

MAINE STATE LEGISLATURE

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FIFTY-SIXTH LEGISLATURE.

SENATE.

No. 26.

STATE OF MAINE.

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

[S. 46.] AN ACT to further amend section twenty-eight of chapter eighteen of the revised statutes, relating to ways.

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

Section twenty-eight of chapter eighteen of the revised statutes, is hereby further amended, by striking out the word "may" in the third line of said section, and inserting instead the word "shall," so that said section, as amended, shall read as follows :

6 Sect. 28. When a town or highway is not opened
7 and made passable by the town liable, or hill within
8 the same has not been graded, within the time pre-
9 scribed therefor by the commissioners, they shall, after
10 notice to the town, cause it to be done by an agent,

11 not one of themselves, on petition of those interested.
12 The agent shall make a written contract therefor and
13 file a copy of it in the clerk's office ; and the commis-
14 sioners shall forthwith certify to the assessors of the
15 town interested, the time when such contract is to be
16 completed, and the amount to be paid therefor. They
17 may examine the doings of their agent, and at pleas-
18 ure remove him and appoint another. His account is
19 not to be allowed without notice first given to the
20 town. When the contract has been completed and
21 the accounts allowed, the town becomes liable to pay
22 the amount expended, with the expenses of the agent
23 for superintendence, and for procuring the allowance
24 of his account. If the town neglects to pay for thirty
25 days, a warrant of distress is to be issued by the com-
26 missioners to collect the same.

STATE OF MAINE.

IN SENATE, January 30, 1877.

Reported by Mr. WHEELWRIGHT of Penobscot, from the Committee on the Judiciary, and laid over to be printed under the Joint Rule.

S. W. LANE, *Secretary.*