

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-SECOND LEGISLATURE

OF THE
STATE OF MAINE

1905.

Published by the Secretary of State, agreeably to Resolves of
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1905.

CHAP. 353

Actions commenced before this act takes effect.

Inconsistent acts repealed.

Act takes effect May 1, 1905.

Section 19. Nothing contained in this act shall be construed to interfere with such actions returnable before a trial justice as shall be commenced before this act takes effect.

Section 20. All acts inconsistent with this act are hereby repealed.

Section 21. This act shall take effect May first, nineteen hundred and five.

Approved March 21, 1905.

Chapter 353.

An Act to assist in building a free bridge across Sheepscot river between the towns of Wiscasset and Edgecomb.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Appropriation for free bridge across Sheepscot river.

Section 1. Seventeen thousand dollars, eight thousand five hundred dollars of which shall be paid during the year nineteen hundred and five, and the balance during the year nineteen hundred and six, is hereby appropriated for the purpose of assisting in the construction of a bridge across the Sheepscot river between the towns of Wiscasset and Edgecomb, the amount to be expended under the direction of the county commissioners of the county of Lincoln who shall contract for the same with a competent bridge builder. The amount paid by the state shall not exceed seventeen-twentieths of the total cost of the bridge, not including the cost of obtaining the franchise and structure of the Wiscasset Bridge Company. The bridge shall be at least eighteen feet wide, and located at or near the location of the present toll bridge. All piling below low water mark to be of oak and the bridge, excepting plank, of hard pine. Said county commissioners shall determine the exact location of said bridge. As soon as built the county commissioners of the county of Lincoln shall lay out a free public highway to and across said bridge.

—to be expended under direction of county commissioners of Lincoln county.

—amount paid by state limited to seventeen twentieths of cost.

—width of bridge.

Location of bridge.

Draw tender and repair of bridge, relating to expense of.

Section 2. The towns of Wiscasset, Edgecomb, Boothbay, Boothbay Harbor and Southport, assisted by the county of Lincoln, shall employ a suitable draw tender and keep said bridge in repair. The cost of maintaining said bridge shall be borne by said county and towns as follows: The county of Lincoln shall pay three hundred dollars annually, and the said towns shall pay the balance of the expense in the following proportion: Wiscasset, eight-twentieths; Edgecomb, four-twentieths; Boothbay, three-twentieths; Boothbay Harbor, four-twentieths and Southport, one-twentieth.

CHAP. 353

County commissioners may take franchises of Wiscasset Bridge Co.

Section 3. For the purposes of this act the county commissioners of the county of Lincoln are hereby authorized to take the property and franchises of the Wiscasset Bridge Company as for public uses by petition therefor in the manner hereinafter provided. No such petition shall be filed by said county commissioners hereunder until twenty legal voters of the county of Lincoln shall file with them a written request therefor, therein and thereby agreeing to furnish to said county all necessary funds to pay the expenses of said taking and the award thereunder, with all necessary costs and charges, so that it shall appear from said request that the county of Lincoln shall assume no part of said expense. If said county commissioners are satisfied that the guaranty in said request is sufficient to so protect said county they shall thereupon institute condemnation proceedings hereunder. Thereupon said commissioners shall file a petition in the clerk's office of the supreme judicial court for the county of Lincoln, in term time or in vacation, addressed to any justice of said court, who, after notice to the said Wiscasset Bridge Company, shall, after hearing and within twenty days after the filing of said petition, appoint three disinterested appraisers, none of whom shall be residents of the county of Lincoln, for the purpose of fixing the valuation of the plant, property and franchises of the said Wiscasset Bridge Company. Said appraisers shall have the power of compelling attendance of witnesses and the production of books and papers pertinent to the issue, and may administer oaths, and like penalties and proceedings shall be had so far as applicable as witnesses summoned to attend the supreme judicial court. The appraisers so appointed shall, after due notice and hearing, fix the valuation of said plant, property and franchises at what they are fairly and equitably worth, so that the said Wiscasset Bridge Company shall receive just compensation for all the same. The report of said appraisers, or a majority of them, shall be filed in said clerk's office in term time or vacation, and such single justice, or in case of his inability to act, then any justice designated for the purpose by the chief justice, may, after notice and hearing, confirm or reject the same, or recommit it, if justice so requires. The award of the appraisers shall be conclusive as to valuation. Upon the confirmation of said report the court so sitting shall thereupon, after hearing, make final decree upon the entire matter, including the application of the purchase money, discharge of incumbrances, and transfer of the property, jurisdiction over which is hereby conferred, with the same power to enforce said decree as in equity cases. On payment or tender by said county commissioners of the amount so fixed, and the

--manner of taking.

--further proceedings.

--appraisers.

--powers of appraisers.

--appraisers shall file report.

--award of appraisers shall be conclusive.

CHAP. 354

--costs and expenses, how paid and borne.

performance of all other terms and conditions so imposed by the court, said entire plant, property and franchises shall become vested in the public for the purposes of this act, and be free from all liens, mortgages and incumbrances theretofore created by the said Wiscasset Bridge Company. All costs and expenses arising under this section shall be paid and borne as directed by the court. The said county commissioners are further authorized to purchase said plant, property and franchises for the purposes of this act, upon such terms as may be agreed upon, provided the funds therefor shall be furnished, or fully and satisfactorily guaranteed, through a like request of said twenty legal voters, as hereinbefore provided. Nothing herein contained shall be construed to authorize the county commissioners of the county of Lincoln to incur any liability whatever in behalf of said county in the acquisition of the properties and franchises of said Wiscasset Bridge Company in any manner whatsoever, except through full and satisfactory indemnity and guaranty as hereinbefore provided.

Appropriation shall be paid only on order of governor and council.

Section 4. No part of the seventeen thousand dollars herein provided shall be available or paid by the treasurer except on the order of the governor and council, and the governor and council shall not order same to be paid until they are satisfied that a sufficient sum of money, in addition to the amount provided in this bill, has been provided by responsible corporations or persons subject to the order of the county commissioners of Lincoln county in the sum sufficient, together with the seventeen thousand dollars herein provided, to complete said bridge and the approaches thereto so that the same shall be suitable for public travel.

Section 5. This act shall take effect when approved.

Approved March 21, 1905.

Chapter 354.

An Act to authorize the Fort Halifax Power Company to furnish Electricity for power purposes.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Fort Halifax Power Company authorized to supply electricity.

Section 1. In addition to the powers specified in its original incorporation as recorded in the secretary of state's office, volume forty-eight, pages one hundred and thirty-one and one hundred and thirty-two, the Fort Halifax Power Company is hereby authorized to make, generate, sell, distribute and supply