

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

Section 1. The inhabitants 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, to-  
6 gether with all franchises belonging to the same, owned by  
7 the Mexico Bridge Company, extending from the town of

8 Mexico across the Androscoggin river to the town of Rum-  
9 ford from a point near the Ridlonville post office. Said  
10 Mexico Bridge Company are hereby authorized to sell and  
11 transfer all their franchises and property to said towns of  
12 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 of  
4 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  
3 party upon petition to the county commissioners of the  
4 county where said bridge, approaches and toll house are sit-  
5 uated, may have damages assessed by them. The procedure  
6 and all subsequent proceedings and right of appeal thereon  
7 shall be had under the same restrictions, conditions and  
8 limitations as are, or may be by law prescribed in the case  
9 of damages by the laying out of highways.

Sect. 4. Whenever the legal voters 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 loan  
5 as they may vote a sufficient amount of money to pay for  
6 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 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 for  
7 accordingly, and each of said towns shall be liable for all  
8 damages that shall be determined by due process of law,  
9 or by mutual agreement, that may have occurred on its re-  
10 spective 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 author-  
4 ized to operate and maintain said bridge as a toll bridge and  
5 to collect tolls at a rate not exceeding the rate now prescribed  
6 by said bridge company.

Sect. 7. One-half part of all expenses of the repair and  
2 maintenance of said bridge, together with the expense of  
3 the toll gatherer, shall be borne by each town, that is, one-

4 half part of the expense of the toll gatherer together with  
5 the total expenses that each town may incur by reason of  
6 maintaining and repairing its respective one-half part. All  
7 money received for tolls, or rentals, after such taking shall  
8 be set aside and used as fast as accumulated by each town  
9 to reimburse it for its amount paid for said bridge, and  
10 whenever the tolls so collected shall have reimbursed said  
11 towns for the amount so paid, said bridge shall be declared  
12 and used by the general public as a free bridge and the  
13 county commissioners may locate a legal highway across the  
14 same and its approaches and the same shall then be deemed  
15 a public highway. This said bridge when taken by purchase  
16 or the right of eminent domain shall not be continued as a  
17 toll bridge later than five years from January first, nineteen  
18 hundred sixteen, and shall be made a free bridge on or  
19 before that date by the towns 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,  
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 mu-  
16 nicipal officers of each town or a majority of each, acting  
17 together, shall be considered and treated as a joint commis-  
18 sion 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 de-  
5 termination. After the report is so filed any single justice  
6 of the supreme judicial court either in term time or vaca-  
7 tion, after notice and hearing, may confirm or reject said  
8 report or recommit it as justice so requires. The award of  
9 the county commissioners, or committee in case of an ap-  
10 peal, shall be conclusive as to valuations. Upon confirma-  
11 tion of their report the court so sitting, either in term time  
12 or in vacation, shall thereupon after hearing make a final  
13 decree upon the whole matter including the transfer of the  
14 property and franchises, jurisdiction of which is hereby  
15 conferred with the same power to enforce said decree as in  
16 equity cases. All the costs and expenses arising out of  
17 such petition and appraisal shall be paid and borne as di-  
18 rected by the court in said final decree. The findings of  
19 such justice as to such costs and their apportionment shall  
20 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 August first,  
4 nineteen hundred sixteen, but the right to purchase said  
5 bridge and property by mutual agreement shall not expire  
6 until after August first, nineteen hundred sixteen.

Sect. 11. Should the legal voters of the Town of Rum-  
2 ford at any town meeting, duly called and held for that pur-  
3 pose, fail to accept the provisions of this act as provided in  
4 Section 4 of this act or should the town of Rumford fail  
5 to take any action in regard to this act before January 1,  
6 1916, then the town of Rumford and the inhabitants there-  
7 of shall have no further rights under this act; but if the  
8 legal voters of the town of Mexico, at any legal meeting,  
9 duly called and held for that purpose, vote to accept the  
10 provisions of this act and to acquire the property of the  
11 Mexico Bridge Company as authorized by section 4 of this  
12 act, then the said town of Mexico shall be empowered with  
13 all the rights, privileges and franchises conferred by this  
14 act, and shall be authorized to proceed in all acts, matters  
15 and things necessary to carry out the purposes of this act,  
16 as if it applied from its inception only to the town of Mex-  
17 ico and the inhabitants of said town, and the refusal to  
18 accept the provisions of this act upon the part of the town  
19 of Rumford or the inhabitants thereof shall in no sense de-  
20 feat the purposes of this act.

Sect. 12. The Mexico Bridge Company shall on or before  
2 May first, nineteen hundred fifteen, furnish to both the mu-  
3 nicipal officers of the town of Mexico and the town of  
4 Rumford a full and accurate statement of the original cost  
5 of construction of said bridge, approaches and toll house,  
6 giving in detail the cost of both the superstructure of said  
7 bridge, its piers and all things pertaining thereto, as well  
8 as the cost of foundation.

Said company shall also furnish to said municipal officers  
10 an accurate and detailed report of all the gross earnings of  
11 said bridge each year to said January first, nineteen hun-  
12 dred fifteen; and shall further present for the examination  
13 of said municipal officers all the books, and papers, in ex-  
14 planation and support of all of said statements above re-  
15 quired, the same to cover all time from the commencement  
16 of work on said bridge to January first, nineteen hundred  
17 fifteen, and be as full and complete as the books, papers  
18 and knowledge shall permit.

Sect. 13. Upon payment or tender by said towns of the  
2 amount of the final award or valuation of said bridge to be  
3 made up to May first, nineteen hundred fifteen, the Mex-  
4 ico Bridge Company shall transfer and deliver a full and  
5 valid title to said bridge and all its appurtenances to said  
6 towns free and clear of all liens or claims of every name  
7 and nature, including all its franchises.