

MAINE STATE LEGISLATURE

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NEW DRAFT.

Sixty-Ninth Legislature.

HOUSE.

No. 153.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT
HUNDRED AND NINETY-NINE.

AN ACT amendatory of and additional to chapter 18 of the Revised Statutes, as amended by chapter 329 of the Public Laws of 1897, relating to the Repair of Highways.

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

Section 1. Section one of chapter 329 of the Public Laws 2 of 1897 is hereby amended by adding the words, 'of chapter 3 18' after the words "seventy-three" in the first line thereof, 4 so that said section as amended, shall read as follows:

'Section 1. Sections 60, 63 and 73 of chapter 18 of the 6 Revised Statutes are hereby repealed.'

Sect. 2. Section 70 of said chapter 18 of the Revised Stat- 2 utes is hereby amended by striking out all of said section 3 after the word "commissioner" in the third line, and inserting 4 in lieu thereof the words, 'or by the selectmen as each town

5 may determine,' so that said section as amended, shall read
6 as follows:

'Sect. 70. Towns may raise money for the repair of
8 bridges and ways, and direct the same to be assessed as for
9 town taxes, to be expended for the purpose by a road commis-
10 sioner or by the selectmen, as each town may determine.'

Sect. 3. Section 4 of said chapter 329 of the Public Laws
2 of 1897 is hereby amended by striking out the word "shall"
3 after the word "meeting" in the first line and inserting in
4 lieu thereof the word 'may,' also by inserting after the word
5 "who" in the second line the words 'under the direction of the
6 selectmen,' also by striking out the words "two dollars" in
7 the eleventh and twelfth lines and inserting in lieu thereof
8 the words 'one dollar and fifty cents,' also by striking out the
9 word "only" in the fourteenth line and inserting in lieu there-
10 of the word 'except,' so that said section as amended shall
11 read as follows:

'Sect. 4. Each town at its annual meeting, may, elect by
13 ballot, a road commissioner who, under the direction of the
14 selectmen, shall have charge of the repairs of all highways
15 and bridges within the towns and shall have authority to em-
16 ploy the necessary men and teams, and purchase timber, plank
17 and other material for the repair of highways and bridges.
18 Said commissioner shall be sworn to the faithful discharge of
19 his duty, give bonds to the satisfaction of the selectmen, and
20 be responsible to them for the expenditure of money, and dis-
21 charge of his duties generally. The compensation of said
22 comissioner shall be such sum as the towns shall annually
23 vote therefor, which sum shall, in no case be less than one
24 dolar and fifty cents per day, of every day of actual service;
25 and he shall render to the selectmen monthly statements of
26 his expenditures, and receive no money from the treasury
27 except on the order of the selectmen.'

Sect. 4. Section 6 of said chapter 329 of the Public Laws
2 of 1897 is hereby amended by striking out the word “seventy-
3 five” in the first line and inserting in lieu thereof the word
4 ‘sixty-five;’ also by inserting after the word “commissioner”
5 in the third line thereof the words ‘or in case no commissioner
6 is elected as the selectmen’ also by striking out the word
7 “deems” in the third line and inserting in lieu thereof the
8 word ‘deem,’ so that said section, as amended shall read as
9 follows:

‘Sect. 6. Sixty-five per cent of the highway taxes assessed
11 shall be expended upon the highways prior to the fifteenth
12 day of July, and the balance at such time as the commissioner
13 or, in case no commissioner is elected, as the selectmen deem
14 for the best good of the public.’

Sect. 5. Section 7 of chapter 329 of the Public Laws of
2 1897 is hereby amended by striking out the entire section and
3 inserting in lieu thereof the following:

‘Sect. 7. If a person elected as road commissioner fails to
5 qualify before the first day of April, the office shall be deemed
6 vacant, and shall be filled by the selectmen by appointment;
7 and in the event of a vacancy caused by death or otherwise,
8 the selectmen shall appoint some competent person to fill out
9 the unexpired term, who shall qualify and perform his duties
10 as prescribed by section four of this act. If a town fails to
11 elect a road commissioner at its annual meeting the money
12 raised and assessed for the repair of bridges and ways as pro-
13 vided by section 70 of chapter 18 of the Revised Statutes,
14 as amended by chapter 329 of the Public Laws of 1897, and
15 as amended by this act, shall be expended for that purpose by
16 the selectmen.’

Sect. 6. Section 8 of chapter 329 of the Public Laws of
2 1897 is hereby amended by adding thereto the following
3 words:

‘In case no commissioner is elected by the towns at its annual
5 meeting the selectmen of said towns shall keep an accurate
6 account showing in detail all moneys paid out by them for the
7 repair of bridges and ways, to whom and for what purpose,
8 and the same shall be reported in the annual town report in
9 detail,’ so that said section as amended, shall read as follows :

‘Sect. 8. Said commissioner shall keep accurate accounts,
11 showing in detail, all moneys paid out by him, to whom and
12 for what purpose; he shall settle his accounts on or before
13 the twentieth day of February, annually, and the same shall
14 be reported in the annual town report in detail. In case no
15 commissioner is elected by a town at its annual meeting, the
16 selectmen of said town shall keep accurate accounts showing
17 in detail all moneys paid out by them for the repair of bridges
18 and ways, to whom and for what purpose, and the same shall
19 be reported in the annual town report in detail.’

Sect. 7. Section 9 of chapter 329 of the Public Laws of
2 1897 is hereby amended by striking out the word “respective”
3 in the first line and all of said section after the word “election”
4 in the second line; so that said section as amended shall read
5 as follows :

‘Sect. 9. Said commissioner shall hold his office for the
7 term of one year from the date of his election.’

Sect. 8. This act shall take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES.

Augusta, February 22, 1899.

Reported by Mr. CHASE of Portland, from Committee on Legal
Affairs, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*