

MAINE STATE LEGISLATURE

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DOCUMENTS

PUBLISHED BY ORDER OF

THE LEGISLATURE

OF THE

STATE OF MAINE.

1867.

AUGUSTA:
STEVENS & SAYWARD, PRINTERS TO THE STATE.
1867.

FORTY-SIXTH LEGISLATURE.

HOUSE.

No. 72.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SIXTY-SEVEN.

AN ACT relating to surveyors of highways.

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

SECTION 1. Every person chosen to the office of
2 surveyor of highways in any town, and being summoned
3 as provided in section fifteen of chapter three of the
4 revised statutes, who shall not, within five days after
5 receiving said summons, give notice in writing to the
6 assessors of his town that he does not accept said
7 office, shall be holden to have accepted the same ; and
8 every person so chosen and summoned, not having
9 given the notice to the assessors as aforesaid, who shall
10 refuse or neglect to take the oath required of him
11 within seven days from the time of receiving the sum-

12 mons as aforesaid, shall forfeit ten dollars to the use of
13 the town ; and whenever any person so chosen to said
14 office declines to accept the same, refuses or neglects
15 to take said oath within the time aforesaid, said office
16 shall be deemed to be vacant.

SECT. 2. Whenever any vacancy shall occur in said
2 office as aforesaid or otherwise, the assessors shall
3 forthwith fill said vacancy by the written appointment
4 of some suitable person consenting thereto, and resid-
5 ing in the town, who shall be duly sworn, and shall
6 have all the powers and be subject to all the liabilities
7 as if chosen to said office at the time and in the man-
8 ner provided in section ten of chapter three of the re-
9 vised statutes ; if the assessors shall find no suitable
10 person consenting to fill said vacancy and be sworn as
11 aforesaid, they shall forthwith certify the same in writ-
12 ing to the municipal officers of their town, who shall
13 thereupon be charged with all the powers, duties and
14 liabilities of the office so made vacant, the same as if
15 appointed surveyors of highways by the town.

SECT. 3. Section fifty-four of chapter eighteen of
2 the revised statutes is hereby amended so as to read as
3 follows :

4 “ Sect. 54. Surveyors shall exhibit their rate bills
5 to the municipal officers on the first Monday of July ;

6 and every surveyor at the expiration of his term of
7 office, or on or before the first day of May next fol-
8 lowing the year of his election or appointment, shall
9 make return of his rate bill to the assessors, with a
10 correct account of all amounts expended by him on the
11 ways, together with a list of such persons, if any, as
12 have not worked out or paid the taxes assessed against
13 them and the balance of taxes due from each, and also
14 a certificate under the hand of said surveyor, stating
15 who of said persons were and who were not by him
16 notified according to law to furnish labor and materials
17 to pay said taxes. Any surveyor neglecting to make
18 such returns and certificate as hereinbefore provided,
19 shall forfeit twenty dollars to the use of the town.

SECT. 4. The assessors shall annex a list of the
2 amounts due from each of the persons found delinquent
3 after notice as aforesaid, to their next assessment list
4 of town taxes, and the same shall be committed with
5 said assessment lists to the collector, to be collected as
6 other town taxes, and paid to the treasurer ; and if
7 the assessors shall refuse or neglect so to do, they shall
8 each forfeit the sum of fifty dollars, to be recovered by
9 an action of debt, one half to the use of said town and
10 the other half to the person who shall prosecute there-
11 for.

SECT. 5. If any surveyor of highways shall wilfully
2 or unreasonably neglect to give the notices required in
3 the forty-second section of chapter eighteen of the re-
4 vised statutes, he shall forfeit ten dollars to the use of
5 the town, and shall further be holden to pay to the use
6 of said town, the amount of all sums due from the
7 persons so neglected to be notified.

SECT. 6. Any penalty or forfeiture mentioned and
2 provided in the first, third and fifth sections of this
3 act, shall be recovered in an action of debt, and it
4 shall be the duty of the municipal officers to enforce
5 said penalties.

SECT. 7. Section forty-five of chapter eighteen of
2 the revised statutes and all acts and parts of acts in-
3 consistent with this act, are hereby repealed.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
February 14, 1867. }

Reported by Mr. HOLLAND, from the Committee on Railroad,
Ways and Bridges.

FRANKLIN M. DREW, *Clerk.*