

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES  
OF THE  
SEVENTY-THIRD LEGISLATURE  
OF THE  
STATE OF MAINE  
1907.

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Published by the Secretary of State, agreeably to Resolves of  
June 28, 1820, February 18, 1840, and March 16, 1842.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1907.

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University of Maine, one hundred ten thousand dollars,	110,000 00
State auditor, five thousand dollars,	5,000 00

Amounting to the sum of two million nine hundred forty-seven thousand one hundred forty-three dollars and forty-eight cents, \$2,947,143 48

Section 2. This act shall take effect when approved.

Approved March 28, 1907.

### Chapter 449.

An Act to amend Chapter three hundred and sixty-four of the Private and Special Laws of nineteen hundred and five, entitled "An Act to create the Portland Bridge District," and to confer additional powers on said district.

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

Section 1. Section one of chapter three hundred and sixty-four of the private and special laws of nineteen hundred and five, entitled "An Act to create the Portland Bridge District," is hereby amended by inserting in the twentieth line thereof after the words "and the approaches thereto," the following: 'or for the safe and proper maintenance thereof, and for such purposes may so acquire or take land within the limits of seventy-five feet on either side of and adjoining said highway, approaches and bridge though covered with water, thereby forming a pond either natural or artificial, or flowed by the tide, and fill or drain the same, provided it can be done without obstructing navigation,' so that said section, when amended, shall read as follows:

Section 1,  
chapter 364,  
private and  
special laws,  
1905,  
amended.

'Section 1. The territory and people included within the limits of the cities of Portland and South Portland shall constitute a body corporate and politic under the name of the Portland Bridge District, with full authority and power to remove the present bridge, known as Vaughan's bridge, connecting the cities of Portland and South Portland in Cumberland county, across that part of Portland harbor known as Fore river, and in place thereof to construct a new bridge across said Portland harbor at the same point where said Vaughan's bridge now crosses, the same to be thereafter maintained as a part of the same highway of which said Vaughan's bridge is now a part, with a suitable draw in the same of sufficient width to accommodate navigation at that point. Said district may construct approaches to each end of said new bridge, using

Territorial  
limits of  
Portland  
Bridge  
District.

--may  
remove  
Vaughan's  
bridge.

--and  
construct  
new bridge.

--with  
suitable  
draw.

--may con-  
struct ap-  
proaches.

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—may exercise right of eminent domain.

—may construct temporary bridge.

—hearings on taking land, notice of, how given.

—record of proceedings shall be kept.

—damages, appeal from award.

Section 3, amended.

Bridge district authorized to issue bonds.

so much of the highway and approaches to the present bridge as may be, and shall have authority to acquire by purchase or to take by right of eminent domain upon the payment of reasonable compensation therefor any land outside the present highway, bridge and approaches to the same as may be necessary for the construction of said new bridge and the approaches thereto, or for the safe and proper maintenance thereof, and for such purposes may so acquire or take land within the limits of seventy-five feet on either side of and adjoining said highway, approaches and bridge though covered with water, thereby forming a pond either natural or artificial, or flowed by the tide, and fill or drain the same, provided it can be done without obstructing navigation; and may construct a temporary bridge for the use of teams and pedestrians during the construction of said new bridge. The officers of said bridge district hereinafter provided for may exercise the right of eminent domain vested in said district and take land necessary to carry out the purposes of this act after hearing, notice of the date and place of hearing being given by publication in two daily papers published in Portland, for one week at least previous to the time appointed for said hearing; and the clerk of said district shall keep a record of their proceedings and their determination and decision, which shall be signed by a majority of said officers and which shall set forth a description of the land taken and the owners, if known, and the amount of the damage awarded therefor, and upon the signing of said record by said officers they may enter upon the land and take possession for the purposes of this act, and the land so taken shall become a part of the public highway subject to all the limitations and restrictions and uses provided for in chapter twenty-three of the revised statutes. Any person aggrieved by the decision of said officers so far as it relates to damages awarded for lands so taken, shall have the same right of appeal as is provided from the award of damages in laying out streets in the city of Portland under section nine of chapter two hundred and seventy-five of the private and special laws of eighteen hundred and sixty-three.

Section 2. Section three of said chapter three hundred and sixty-four is hereby amended, so as to read as follows:

‘Section 3. To procure funds for the construction of said bridge including the approaches thereto, and the taking or acquiring of land necessary therefor, the construction of the dolphins and other necessary and appurtenant structures for the operation of the draw and the convenience of navigation and the building of a temporary bridge if necessary, and the payment of interest on loans or interest coupons on bonds issued under this act, and such other expenses as are necessary to carry

out the purposes of this act, said bridge district is hereby authorized to issue its notes and bonds, but shall not incur a total indebtedness exceeding the sum of four hundred and twenty-five thousand dollars, said bonds shall be a legal investment for savings banks in the state of Maine. Each bond issued by said district shall have inscribed upon its face the words 'Portland Bridge District Loan,' and shall bear interest not to exceed four per cent per annum, payable semi-annually. Said bonds may be issued to mature serially or made to run for such periods as said commissioners shall determine, but none of which shall run for a longer period than forty years. Said district shall likewise have authority to borrow temporarily in addition to the amount above specified, for any of the purposes hereinbefore mentioned and for the purpose of meeting at maturity any bonds coming due in any one year, such an amount as in the judgment of the commissioners may be necessary, the same to be paid out of money raised by taxation during the year in which said temporary loan is made.'

—total indebtedness limited to \$425,000.

—bonds, rate of interest on, etc.

—may make temporary loans.

Section 3. Section six of said chapter three hundred and sixty-four is hereby amended, so as to read as follows:

Section 6, amended.

'Section 6. On or before the first day of April of each year, the said bridge commissioners shall determine what part of the sum to be paid annually into the sinking fund, or if the bonds authorized by this act shall be issued to mature serially, or in groups annually, what part of the amount that will be required to meet the bonds falling due during the year in which any assessment of taxes is to be laid, and what part of the amount that will be required during the year to meet the interest on the notes and bonds outstanding of said district, the maintenance and repair of said bridge and its approaches and draw, and the operation of said draw and for any other necessary expenses and obligations that may be incurred by said bridge district under this act, shall be assessed on the polls and property in the territory included within the limits of the city of Portland and what part of said amounts shall be assessed on the polls and property included within the limits of the city of South Portland, the same to be divided between said cities in proportion to their last regular valuation; and when said amounts shall have been so determined upon, on or before the first day of April of the year in which said tax is to be levied, the bridge commissioners of said district shall issue their warrant in the same form as the warrant of the state treasurer for state taxes, with proper changes, to the assessors of South Portland and to the assessors of Portland, requiring them to assess their respective proportional part of the total sum so determined, and to commit their respective assessment to the constable or collector of their respective city,

Assessments for sinking fund, repairs, maintenance, etc., apportionment of.

—assessments and collections.

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who shall have all the authority and powers to collect said tax as is vested in him by law to collect state, county and municipal taxes, and who shall pay them to the city treasurer the same as other taxes are paid. On or before the first day of October of the year in which a tax is so levied, the treasurer of said district shall issue his warrant to the treasurer of each of said cities requiring him to transmit and pay the amount assessed as aforesaid on the polls and property within his city to the treasurer of said district or his successor in office before the thirty-first day of December of the same year in which said tax is so levied. In case of failure on the part of the treasurer of either city to pay the sum so assessed on the polls and property within the limits of his city, or any part thereof to the treasurer of said district on or before said thirty-first day of December of the year in which said tax is so levied, the treasurer of said district may thereupon issue his warrant for the amount of the tax to be raised within the limits of the city so in arrears, of said taxes, or so much thereof as shall then remain in arrears, directed to the sheriff of Cumberland county, requiring him to levy it by distress and sale on real and personal property of any of the inhabitants of said city, and the sheriff or either of his deputies shall execute such warrant. Except as otherwise provided herein, the same authority as is vested in county officials for the collection of county taxes under the provisions of chapter ten of the revised statutes, is hereby vested in the officials of said bridge district in relation to the collection of taxes within said district.'

—proceedings, if assessments are not paid on or before Dec. 31, of the year in which tax is assessed.

Section 8, amended.

Section 4. Section eight of said chapter three hundred and sixty-four is hereby amended by inserting after the word "bridge" in the third line thereof, the words 'and approaches thereto,' and after the word "bridge" in the fifth line thereof, the words 'or its approaches,' so that said section when amended, shall read as follows:

Liability for damages to travelers.

'Section 8. After said bridge shall have been completed, the said bridge district shall maintain and keep in repair said new bridge and approaches thereto, also the draw with all its necessary machinery and appurtenant structures and operate the same. In case of injury to travelers using said bridge or its approaches as a highway, said bridge district shall be liable for all injuries resulting from any lack of repair which it is its duty to make under this act, but only under such conditions and limitations and for such amount as towns would be liable under section seventy-six of chapter twenty-three of the revised statutes.'

Section 9, amended.

Section 5. Section nine of said chapter three hundred and sixty-four is hereby amended by striking out the word "seventy" in the second line thereof and inserting in place thereof the

word 'ninety,' so that said section when amended, shall read as follows:

'Section 9. Said district is hereby declared to be a quasi municipal corporation within the meaning of section ninety-six of chapter forty-seven of the revised statutes, and all provisions of said section shall be applicable thereto.'

Bridge district a quasi municipal corporation.

Section 6. The said bridge commissioners are further authorized and empowered from time to time to lay and construct ducts or conduits for wires and cables beneath the surface of the highway and approaches to said new bridge from a point easterly six hundred and fifty feet from the easterly abutment of said new bridge and five hundred feet westerly from the westerly abutment of said new bridge and through the face of said abutments, and construct suitable manholes or openings in said highway and approaches to admit of access to said ducts or conduits; and if said bridge commissioners shall construct ducts or conduits of sufficient capacity, all telephone, telegraph and electric lighting and power companies and all other private or public corporations or individuals desiring to cross the harbor with wires and cables at the point where said bridge crosses, unless permission has been granted them to construct ducts or conduits of their own under this act, shall place their wires or cables within the said ducts or conduits, and attach them to the sides of said new bridge in such manner as shall be approved by said bridge commissioners, and crossing the ship channel beneath the bed and in such manner as not to obstruct navigation and as shall be approved by the United States engineer for the district of Maine; except that if any electric railroad shall obtain permission to lay its tracks over said new bridge, permission may be given by said bridge commissioners to such electric railroad to erect its poles along said new bridge and approaches, and string its trolley wires thereon, the same to be done under the supervision of and in a manner satisfactory to said bridge commissioners. Said bridge district shall thereafter maintain said ducts and conduits and shall receive from the parties using them a reasonable compensation as rental based upon the cost of construction and expense of maintenance. In case said bridge district does not construct such ducts or conduits, or fails to construct them of sufficient capacity to accommodate all persons or corporations desiring to cross the harbor at said point with wires and cables, and the bridge commissioners deem it inexpedient for any reason to lay and construct sufficient additional ducts or conduits for such purposes, any person or corporation may, in that event, obtain permission from the bridge commissioners to lay and construct new or additional ducts and conduits beneath the surface of said approaches and through the face of said abut-

Bridge commissioners may lay conduits for wires, etc., under highways.

—shall not obstruct navigation.



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ments and lay their wires and cables therein, and string their wires and cables along the sides of said new bridge and under the bed of said ship channel in such manner as not to obstruct navigation, and as shall be approved by the United States engineer for the district of Maine, said permission to be obtained in the same manner and under the same restrictions as when permission is obtained of the municipal officers of cities and towns for constructing ducts and conduits and laying wires and cables beneath the surface of highways under chapter fifty-five of the revised statutes.

Section 7. This act shall take effect when approved.

Approved March 28, 1907.

### Chapter 450.

An Act to prohibit the throwing of sawdust and other mill waste into Bog Brook and tributaries in the Counties of Oxford and Androscoggin.

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

Throwing  
sawdust into  
Bog brook  
and tribu-  
taries,  
forbidden.

Section 1. No person shall cast or throw into Bog brook or any of its tributaries, in the towns of Oxford and Hebron, in the county of Oxford, and in the towns of Minot and Mechanic Falls in the county of Androscoggin, any sawdust, shavings, bark or other mill waste or place or deposit such sawdust, shavings, bark or other mill waste along the banks of said waters in such manner that the same shall fall or be washed into said brook or its tributaries, except that the provisions of this section shall not apply to shingle waste.

Penalty for  
violation.

Section 2. Whoever violates any of the provisions of this act shall be subject to a penalty of not less than five nor more than twenty-five dollars, and costs of each offense.

Section 3. This act shall take effect June first, nineteen hundred and seven.

Approved March 28, 1907.