

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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SEVENTY-SIXTH LEGISLATURE

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HOUSE

NO. 252

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*House of Representatives, Feb. 17, 1913.*

*Reported by Mr. Smith from Committee on Judiciary, and ordered printed under joint rules.*

*W. R. ROIX, Clerk.*

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND THIRTEEN.

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AN ACT to amend Section 5 of Chapter 21 of the Revised  
Statutes of Maine, relating to liens upon sewers.

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

Section 1. That Section 5 of Chapter 21 of the Revised  
2 Statutes of Maine is hereby amended by adding at the end  
3 of said section the following words: 'The lien herein  
4 created shall take effect when the Municipal Officers file with  
5 the City Clerk the completed assessment,' so that said section  
6 as amended, shall read as follows:

'Sect. 5. When any town has constructed and completed  
8 a public drain or common sewer, the municipal officers shall

9 determine what lots or parcels of land are benefited by such  
10 drain or sewer, and shall estimate and assess upon such lots  
11 and parcels of land, and against the owner thereof, or per-  
12 son in possession, or against whom the taxes thereon shall  
13 be assessed, whether said person to whom the assessment is  
14 so made shall be the owner, tenant, lessee or agent, and  
15 whether the same is occupied or not, such sum not exceeding  
16 such benefit as they may deem just and equitable towards  
17 defraying the expenses of constructing and completing such  
18 drain or sewer, the whole of such assessments not to ex-  
19 ceed one-half of the cost of such drain or sewer, and such  
20 drain or sewer shall forever thereafter be maintained and  
21 kept in repair by such town. The municipal officers shall  
22 file with the clerk of the town the location of such drain or  
23 sewer, with a profile description of the same, and a state-  
24 ment of the amount assessed upon each lot or parcel of land  
25 so assessed, and the name of the owner of such lots or par-  
26 cels of land or person against whom said assessment shall be  
27 made, and the clerk of such town shall record the same in a  
28 book kept for that purpose, and within ten days after filing  
29 such notice, each person so assessed shall be notified of such  
30 assessment by having an authentic copy of said assessment,  
31 with an order of notice signed by the clerk of said town,  
32 stating the time and place for a hearing upon the subject  
33 matter of said assessments, given to each person so assessed  
34 or left at his usual place of abode in said town; if he has no  
35 place of abode in said town, then such notice shall be given

36 or left at the abode of his tenant or lessee if he has one in  
37 said town; if he has no such tenant or lessee in said town,  
38 then by posting the same notice in some conspicuous place  
39 in the vicinity of the lot or parcel of land so assessed, at  
40 least thirty days before said hearing, or such notice may be  
41 given by publishing the same three weeks successively in any  
42 newspaper published in said town, the first publication to be  
43 at least thirty days before said hearing; a return made upon  
44 a copy of such notice by any constable in said town or the  
45 production of the paper containing such notice, shall be con-  
46 clusive evidence that said notice has been given, and upon  
47 such hearing the municipal officers shall have power to re-  
48 vise, increase or diminish any of such assessments, and all  
49 such revisions, increase or diminution shall be in writing  
50 and recorded by such clerk. The lien herein created shall  
51 take effect when the municipal officers file with the city clerk  
52 the completed assessment.'