

MAINE STATE LEGISLATURE

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Sixty-Ninth Legislature.

SENATE.

No. 66.

STATE OF MAINE.

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

AN ACT amendatory of and additional to Chapter eighteen of the Revised Statutes, as amended by Chapter three hundred and twenty-nine of the Public Laws of eighteen hundred and ninety-seven, 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 three hundred and twenty-nine of the public laws of eighteen hundred and ninety-seven is hereby amended by adding the words 'of chapter eighteen' after the words "seventy-three" in the first line thereof, so that said section, as amended, shall read as follows:

'Section 1. Sections sixty, sixty-three and seventy-three of chapter eighteen of the revised statutes are hereby repealed.'

Section 2. Section seventy of said chapter eighteen of the revised statutes is hereby amended by striking out all of said section after the word "commissioner," in the third line, and inserting in lieu thereof the words 'or by the selectmen as each town may determine,' so that said section, as amended, shall read as follows:

‘Section 70. Towns may raise money for the repair of bridges
8 and ways and direct the same to be assessed as for town taxes,
9 to be expended for the purpose by a road commissioner or by
10 the selectmen as each town may determine.’

Section 3. Section four of said chapter three hundred and
2 twenty-nine of the public laws of eighteen hundred and ninety-
3 seven is hereby amended by striking out the word “shall” after
4 the word “meeting” in the first line and inserting in lieu thereof
5 the word ‘may,’ also by inserting after the word “who” in the
6 second line the words ‘under the direction of the selectmen,’ also
7 by striking out the words “two dollars” in the eleventh and
8 twelfth lines and inserting in lieu thereof the words ‘one dollar
9 and fifty cents,’ also by striking out the word “only” in the
10 fourteenth line and inserting in lieu thereof the word ‘except,’
11 so that said section, as amended, shall read as follows :

‘Section 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 and
15 bridges within the towns and shall have authority to employ
16 the necessary men and teams, and purchase timber, plank and
17 other material for the repair of highways and bridges. Said
18 commissioner shall be sworn to the faithful discharge of his
19 duty, give bonds to the satisfaction of the selectmen, and be
20 responsible to them for the expenditure of money, and dis-
21 charge of his duties generally. The compensation of said com-
22 missioner shall be such sum as the towns shall annually vote
23 therefor, which sum shall, in no case be less than one dollar
24 and fifty cents per day, of every day of actual service ; and he
25 shall render to the selectmen monthly statements of his expendi-
26 tures, and receive no money from the treasury except on the
27 order of the selectmen.’

Section 4. Section six of said chapter three hundred and
2 twenty-nine of the public laws of eighteen hundred and ninety-
3 seven is hereby amended by striking out the word “seventy-

4 five" in the first line and inserting in lieu thereof the word
 5 'sixty-five,' also by inserting after the word "commissioner" in
 6 the third line thereof the words 'or in case no commissioner is
 7 elected as the selectmen,' also by striking out the word "deems"
 8 in the third line and inserting in lieu thereof the word 'deem,'
 9 so that said section, as amended, shall read as follows :

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

Section 5. Section seven of chapter three hundred and
 2 twenty-nine of the public laws of eighteen hundred and ninety-
 3 seven is hereby amended by striking out the entire section and
 4 inserting in lieu thereof the following :

'Section 7. If a person elected as road commissioner fails to
 6 qualify before the first Monday of April, the office shall be
 7 deemed vacant, and shall be filled by the selectmen by appoint-
 8 ment ; and in the event of a vacancy caused by death or other-
 9 wise, the selectmen shall appoint some competent person to fill
 10 out the unexpired term, who shall qualify and perform his
 11 duties as prescribed by section four of this act. If a town fails
 12 to elect a road commissioner at its annual meeting the money
 13 raised and assessed for the repair of bridges and ways as pro-
 14 vided by section seventy of chapter eighteen of the revised
 15 statutes, as amended by chapter three hundred and twenty-nine
 16 of the public laws of eighteen hundred and ninety-seven, and
 17 as amended by this act, shall be expended for that purpose by
 18 the selectmen.'

Sect. 6. Section eight of chapter three hundred and twenty-
 2 nine of the public laws of eighteen hundred and ninety-seven is
 3 hereby amended by adding thereto the following words : 'In
 4 case no commissioner is elected by the towns at its annual

5 meeting the selectmen of said towns shall keep an accurate ac-
6 count showing in detail all moneys paid out by them for the re-
7 pair of bridges and ways, to whom and for what purpose, and
8 the same shall be reported in the annual town report in detail,
9 so that said section, as amended, shall read as follows :

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

Section 7. Section nine of chapter three hundred and twenty-
2 nine of the public laws of eighteen hundred an ninety-seven is
3 hereby amended by striking out the word “respective” in the
4 first line and all of said section after the word “election” in the
5 second line, so that said section, as amended, shall read as follows :

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

Section 8. Any town may, at its option, elect not more than
2 three commissioners whose powers and duties shall be the same
3 as prescribed for a single commissioner.

Section 9. This act shall take effect when approved.

STATE OF MAINE.

IN SENATE, February 24, 1899.

On motion by Mr. WEEKS of Somerset, three thousand copies ordered printed.

KENDALL M. DUNBAR, *Secretary.*