

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE

1913

Including Acts and Resolves of the Special Session held
in 1912.

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

OF THE

STATE OF MAINE

As Passed by the Seventy-Sixth
Legislature

1913

Section 12. Said corporation is hereby authorized to make contracts with said town of Harrison, and with other corporations and individuals, for the purpose of supplying water, for municipal and other purposes; and said town by its selectmen, is hereby authorized to enter into contract with said company for the supply of water, with such exemption from public burden as said town and said company may agree upon, which when made, shall be legal and binding upon all parties thereto.

Section 13. Said town of Harrison at any time after the expiration of five years from the opening for use and service of a system of water works constructed by said corporation and after a vote in a legal town meeting to that effect has been passed, shall have the right to purchase, and by this act said corporation is required to sell to said town said system of water works including everything appertaining thereto, and if said town and corporation cannot agree upon the terms, upon such terms and such price as shall be determined and fixed by the chief justice of the supreme court of the state of Maine, after due hearing of the parties interested, and from the decision of the said chief justice there shall be no appeal.

Approved March 20, 1913.

CHAP. 147

Corporation may contract to supply water.
—town may contract for supply of water.

After five years town of Harrison may purchase the system.

—purchase price, how determined.

Chapter 147.

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.

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

Section 1. The residents of the towns of Mexico and Rumford are hereby authorized and empowered to acquire by purchase or by exercise of the right of eminent domain, which right is hereby expressly delegated to said towns for said purpose, the toll bridge, approaches and toll house, together with all franchises belonging to the same, owned by the Mexico Bridge Company, extending from the town of Mexico across the Androscoggin river to the town of Rumford from a point near the Ridlonville post office. Said Mexico Bridge Company are hereby authorized to sell and transfer all their franchises and property to said towns of Mexico and Rumford.

Towns of Mexico and Rumford authorized to acquire toll bridge.

—Mexico Bridge Co. authorized to sell franchises and property.

Section 2. In exercising any right of eminent domain conferred upon said towns by law from time to time, or any right of eminent domain through or under the franchises of said towns acquired by virtue of this act, said towns shall file in the office of the county commissioners of Oxford county, and re-

In exercising right of eminent domain, description shall be recorded.

CHAP. 147

cord in the registry of deeds in said county, a brief description of such bridge, approaches, toll house and property to be so taken and the names of the owners thereof so far as known, and on the filing of said description and names, said bridge, approaches and toll house shall be deemed to be taken under the right of eminent domain, but title thereto shall not vest in said towns until payment therefor.

Sum to be paid, how determined.

Section 3. If said bridge company and said towns shall not mutually agree upon the sum to be paid therefor, either party upon petition to the county commissioners of the county where said bridge, approaches and toll house are situated, may have damages assessed by them. The procedure and all subsequent proceedings and right of appeal thereon shall be had under the same restrictions, conditions and limitations as are, or may be by law prescribed in the case of damages by the laying out of highways.

Towns of Mexico and Rumford may raise money by taxation to pay for bridge.

Section 4. Whenever the residents of the towns of Mexico and Rumford at any meeting, either special or otherwise, duly called and held, shall vote to take said bridge, each of said towns are hereby authorized to raise by taxation or loan as they may vote a sufficient amount of money to pay for said bridge, either as mutually agreed upon or as found and determined by the county commissioners of Oxford county as aforesaid.

Ownership and division of bridge fixed.

Section 5. The ownership and division of said bridge shall be half and half, that is from the center of the inside of the abutment on the Mexico side to the inside of the abutment on the Rumford side, the easterly half to be the property of the town of Mexico and the westerly half to be the property of the town of Rumford, and to be owned and paid for accordingly, and each of said towns shall be liable for all damages that shall be determined by due process of law, or by mutual agreement, that may have occurred on its respective one-half part.

—liability of each town for damages, which may occur, Each town shall repair its half of bridge.

Section 6. Each town shall maintain and keep in repair from time to time its respective one-half part, and both of said towns through their municipal officers are hereby authorized to operate and maintain said bridge as a toll bridge and to collect tolls at a rate not exceeding the rate now prescribed by said bridge company.

Expenses, shall be borne one-half by each town.

Section 7. One-half part of all the expenses of the repair and maintenance of said bridge, together with the expense of the toll gatherer, shall be borne by each town, that is, one-half part of the expense of the toll gatherer together with the total expenses that each town may incur by reason of maintaining and repairing its respective one-half part. All money received for tolls after such taking shall be set aside and used as fast as ac-

—money for tolls, how disposed of.

cumulated by each town to reimburse it for its amount paid for said bridge, and whenever the tolls so collected shall have reimbursed said towns for the amount so paid, said bridge shall be declared and used by the general public as a free bridge and the county commissioners may locate a legal highway across the same and its approaches and the same shall then be deemed a public highway. This said bridge when taken by purchase or the right of eminent domain shall not be continued as a toll bridge later than five years from January first, nineteen hundred fourteen, and shall be made a free bridge on or before that date by the towns herein named.

Section 8. Each of said towns are hereby authorized and empowered at any regular meeting to raise money by taxation or by loan to carry out the purposes of this act including the original cost, cost of maintenance and carrying on the same. At any time after the taking of said bridge and before the tolls collected have reimbursed said towns, both of them are hereby authorized and empowered to vote to make the same a free bridge, and when such vote has been taken in both towns the same shall be declared to be free from all tolls and used and treated as a public highway, each town to repair and maintain its respective one-half part. In all cases where money is to be raised for the purchase of said bridge or for its repair and maintenance, the inhabitants of each town shall act separately, but in all cases in regard to the management of said bridge, the municipal officers of each town or a majority of each, acting together, shall be considered and treated as a joint commission with full power and authority.

Section 9. In case the county commissioners of Oxford county are called upon to value said bridge and property, their award shall be filed in the clerk's office for the county of Oxford within three months after their hearing and determination. After the report is so filed any single justice of the supreme judicial court either in term time or vacation, after notice and hearing, may confirm or reject said report or recommit it as justice so requires. The award of the county commissioners, or committee in case of an appeal, shall be conclusive as to valuations. Upon confirmation of their report the court so sitting, either in term time or in vacation, shall thereupon after hearing make a final decree upon the whole matter including the transfer of the property and franchises, jurisdiction of which is hereby conferred with the same power to enforce said decree as in equity cases. All the costs and expenses arising out of such petition and appraisal shall be paid and borne as directed by the court in said final decree. The findings of such justice as to

—bridge shall not be continued as a toll bridge after five years.

Towns may raise money by taxation or by loan.

—towns may vote to make the bridge a free bridge.

Valuation of bridge by county commissioners shall be filed in office of county clerk.

S. J. C. may confirm, reject or recommit report.

—upon confirmation of decree, court shall make final decree.

—costs of petition and appraisal, how borne.

CHAP. 148

When vote to take over shall be taken.

Mexico Bridge Co. shall furnish statement of cost of bridge.

—shall furnish a report of annual gross earnings.

Upon payment or tender Mexico Bridge Co. shall deliver title.

Charter extended for two years from time when this act takes effect.

such costs and their apportionment shall be final.

Section 10. Should said towns vote to proceed to take over said bridge by the right of eminent domain as conferred herein, such vote shall be taken not later than August first, nineteen hundred fourteen but the right to purchase said bridge and property by mutual agreement shall not expire until after August first, nineteen hundred fourteen.

Section 11. The Mexico Bridge Company shall on or before May first, nineteen hundred thirteen, furnish to both the municipal officers of the town of Mexico and the town of Rumford a full and accurate statement of the original cost of construction of said bridge, approaches and toll house, giving in detail the cost of both the superstructure of said bridge, its piers and all things pertaining thereto, as well as the cost of foundation.

Said company shall also furnish to said municipal officers an accurate and detailed report of all the gross earnings of said bridge each year to said January first, nineteen hundred thirteen; and shall further present for the examination of said municipal officers all the books, and papers, in explanation and support of all of said statements above required, the same to cover all time from the commencement of work on said bridge to January first, nineteen hundred thirteen, and be as full and complete as the books, papers and knowledge shall permit.

Section 12. Upon payment or tender by said towns of the amount of the final award or valuation of said bridge to be made up to May first, nineteen hundred thirteen, the Mexico Bridge Company shall transfer and deliver a full and valid title to said bridge and all its appurtenances to said towns free and clear of all liens or claims of every name and nature, including all its franchises.

Approved March 20, 1913.

Chapter 148.

An Act to Extend the Charter of the Lubec, East Machias and Machias Railway Company.

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

The time within which the Lubec, East Machias and Machias Railway Company, chartered under chapter one hundred and twenty-three of the private and special laws of nineteen hundred and eleven, shall actually commence business under its charter, is hereby extended two years from the date when this act shall take effect.

Approved March 20, 1913.