

# MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

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SENATE

NO. 428

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*In Senate, March 23, 1915.*

*Presented by Sen. Thurston and on motion by Sen. Scammon  
laid on the table for printing, pending adoption of amendment.*

*W. E. LAWRY, Secretary.*

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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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Senate Amendment "A." Amend House Document No. 601 by  
striking out all after the Enacting Clause and inserting the  
following:

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Section 1. The following territory and the people within  
2 the same, namely, that part of the town of Rumford de-  
3 scribed and known as the Rumford Falls Village Corpora-  
4 tion and such additions as may be made to it from time to  
5 time and that part of the town of Mexico herein designated,  
6 to wit, commencing at a point on the Androscoggin river  
7 where Swift river empties into the same on the dividing line  
8 between Rumford and Mexico; thence up the river by the  
9 dividing line between Rumford and Mexico on the westerly  
10 bank of Swift river on the Mexico side to a point on the

11 westerly bank of Swift river directly opposite the northerly  
12 line of land formerly owned by H. W. Park and now owned  
13 by Frank Beaudett; thence at about right angles by said  
14 northerly line of said land formerly owned by said Park  
15 and now owned by said Beaudett and Roxbury road, so  
16 called, to the westerly limits of the Thompson Hill road, so  
17 called; thence up the hill by the northerly limits of said  
18 Thompson Hill road to a point within twenty feet of the  
19 place where the pipe line of the Mexico Water Company  
20 crosses this Thompson Hill road; thence up the hill in a line  
21 twenty feet northerly of said pipe line to a point on the  
22 westerly side of said Thompson Hill road directly opposite  
23 the northerly or easterly end of the dam of the Mexico  
24 Water Company which forms its first reservoir; thence up  
25 the hill by the northerly or westerly limits of the Thompson  
26 Hill road to the turn in the road by the Frazier farm, so  
27 called; thence by the northerly or westerly limits of said  
28 Thompson Hill road up the hill to the Ladd farm, so called;  
29 thence in an easterly course to the old Joel Babb dwelling  
30 house; thence in a direct course in an easterly or southerly  
31 direction to the easterly line of the Haines farm, so called,  
32 formerly the Daniel Austin farm; thence by the easterly side  
33 line of the highway that leads from the aforesaid Lyman  
34 Haines farm to the southerly side of the river road leading  
35 from Mexico to Dixfield at a point nearly opposite the  
36 George Welch residence; thence southerly by the southerly

37 side line of said Mexico and Dixfield highway to the bank of  
38 the Androscoggin river; thence up said river by the bank of  
39 the same, via the toll bridge and Mexico Corner, so called, to  
40 the point begun at, also including that part of the Frazier  
41 farm now owned by the Mexico Water Company, together  
42 with all other land owned by said company, for the purpose  
43 of protecting its water shed and preserving the purity of its  
44 water supply, shall constitute a public municipal corpora-  
45 tion under the name of the Rumford and Mexico Bridge  
46 District, for the purpose of acquiring the toll bridge, ap-  
47 proaches and toll house, together with all franchises belong-  
48 ing to the same, owned by the Mexico Bridge Company, and  
49 extending from the town of Mexico across the Androscog-  
50 gin river to the town of Rumford at the point near the Rid-  
51 lonville Post Office, subject, however, to the provisions of  
52 section thirteen herein.

Sect. 2. In exercising any right of eminent domain con-  
2 ferred upon said district by law from time to time, or any  
3 right of eminent domain through or under the franchises of  
4 said Mexico Bridge Company acquired by virtue of this act,  
5 said district shall file in the office of the county commission-  
6 ers of Oxford county, and record in the registry of deeds  
7 in said county, a brief description of such bridge, ap-  
8 proaches, toll house and property to be so taken and the  
9 names of the owners thereof so far as known, and on the  
10 filing of said description and names, said bridge, approaches  
11 and toll house shall be deemed to be taken under the right of

12 eminent domain, but title thereto shall not vest in said dis-  
13 trict until payment therefor.

Sect. 3. If said bridge company and said district 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 limi-  
8 tations as are, or may be by law prescribed in the case of  
9 damages by the laying out of highways.

Sect. 4. All the affairs of said bridge district shall be man-  
2 aged by a board of trustees composed of three members, two  
3 to be chosen by the assessors of the Rumford Falls Village  
4 Corporation and one by the municipal officers of Mexico.  
5 As soon as convenient after the members of said board have  
6 been chosen, said trustees shall hold a meeting and organize  
7 by the election of a president and clerk, adopt a corporate  
8 seal and when necessary may choose a treasurer and all  
9 other needful officers and agents for the proper conduct and  
10 management of the affairs of said district. At said first  
11 meeting they shall determine by lot the term of office of  
12 each trustee so that one shall serve for one year, one for two  
13 years and one for three years, and whenever the term of  
14 office of a trustee expires, the body which appointed said  
15 trustee shall appoint a successor to serve the full term of  
16 three years, and in case any other vacancy arises it shall be

17 filled in like manner for the unexpired term. They may  
18 also ordain and establish such by-laws as are necessary for  
19 their own convenience and the proper management of the  
20 affairs of the district. The term of office of said trustees  
21 first chosen shall be considered to date from the first Mon-  
22 day of April in the year of our Lord nineteen hundred and  
23 fifteen. Said trustees shall serve without compensation and  
24 at the close of each fiscal year they shall make a detailed re-  
25 port of their doings, of the receipts and expenditures of said  
26 bridge district, of its financial and physical conditions and  
27 such other matters and things pertaining to said district as  
28 shall show the inhabitants of said district how said trustees  
29 are fulfilling the duties and obligations of their trust.

Sect. 5. Said bridge district is hereby authorized and em-  
2 powered to acquire by purchase or by exercise of the right  
3 of eminent domain, which right is hereby expressly dele-  
4 gated, to said bridge district for said purpose, the toll bridge,  
5 approaches and toll house, together with all franchises be-  
6 longing to the same, owned by the Mexico Bridge Company,  
7 extending from the town of Mexico across the Androscog-  
8 gin river to the town of Rumford from a point near the Rid-  
9 lonville post office. Said Mexico Bridge Company is hereby  
10 authorized to sell and transfer all its franchises and prop-  
11 erty to said Rumford and Mexico Bridge District.

Sect. 6. In case said trustees fail to agree with the afore-  
2 said Mexico Bridge Company upon the terms of purchase,  
3 on or before September fifteenth, one thousand nine hun-

4 dred and fifteen then said bridge district, through its trus-  
5 tees, is hereby authorized to take the toll bridge, ap-  
6 proaches, toll house and franchises of the aforesaid com-  
7 pany as authorized in section five as for public uses, by  
8 petition therefor to the county commissioners of Oxford  
9 county wherein said company and its mortgagees shall be the  
10 parties defendant. Such petition shall not be dismissed after  
11 filing but may and shall be amended in any manner required  
12 to enable the court to make all necessary decrees thereon.  
13 The county commissioners of Oxford county shall, after  
14 due notice and hearing, fix the valuation of said toll bridge,  
15 approaches, toll house and franchises of said defendant  
16 company at what they are fairly and equitably worth. The  
17 first day of July, nineteen hundred and fifteen, shall be the  
18 day on which the valuation aforesaid shall be fixed, from  
19 which day interest on said award at the rate of six per cent  
20 per annum shall run and all net profits accruing thereafter  
21 shall belong to said bridge district. The report of the com-  
22 missioners of Oxford county shall be filed in the clerk's  
23 office for the county of Oxford within three months after  
24 their hearing and determination. After said report is so  
25 filed, any single justice of the Supreme Judicial Court,  
26 either in term time or vacation, after notice and hearing,  
27 may confirm or reject said report or recommit it, if justice  
28 so requires. The award of the county commissioners, or  
29 committee in case of an appeal, shall be conclusive as to

30 valuations. Upon conformation of their report the court  
31 so setting, either in term time or in vacation, shall there-  
32 upon, after hearing, make a final decree upon the whole mat-  
33 ter, including the transfer of the property and franchises,  
34 jurisdiction of which is hereby conferred with the same  
35 power to enforce said decree as in equity cases. All the  
36 costs and expenses arising out of said petition and appraisal  
37 shall be paid and borne as directed by the court in said final  
38 decree. The findings of such justice as to such costs and  
39 their apportionment shall be final.

Sect. 7. For accomplishing the purposes of this act, said  
2 bridge district, through its trustees, is authorized to borrow  
3 money temporarily and to issue therefor the interest-bearing  
4 negotiable notes of the district and for the purpose of pay-  
5 ing or refunding the indebtedness so created, of paying any  
6 necessary expenses and liabilities, incurred under the provi-  
7 sions of this act, including the expenses incurred in the crea-  
8 tion of the district, in acquiring the properties and fran-  
9 chises of the Mexico Bridge Company by purchase or other-  
10 wise and making additions and improvements to the same,  
11 the said Bridge District, through its trustees, may from time  
12 to time issue bonds of the district to an amount or amounts  
13 necessary in the judgment of the trustees therefor. Said  
14 notes and bonds shall be legal obligations of the bridge dis-  
15 trict, which is hereby declared to be a quasi municipal cor-  
16 poration within the meaning of section ninety-six, chapter  
17 forty-seven of the revised statutes, and all the provisions of



18 said section shall be applicable thereto. The said notes and  
19 bonds shall be legal investments for savings banks.

Sect. 8. The property of said district shall be exempt  
2 from all taxation in the town or towns where said bridge  
3 district is located.

Sect. 9. Said bridge district is hereby authorized to oper-  
2 ate and maintain said bridge as a toll bridge and to collect  
3 tolls at a rate not exceeding the rate authorized in the char-  
4 ter of the Mexico Bridge Company. All individuals, firms  
5 and corporations, whether private, public or municipal, shall  
6 pay to the treasurer of said district the rates established by  
7 said board of trustees for the use of said bridge. Said rates  
8 shall be so established as to provide revenue for the follow-  
9 ing purposes:

1. To pay the current expenses for operating and main-  
11 taining said bridge.

2. To provide for the payment of the interest on the in-  
13 debtedness created by the district.

3. To provide each year a sum equal to not less than seven  
15 and a half per cent nor more than ten per cent of the en-  
16 tire indebtedness created by the district, which sum shall be  
17 turned into a sinking fund and there kept to provide for the  
18 extinguishment of said indebtedness. The money set aside  
19 for the sinking fund shall be invested in such securities as  
20 savings banks are allowed to hold and when such sum shall  
21 equal the total indebtedness of said bridge district, the trus-  
22 tees shall forthwith declare said bridge a free bridge and

23 shall petition the county commissioners of Oxford county  
24 to locate a legal highway across the same and its ap-  
25 proaches, and the same shall then be deemed a public high-  
26 way. Said bridge shall not be continued as a toll bridge  
27 later than ten years from January first, nineteen hundred  
28 and sixteen and shall be made a free bridge on or before  
29 that date by said district. Nothing in this act shall be con-  
30 strued to prevent the State of Maine, the County of Oxford  
31 or the towns of Rumford and Mexico from paying the in-  
32 debtedness of said bridge district for the purpose of mak-  
33 ing said bridge a free bridge, at any time, provided all bonds  
34 or other indebtedness of the district are paid and cancelled.

Sect. 10. All incidental powers, rights, and privileges nec-  
2 essary to the accomplishment of the main object herein set  
3 forth are granted to the public municipal corporation hereby  
4 created.

Sect. 11. The Mexico Bridge Company shall on or before  
2 May first, nineteen hundred and fifteen furnish to the mu-  
3 nicipal officers of the town of Mexico and the assessors of  
4 the Rumford Falls Village Corporation, or their attorneys  
5 a full and accurate statement of the original cost of con-  
6 struction of said bridge, approaches and toll house, giving  
7 in detail the cost of both the super structure of said bridge,  
8 its piers and all things pertaining thereto, as well as the cost  
9 of foundation. Said company shall also furnish to said  
10 municipal officers or their attorneys an accurate and detailed  
11 report of the gross earnings of said bridge each year to

12 January first, nineteen hundred and fifteen, and shall pre-  
13 sent for the examination of said municipal officers or their  
14 attorneys all the books and papers of said company in ex-  
15 planation and support of said statement above required, the  
16 same to cover all time from the commencement of work on  
17 said bridge to January first, nineteen hundred and fifteen,  
18 and be as full and complete as the books, papers and knowl-  
19 edge of said company will permit.

Sect. 12. This act shall take effect when approved by a  
2 majority vote of the legal voters of that portion of said  
3 bridge district comprised by the Rumford Falls Village  
4 Corporation, and by a majority vote of the legal voters of  
5 that portion of said bridge district comprised by that part  
6 of the town of Mexico designated in section one, at special  
7 meetings respectively in the Mexico section and in the Rum-  
8 ford Falls Village section of said bridge district, to be held  
9 on the fourth Monday of August in the year of our Lord  
10 one thousand nine hundred and fifteen. Said special meet-  
11 ings shall be called respectively by the selectmen of the  
12 town of Mexico and the assessors of the Rumford Falls  
13 Village Corporation, and shall be called, warned and con-  
14 ducted according to the law relating to municipal elections,  
15 provided, however, that the assessors of said Rumford Falls  
16 Village Corporation shall not be required to prepare for  
17 posting and the clerk of said town of Mexico and the clerk  
18 of said Rumford Falls Village Corporation shall not be re-  
19 quired to post new lists of voters, but the selectmen of the

20 town of Mexico shall prepare a list of the legal voters re-  
21 siding within the limits of that part of Mexico, included  
22 within said bridge district and described in section one. For  
23 the purpose of registration of voters, said board of assessors  
24 of the Rumford Falls Village Corporation and the select-  
25 men of the town of Mexico shall be in session at their re-  
26 spective offices the secular day next preceding said special  
27 election. The clerk of the Rumford Falls Village Corpora-  
28 tion and the clerk of the town of Mexico shall reduce the  
29 subject matter of this act to the following questions: "Shall  
30 the act to incorporate the Rumford and Mexico Bridge Dis-  
31 trict be accepted?" and the voters shall indicate by a cross  
32 placed over the words "yes" or "no" their opinion of the  
33 same. The result of the balloting in each case shall be re-  
34 spectively declared by the assessors of said Rumford Falls  
35 Village Corporation and the selectmen of the town of  
36 Mexico, and certificates thereof shall be filed by the clerk of  
37 said Rumford Falls Village Corporation and the clerk of  
38 said town of Mexico with the secretary of State.

Sect. 13. Should the legal voters of the Rumford Falls  
2 Village Corporation section of said bridge district at such  
3 special election refuse to approve the act incorporating said  
4 bridge district, then the territory within said Rumford  
5 Falls Village Corporation and the people within the same  
6 shall not become a portion of said bridge district, but if that  
7 portion of said town of Mexico described in section one of  
8 said bridge district, shall approve said act to incorporate

9 said bridge district by a majority of the legal voters at said  
10 special election then that portion of said town of Mexico de-  
11 scribed in section one together with the inhabitants thereof  
12 shall constitute the bridge district hereby created and shall  
13 be empowered with all the rights, privileges and franchises  
14 conferred by this act, and shall be authorized to proceed in  
15 all acts, matters and things necessary to carry out the pur-  
16 poses of this act, as if it applied from its inception only to  
17 that portion of the town of Mexico described in section one  
18 of this act together with the people within the same, and  
19 the refusal to approve this act upon the part of the Rum-  
20 ford Falls Village Corporation section aforesaid, shall in no  
21 sense defeat the purposes of this act. As early as may be  
22 after said special election, the municipal officers of said  
23 town of Mexico and the assessors of said Rumford Falls  
24 Village Corporation, if said act has been approved by both  
25 the Mexico section and the Rumford Falls Village Corpora-  
26 tion section of said bridge district, shall respectively meet  
27 and choose their respective members of the board of trus-  
28 tees for said bridge district as provided in section four, but  
29 if said act shall not be approved by the Rumford Falls Vil-  
30 lage Corporation section of said bridge district and shall be  
31 approved by the Mexico section, then the municipal officers  
32 of said town of Mexico shall as soon as may be thereafter  
33 meet and choose three members, who shall constitute the  
34 board of trustees for said bridge district.

Sect. 14. Upon payment or tender by said district of the  
2 amount of the final award or valuation of said bridge to be  
3 made up to July first, nineteen hundred fifteen, the Mexico  
4 Bridge Company shall transfer and deliver a full and valid  
5 title to said bridge and all its appurtenances to said district  
6 free and clear of all liens or claims of every name and  
7 nature, including all its franchises.