

MAINE STATE LEGISLATURE

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EIGHTY-SECOND LEGISLATURE

S. P. No. 287

S. D. No. 116

In Senate, Feb. 18, 1925.

Referred to Committees on Ways and Bridges and Interior Waters and 3,000 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Carlton of Sagadahoc.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE HUNDRED AND TWENTY-FIVE

AN ACT to Provide for Building a Bridge Across the Kennebec River Between the City of Bath and the Town of Woolwich.

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

Section 1. The governor with the advice and the consent
2 of the council, shall appoint one person, a resident of the
3 county of Sagadahoc, and one person, a resident of either
4 the county of Knox or the county of Lincoln, who, with
5 the state highway commission, shall constitute a board to
6 be known as the directors of the Kennebec bridge, here-
7 inafter called the directors. The term of office of those
8 first appointed shall be one for the term of two years and
9 one for the term of four years, and all directors thereafter

10 appointed shall serve for the term of four years and until
11 their successors are appointed and qualified, except that
12 members of the highway commission shall hold the office
13 of director only so long as they are members of said com-
14 mission. The two directors appointed by the governor shall
15 receive an annual salary of three hundred dollars per year
16 for the years that the bridge is under construction and an
17 annual salary of twenty-five dollars per year after the bridge
18 is completed.

Sect. 2. The directors shall locate said bridge at a point
2 on the Woolwich side of the Kennebec river not more than
3 three hundred feet above nor more than three hundred feet
4 below a point half way between the present Maine Central
5 Railroad ferry slip on said shore and the present state ferry
6 slip on said shore and the bridge shall cross the said river
7 to the Bath shore at some point on the Bath shore between
8 the north side of Broad street and the Maine Central Rail-
9 road ferry slip on said Bath shore. They shall cause to be
10 made all necessary plans for piers and for a bridge across
11 said river between said town of Woolwich and the city of
12 Bath, located as aforesaid, which said bridge shall be of
13 such a nature as will reasonably accommodate all highway
14 travel across said river between the town of Woolwich and
15 the city of Bath and they may if they deem it advisable pro-
16 vide in said plans for the construction of such a bridge as
17 will accommodate the passage of railroad trains across the
18 same. Said bridge shall contain such draw as shall be sat-

19 isfactory to the United States war department. Before com-
20 pleting the plans, the directors shall thoroughly inform
21 themselves as to the present and probable future require-
22 ments of such bridge.

The directors shall have authority to appoint and employ
2 such engineers, agents, assistants and other employees as
3 they deem necessary, and with the advice and consent of
4 the governor and council, to make and let a contract or
5 contracts for the construction of said bridge and its ap-
6 proaches and to do any other act necessary for the con-
7 struction of said bridge. After the completion of said bridge
8 and its approaches, and during construction if necessary,
9 the directors shall employ a drawtender, toll keeper and
10 such other persons as may be necessary for the upkeep,
11 maintenance, repairs and operation of said bridge. They
12 shall also look after and manage said bridge and look after
13 and have charge of the maintenance, upkeep, repairs and
14 operation of said bridge and may arrange for rents from
15 the railroad and other utilities wishing to use the same.

Sect. 3. The directors may take as for public uses, ac-
2 quire by purchase, by right of eminent domain or other-
3 wise, and hold, such real estate and such rights and ease-
4 ments therein, including leaseholds and buildings the title
5 to which is separate from the ownership of the land as the
6 directors may from time to time consider necessary for
7 the location and construction of the bridge, and for the nec-
8 essary highways and approaches to the same and railroad

9 approaches and connections therewith, and may lay out and
10 build such highway and railroad approaches and connections
11 therewith as in the opinion of the directors may seem neces-
12 sary. Any property taken as for public uses and by right of
13 eminent domain shall be taken in the manner provided by
14 law in the case of land taken for laying out and the con-
15 struction of highways.

Sect. 4. From the proceeds of bonds issued by the State
2 of Maine for the purposes of this act as hereinafter pro-
3 vided, the treasurer of the state shall pay all damages sus-
4 tained by any person, firm or corporation by the taking of
5 any property or any right or easement therein by either of
6 the methods provided in section three, including the pur-
7 chase price thereof if said price be agreed upon between
8 the owner and the directors. Any person, firm or corpora-
9 tion sustaining damages by the taking of his property or
10 any right or easement therein and failing to agree with the
11 directors as to the amount to be paid therefor, may have
12 the same assessed and determined in the same manner pro-
13 vided by law in case of land taken for the laying out of
14 highways.

Sect. 5. The directors shall have power to lease for a
2 period not exceeding forty years to the Maine Central Rail-
3 road, or its successors or assigns, or to any other public
4 utility, under such terms and conditions as they may pre-
5 scribe, the right to use a portion of said bridge and its ap-
6 proaches for the purpose of laying tracks and for their trains

7 to pass over said bridge. They may also lease for the same
8 periods rights to telephone companies, telegraph companies,
9 or water companies, and other utilities, rights to use such
10 bridge.

Sect. 6. Said bridge when constructed shall be operated
2 as a toll bridge until the bonds issued as hereinafter pro-
3 vided for shall be retired, except that travellers on foot
4 shall be allowed to cross said bridge free from the pay-
5 ment of toll. The directors shall charge and collect such
6 tolls for the use and crossing of said bridge by vehicles and
7 other traffic (other than foot passengers) as may from
8 time to time be determined and ordered by the public utili-
9 ties commission. The public utilities commission is hereby
10 authorized and directed to establish and promulgate the
11 tolls to be charged and collected by the directors for the
12 use and crossing of said bridge by vehicles and other traf-
13 fic (exclusive of foot passengers) having regard to the
14 value of the service rendered, and the requirements for up-
15 keep, maintenance, repairs and operation of said bridge and
16 the providing for the payment of interest on and the re-
17 tirement of the bonds hereinafter provided for. Said com-
18 mission may from time to time establish and promulgate
19 new tolls and may provide for the issue of trip or commu-
20 tation tickets at less than the regular tolls good for a defi-
21 nite number of passages across said bridge within a speci-
22 fied time. All monies collected as tolls shall be regularly
23 deposited by the directors in some bank or trust company

24 designated therefor by the governor and council, and on
25 the first secular day of each month the balance so on deposit
26 transmitted by them to the state treasurer. All rentals shall
27 be paid direct to the state treasurer. From the funds so
28 received the state treasurer on warrants signed by said di-
29 rectors and approved by the state auditor shall pay all bills
30 for the maintenance, upkeep, repairs and operation of said
31 bridge and shall also pay the interest on the bonds as they
32 come due, any balance shall be held by him as a separate
33 fund for the retirement and payment of the bonds herein-
34 after provided for.

Sect. 7. The directors shall on the first day of December
2 of each year submit to the governor and council a report,
3 which report shall contain a statement of the doings of the
4 directors during the preceding year, and such recommenda-
5 tions as to legislation as shall in their opinion be necessary
6 or expedient to enable them to better administer the affairs
7 of said bridge and to regulate the use thereof under their di-
8 rection.

Sect. 8. The directors may apply to congress for an ap-
2 propriation to assist in the construction of said bridge and
3 any funds received shall be used either in the construction
4 or in retiring bonds already issued by the State of Maine
5 for the construction of said bridge.

Sect. 9. From the proceeds of bonds issued by the State
2 of Maine for the purpose of building a bridge across the
3 Kennebec river between the city of Bath and the town of

4 Woolwich, as embodied in a resolution of the legislature
5 proposing an amendment to article nine of the constitution,
6 if said amendment shall be adopted, the treasurer is hereby
7 authorized, on warrants issued therefor by the directors,
8 with the approval of the governor and council, to disburse
9 and pay said moneys as are herein authorized for the pur-
10 pose of carrying out the provisions of this act. The said
11 treasurer is further empowered to issue bonds as authorized
12 by said proposed amendment, if the same be adopted, in such
13 form and in such amounts, not exceeding the total set forth
14 in said proposed amendment from time to time, as the gov-
15 ernor and council may determine; provided, however, that
16 the amount of bonds issued and outstanding at any one time
17 shall not exceed two million dollars if said bridge is not con-
18 structed as a combination highway and railroad bridge.

Sect. 10. No action shall be taken or liability incurred
2 under this act unless and until the people of Maine shall
3 have adopted an amendment to the Constitution of the State
4 of Maine authorizing the issuing of bonds for the construc-
5 tion of a bridge between the town of Woolwich and the
6 city of Bath as contemplated herein.