

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

SENATE

NO. 452

In Senate, March 7, 1913.

Presented by Senator Copant of Waldo, and on motion by Senator Hersey of Aroostook laid on the table for printing pending reference to a committee and five hundred extra copies ordered printed.

W. E. LAWRY, Secretary.

STATE OF MAINE

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

AN ACT establishing a State Highway Commission and providing for an issue of State Highway Bonds.

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

Section 1. The objects of this act are to establish a state
2 highway commission; to provide for an interlocking system
3 of state highways; to furnish state aid for important county
4 and town highways; to provide for the continuous maintenance
5 of all highways to the improvement of which the
6 state has contributed or shall hereafter contribute; to provide
7 for a bond issue, and for the equitable distribution of

8 the proceeds of the same among the several counties.

Section 2. The rules of construction in section six of
2 chapter one of the revised statutes shall apply to this act.

3 The word "maintenance" shall include the restoring of re-
4 constructed and improved highways to their condition when
5 improved and shall be applicable only to highways to the
6 improvement of which the state has contributed or shall

7 hereafter contribute, except as elsewhere herein provided.
8 The word "commission" shall mean the state highway com-
9 mission. The word "town" shall include cities, towns, or-
10 ganized plantations and unincorporated townships, except
11 as herein otherwise indicated. The words "municipal offi-
12 cers" shall also include county commissioners having juris-
13 diction over highways in unincorporated townships. The
14 word "valuation" shall mean the valuation last made by the
15 state board of assessors. The word "section" shall refer
16 to this act, unless otherwise indicated.

Sect. 3. Within thirty days after this act takes effect the
2 governor with the advice and consent of the council shall
3 appoint a state highway commission consisting of three
4 members, one to serve three years, one to serve two years,
5 and one to serve one year. Each member of the commis-
6 sion shall be paid a salary of five hundred dollars per an-
7 num, payable in equal quarterly payments, and shall be paid
8 also his actual necessary expenses incurred when engaged
9 on official business. As vacancies occur by expiration they
10 shall be filled by appointment as above described and such

11 appointment shall be for three years. Whenever a vacancy
12 occurs by reason of death, incapacity, or resignation, ap-
13 pointment shall be made as above described for the unex-
14 pired portion of such term. The first member appointed
15 for three years shall be the chairman of the commission,
16 and shall continue in such capacity for his full term. Suc-
17 ceeding chairmen shall be chosen annually by the commis-
18 sion from its own members, but in case of no choice, the
19 governor shall appoint the chairman. The attorney general
20 of the state shall be attorney for the commission and shall
21 without additional compensation give the commission such
22 counsel, advice and service as it may from time to time
23 require. The commission shall be furnished with suitable
24 offices at the seat of government.

Sect. 4. The state highway commission when appointed
2 and qualified under this act shall take over all the affairs
3 of the present state highway commissioner and his office,
4 including all office records and accounts, and all existing
5 contracts to which the state is a party, and all powers and
6 duties of said commissioner relating thereto. The com-
7 mission shall perform all the duties and may exercise all
8 the powers expressly or impliedly given it by this act. The
9 office of the present state highway commissioner is hereby
10 abolished as of the date on which the state highway com-
11 mission provided by this act is appointed and qualified.
12 The commission shall succeed to all rights and duties of
13 said state highway commissioner under all contracts made

14 by him and it shall have full power to enforce the same at
15 law and in equity.

Sect. 5. The commission shall select and with the ap-
2 proval of the governor and council appoint as chief engi-
3 neer, a civil engineer having experience in and knowledge
4 of highway construction, upon terms to be fixed from time
5 to time by the commission subject to the approval of the
6 governor and council. Said engineer shall hold office dur-
7 ing the pleasure of the commission. He shall under the
8 direction and control of the commission have general charge
9 of the office, the records, and all construction and mainte-
10 nance work, and may with the approval of the commission
11 employ necessary clerical assistance. The engineer may
12 with the approval of the commission employ such other en-
13 gineers, supervisors, assistants and other help as he may
14 deem necessary in the administration and execution of this
15 act. All salaries for persons employed by the engineer
16 shall be approved by the commission. All salaries and ex-
17 penses contemplated by this section shall be paid from the
18 fund for maintenance and administration.

Sect. 6. The commission shall cause charts and maps to
2 be made showing the location and mileage of all highways
3 in the state, and shall classify the highways of the state into
4 three general classes, and may from time to time amend
5 such classification namely: First, state highways, which
6 shall mean a system of connected main highways throughout
7 the state. Second, state aid highways, which shall mean

8 such highways not included in the system of state high-
9 ways as shall be thoroughfares between principal settle-
10 ments, or between settlements and their market or shipping
11 point and in so far as practicable feeders to the state high-
12 ways. Third, third class highways, which shall mean all
13 other highways not included in the two classes above men-
14 tioned.

Sect. 7. The commission shall have full power from time
2 to time to make and shall enforce rules and regulations re-
3 lating to construction and maintenance of all state and state
4 aid highways and relating to the manner of conducting all
5 investigations and hearings and the administration of its
6 office, powers and duties, subject to the provisions of this
7 act, and shall direct the expenditure of all moneys for con-
8 struction and maintenance of all state and state aid high-
9 ways. The commission shall have full power from time to
10 time to purchase, lease or hire all machinery, tools, imple-
11 ments and property necessary for highway engineering and
12 construction and for the administration and execution of
13 its duties, and to contract for such labor, materials and
14 property as it may deem necessary for the examination,
15 building and construction of state and state aid highways.
16 The commission may be consulted by and shall without
17 charge advise municipal officers and road commissioners on
18 the subject of construction and maintenance of public high-
19 ways. On all state and state aid highways all guide-posts
20 shall be of such reasonable form, height and design as the

21 commission shall designate. The commission may establish
22 detour roads during construction or repair of state or state
23 aid highways, and may authorize the expenditure of such
24 sums as it deems necessary to make the same safe for travel.
25 In all state and state aid highway construction and main-
26 tenance the commission shall have the powers of municipal
27 officers conferred by section twenty-six of chapter twenty-
28 one of the revised statutes relating to construction and main-
29 tenance of ditches and drains. The commission shall when-
30 ever practicable give preference in employment to the inhab-
31 itants of the town in which such highways are located.

Sect. 8. The commission shall lay out, construct and main-
2 tain a system of state and state aid highways substantially
3 as herein described, and the expense of constructing such
4 state highways shall be borne wholly by the state, except as
5 otherwise provided in section twenty-three. The commis-
6 sion shall be sole arbiter of the designation of the state and
7 state aid highways, but shall after reasonable notice by pub-
8 lication give all parties interested an opportunity to be heard
9 thereon before commencing such construction. Except as
10 provided in section twenty-three, the construction of state
11 highways shall be paid for wholly from the proceeds of the
12 state bond issue herein provided for, and such proceeds of
13 the aggregate of such bonds shall be expended equitably
14 among the various counties.

Sect. 9. State highways shall be continually maintained
2 under the direction and control of the commission at the

3 joint expense, as hereinafter provided, of the state and the
4 town in which the same are located; the charge against such
5 town for maintenance of its state highways shall be the
6 actual cost of such maintenance but not exceeding an aver-
7 age of sixty dollars per mile per annum, but the commission
8 may in respect thereto grant to such towns such financial
9 assistance as it deems advisable. The provisions of this
10 section shall apply only to those state highways constructed
11 and improved by the state under this act, and to such other
12 portions of designated state highways, to the improvement
13 of which the state has heretofore contributed, as the com-
14 mission may hereafter indicate as taken over by it, and the
15 commission shall as rapidly as it deems advisable so take
16 over such highways for the purpose of maintenance as here-
17 in provided.

Sect. 10. If any town fails to pay, except as otherwise
2 provided within this act, its portion of the cost of the main-
3 tenance of state and state aid highways on or before the
4 first day of January of the following year, the same shall
5 be collected and paid in the manner provided in section
6 twenty-five and the amounts so collected from such town
7 shall be added to the fund for maintenance and adminis-
8 tration.

Sect. 11. The commission shall have full power in the
2 letting of all contracts for the construction of all state and
3 state aid highways except as elsewhere herein otherwise

4 provided. The commission shall make all surveys, plans,
5 estimates, specifications and contracts for all proposed work,
6 and shall advertise for bids for the same in two or more
7 public newspapers printed wholly or in part in the state,
8 also in one public newspaper printed wholly or in part in
9 the county where the proposed work is to be done, if any
10 such newspaper is so printed in such county. Such adver-
11 tisement shall state the place where the bidders may examine
12 the plans and specifications, and the time and place where
13 the bids for such work will be received by the commission.
14 Each bidder must accompany his bid with a certified check,
15 payable to the state treasurer, for ten per centum of the
16 amount of his bid as a guarantee that if the work is awarded
17 to him he will contract with the commission for its due exe-
18 cution. Such check shall be returned to the respective un-
19 successful bidders. The check of the successful bidder shall
20 be returned to him upon the execution and delivery to the
21 commission of his contract and his bond with sufficient sure-
22 ties, in terms satisfactory to the commission for the due
23 execution of such work. All bids so submitted shall be pub-
24 licly opened, read and posted at the time and place stated
25 in such advertisement. The commission shall have the right
26 to reject any or all bids if in its opinion good cause exists
27 therefor, but otherwise it shall award the contract to the
28 lowest responsible bidder. Any town may submit bids for
29 state and state aid highway construction within its limits,
30 and shall be subject to all requirements prescribed for other

31 contractors, except that no bond need be required of it. If
32 all bids for work under this act are rejected, or if no bids
33 are received, the commission may perform said work by any
34 method which the governor and council approve. The com-
35 mission shall have full power in all matters relating to the
36 furnishing of bonds by the successful bidders for the com-
37 pletion of their work and fulfilling of their contracts, and
38 for the protection of the state and town from all liability
39 arising from damage or injury to persons or property. The
40 commission after making surveys, plans and estimates for
41 proposed construction of state aid highways in a town may
42 when deemed by said commission advisable, make contracts
43 with such town according to said survey and specifications
44 and upon terms satisfactory to and under control of the
45 commission without advertising said contracts for bids.

Sect. 12. The commission may purchase, take over, and
2 hold for the state as for public use such materials and land
3 as may be necessary to provide a change of location or align-
4 ment of any state or state aid highway as herein designated,
5 or to secure materials, including clay, gravel, sand and rock,
6 with necessary ways and access thereto, for the improve-
7 ment, construction, and maintenance of state and state aid
8 highways under the provisions of this act. Whenever the
9 commission determines that public exigency requires the
10 taking of land as aforesaid, it shall cause the same to be
11 surveyed and described and a plan thereof and said descrip-
12 tion to be recorded in the registry of deeds for the county

13 where the same is located, and notice thereof shall be given
14 in some newspaper, if any, published wholly or in part in
15 said county. If the commission is unable to purchase such
16 material or land with necessary ways and access thereto at
17 what it deems a reasonable valuation, the county commis-
18 sioners of the county wherein such material or land is lo-
19 cated shall, on petition of the commission or interested par-
20 ties, ascertain and determine the damages in the same man-
21 ner as provided by statute for land taken for highway pur-
22 poses, and all parties aggrieved by the estimate of damages
23 shall have like remedies as provided by statute for appraisal
24 of damages for land taken by towns for highway purposes,
25 and such damages shall be paid by the treasurer of state,
26 from the appropriate funds provided under this act. The
27 commission may vacate any land or part thereof or rights
28 in land which have been taken or acquired for highway
29 purposes under the provisions of this act, by executing and
30 recording a deed thereof, and said vacation shall revert the
31 title to the land or rights so vacated in the persons, their
32 heirs and assigns, in whom it was vested at the time of the
33 taking, and the value at the time of vacation may be pleaded
34 in mitigation of damages in any suit therefor on account
35 of such taking. The governor and council on recommenda-
36 tion of the commission are authorized to sell and convey
37 on behalf of the state the interests of the state in property
38 acquired by purchase under this section and deemed no
39 longer necessary for the purposes of this act, and the pro-

40 ceeds of such sale shall so far as practicable be credited to
41 the fund from which such purchase was originally made.

Sect. 13. No part of bond issue funds for construction
2 shall be expended on any highway within the compact por-
3 tions of any town, except in towns of less than twenty-five
4 hundred inhabitants, such compact portions to be determined
5 by the commission. All state highways within such com-
6 pact portions shall be maintained in good repair by the town
7 wherein the same are located at the expense of the town
8 and whenever any town shall neglect so to do within four-
9 teen days after notice given its municipal officers by the
10 commission, the commission may proceed to make necessary
11 repairs to such way, which shall be paid for by the state
12 and the cost thereof shall be collected and paid as provided
13 in section twenty-five; and the amounts so collected from
14 such town shall be added to the fund for maintenance and
15 administration. The commission may in respect thereto
16 grant such towns such financial assistance as it deems ad-
17 visable.

Sect. 14. The commission may alter, widen or change the
2 grade of any state or state aid highway whenever in its
3 judgment the public exigency may require, and it may lay
4 out, establish and open a new highway as a state or state
5 aid highway. It may also discontinue a highway as a state
6 or state aid highway and the same shall be thereafter main-
7 tained by the town or county originally liable therefor except
8 as herein otherwise provided. The commission shall fix a

9 time and place for hearing on any such alteration, widening,
10 change of grade or laying out, giving at least fourteen days
11 notice of the time and place of hearing in the same manner
12 as provided by statute in respect to laying out highways.
13 If after a view of such way the commission shall judge that
14 the public necessity requires that such way be altered, wid-
15 ened, changed or graded, or that a new way be laid out,
16 established and opened as a state or state aid highway, it
17 shall proceed to perform the duties required, and make a
18 correct return of its doings accompanied by an accurate
19 plan of such highway as laid out or altered; and shall pro-
20 ceed to estimate and award such damages in the same man-
21 ner as provided by statute in respect to highways. The re-
22 turn of the commission and all rights of appeal by parties
23 aggrieved by their proceedings shall be the same as pro-
24 vided by statute in respect to highways. Damages found as
25 above provided shall be apportioned by the commission as
26 law and justice may require and shall be paid accordingly.

Sect. 15. By consent of all parties in interest any investi-
2 gation, inquiry or hearing which the commission is author-
3 ized to hold may be held by a single member of the com-
4 mission, and his finding, when approved by the commission
5 and so shown on its records, shall be deemed to be the find-
6 ing of the commission.

Sect. 16. The provisions of section seven of chapter fifty-
2 five of the revised statutes and of chapter thirty-four of the
3 public laws of nineteen hundred and eleven relating to the

4 repair of streets dug into may be enforced by the commis-
5 sion whenever state or state aid highways are affected. No
6 town in which a state or state aid highway lies shall be re-
7 lieved from any obligations of statute relating to ways
8 blocked or encumbered with snow, anything to the contrary
9 elsewhere in this act notwithstanding.

Sect. 17. Municipal officers shall designate such practi-
2 cable systems of public ways within their jurisdiction as will
3 best serve outlying communities, connect adjoining towns
4 and villages, and facilitate travel in reaching markets, rail-
5 road connections and state roads; due consideration being
6 given to cost as well as distance and volume of travel. A
7 suitable description of each such way shall be thereupon pre-
8 sented to the commission for its approval, and upon the
9 same being approved and accepted by the commission said
10 way shall be established and known as a state aid highway.
11 Twenty or more voters in any such town by written peti-
12 tion, presented within thirty days after the description of
13 such way has been filed with the commission, shall have the
14 right to be heard on the acceptance thereof, and the com-
15 mission may accept or reject any part or all of such way
16 and impose terms in respect thereto.

Sect. 18. State aid highways shall be continually main-
2 tained under the direction and control of the commission
3 at the joint expense of the state and town in which the same
4 are located; the charge against such town for maintenance
5 of its state aid highways shall not exceed fifty per centum

6 of the actual cost of such maintenance nor an average of
7 thirty dollars per mile per annum. The provisions of this
8 section shall apply only to those state aid highways con-
9 structed and improved by the state under this act, and to
10 such other portions of designated state aid highways, to the
11 improvement of which the state has heretofore contributed,
12 as the commission may hereafter indicate as taken over by
13 it, and the commission shall as rapidly as it deems advisable
14 so take over such highways for the purpose of maintenance
15 as herein provided.

Sect. 19. If any town desires state aid as provided by this
2 act, for the building or permanent improvement of one or
3 more of its state aid highways, such town may raise and
4 appropriate in addition to the amounts regularly raised and
5 appropriated for the care of ways, highways and bridges
6 the following amounts on account of which state aid shall
7 be paid:

Towns having a valuation of two hundred thousand dol-
9 lars or less may appropriate any amount not exceeding three
10 hundred dollars; towns having a valuation of over two hun-
11 dred thousand dollars and not over eight hundred thousand
12 dollars may appropriate any amount not exceeding five hun-
13 dred thirty-three dollars; towns having a valuation of over
14 eight hundred thousand dollars and not over one million
15 dollars may appropriate an amount not exceeding six hun-
16 dred dollars; and towns having a valuation of over one
17 million dollars and not over three million dollars may appro-

18 priate in addition to the sum of six hundred dollars an addi-
19 tional sum of sixty-six dollars for each two hundred thou-
20 sand dollars or fraction thereof valuation in excess of one
21 million; towns having a valuation of over three million dol-
22 lars and not over four million dollars may appropriate not
23 exceeding one thousand three hundred and thirty-three dol-
24 lars; and towns having a valuation of over four million
25 dollars may appropriate in addition to the sum of one thou-
26 sand three hundred and thirty-three dollars an additional
27 sum not exceeding one hundred and thirty-three dollars for
28 each additional one million dollars of additional valuation.

Sect. 20. On or before the thirty-first day of December
2 in the year 1913, and thereafter annually between the fif-
3 teenth day of July and the fifteenth day of August in each
4 year, municipal officers shall prepare and file with the com-
5 mission suggestions for the improvement during the next
6 calendar year of state aid highways located in each town
7 accompanied by plans so far as practicable, setting forth
8 the location of the highway and the nature of the improve-
9 ment desired. The commission shall examine and report
10 thereon with its recommendations to such municipal officers
11 on or before the twentieth day of February following. Such
12 report shall be submitted to the voters of such towns at the
13 next regular meeting of such town. The municipal officers
14 shall insert in the warrant for each annual town meeting an
15 article calling upon the voters to vote "yes" or "no" on the
16 question of the appropriation of money necessary to entitle

17 the town to state aid for state aid highways for that year.
18 If any such town then appropriates money for work con-
19 templated in such report, and for the purpose of securing
20 state aid as provided in this act, the municipal officers shall
21 forthwith notify the commission of the amount so appro-
22 priated. The commission shall thereupon finally approve,
23 change or disapprove such action, in whole or in part, as
24 the appropriation and conditions require, and shall notify
25 the municipal officers of its action. This section shall not
26 prohibit towns from voting to do either more or less high-
27 way improvement than that contemplated in such report or
28 from making any appropriation under the terms of this act.
29 Towns failing to comply with the provisions hereof shall
30 not be entitled to state aid for the year when such state aid
31 otherwise would be available under this section.

Sect. 21. The commission from the fund for state aid
2 construction provided by this act shall to each town which
3 has conformed to the provisions of sections nineteen and
4 twenty for each dollar so appropriated apportion the fol-
5 lowing amounts: To each town having a valuation of two
6 hundred thousand dollars or less, two dollars for each dol-
7 lar appropriated by said town; to each town having a valu-
8 ation over two hundred thousand dollars and not over one
9 million dollars, one dollar for each dollar appropriated by
10 said town; to each town having a valuation of over one
11 million dollars and not over one million two hundred thou-
12 sand dollars, ninety-two cents for each dollar appropriated

13 by said town; to each town having a valuation of over one
14 million two hundred thousand dollars and not over one mil-
15 lion four hundred thousand dollars, eighty-five cents for
16 each dollar appropriated by said town; to each town having
17 a valuation of over one million four hundred thousand dol-
18 lars and not over one million six hundred thousand dollars,
19 eighty cents for each dollar appropriated by said town; and
20 to each town having a valuation of over one million six hun-
21 dred thousand dollars, seventy-five cents for each dollar so
22 appropriated by said town. The money appropriated by
23 towns applying for state aid as hereinbefore provided with
24 the amount apportioned by the commission as hereinbefore
25 provided shall constitute a joint fund for the construction
26 and permanent improvement of the state aid highways in
27 such towns.

Sect. 22. If any town shall in any single year prior to the
2 year 1920 increase its appropriation for state aid roads to
3 an amount not exceeding five times the maximum amount
4 which it may annually appropriate under section nineteen,
5 the commission may, from any balance of said fund for
6 state aid construction, after the appropriations contemplated
7 in section twenty-one and subject to the provisions of sec-
8 tion twenty-four, appropriate a like increase of state aid
9 together with an additional sum equal to twenty-five per
10 centum of such increase of state aid; but such appropria-
11 tion shall not deprive the town of its right to the regular
12 annual state aid in other years; the appropriations contem-

13 plated by this section shall be united with and become a
14 part of the joint fund referred to in section twenty-one.

Sect. 23. If any town desires that the whole or any por-
2 tion of said joint fund shall be applied to the construction
3 of a designated state highway within its boundaries, the
4 same may be so applied at the discretion of the commission;
5 but such portion of the state highway constructed in such
6 manner shall be thereafter a state highway and subject to
7 all the provisions of this act relating to state highways.

Sect. 24. If the commission finds that in any year the
2 aggregate appropriations contemplated to be made by it
3 under the provisions of section twenty-one exceed the
4 amount available therefor in the said fund for state aid
5 construction, the commission shall make a pro rata reduc-
6 tion of the several amounts appropriated by the towns so
7 that the aggregate of the same shall be properly propor-
8 tioned to the amount available from said fund as set forth
9 in said section twenty-one, and thereupon the commission
10 shall notify the municipal officers of each town thereby
11 affected and the appropriation to be raised by such town
12 shall be thereby accordingly reduced.

Sect. 25. Payments by towns of their shares of the joint
2 fund herein provided shall be made forthwith to the state
3 treasurer on requisition by the commission as the work pro-
4 gresses. If any town shall fail to pay its share as above
5 provided, the amounts payable by such town to the state
6 under this act shall be certified by the commission to the

7 state auditor, who if he finds the amount correct shall cer-
8 tify it to the treasurer of state, and unless sooner paid it
9 shall be collected and paid in the same manner as any state
10 tax against such town or county, with interest at six per
11 centum per annum from the date of the auditor's certifica-
12 tion to the treasurer of state.

Sect. 26. The commission shall provide for a system of
2 patrol for all state highways to which section nine may ap-
3 ply and for all state aid highways to which section eighteen
4 may apply so that all sections of such highways may be
5 effectually and economically preserved and maintained.

Sect. 27. The state shall be liable to towns and counties
2 for any judgment recovered in any action against such town
3 or county under the provisions of sections seventy-six, sev-
4 enty-seven, seventy-eight, seventy-nine and eighty of chap-
5 ter twenty-three of the revised statutes, but only when per-
6 taining to those state and state aid highways to the im-
7 provement of which the state has contributed; or to which
8 sections nine or eighteen may apply; provided however that
9 within twenty-four hours after any of the various officials
10 mentioned in said section seventy-six first has notice of such
11 defect or want of repair or sufficient railing such officials
12 shall give written notice thereof to some member of the
13 commission; provided also that within ten days after any
14 of the various officials mentioned in said section seventy-
15 six first has notice of any injury to any person such official
16 shall give written notice thereof to some member of the

17 commission; provided also that the state shall not be liable
18 for any injury sustained upon the sidewalk of any such
19 state or state aid highway or sustained during the construc-
20 tion of such state or state aid highway; provided also that
21 the state shall not be liable for any injury under this sec-
22 tion in an amount exceeding four thousand dollars; pro-
23 vided also that any sums recoverable under section eighty-
24 one of said chapter twenty-three shall be deducted from the
25 judgment against such town or county in determining the
26 liability of the state under this section. The commission
27 may appear and take upon itself the defense of any action
28 affecting the liability of the state under this section.

Sect. 28. The treasurer of state is hereby authorized un-
2 der the direction of the overnor and council to issue from
3 time to time coupon bonds in the name and behalf of the
4 state not exceeding two million dollars in amount outstand-
5 ing at any one time, payable at the state treasury within
6 forty-one years from the date of issue at a rate of interest
7 not exceeding four per centum per annum, interest payable
8 semi-annually and signed by the treasurer of state, counter-
9 signed by the governor and attested by the state auditor
10 with the seal of the state affixed. The coupons attached to
11 said bonds shall bear the fac-simile of the signature of the
12 treasurer of state instead of his original signature; and
13 such bonds and coupons shall be of such form and upon
14 such terms and conditions not inconsistent herewith as the
15 governor and council shall direct. Said bonds and the pro-

16 ceeds thereof shall be designated as the state highway loan
17 and shall be deemed a pledge of the faith and credit of the
18 state.

Sect. 29. The state auditor shall keep an account of such
2 bonds, showing the number and amount of each, the date
3 of countersigning, the date when payable, and the date of
4 delivery thereof to the treasurer of state, who shall keep
5 an account of each bond, showing the number thereof, the
6 name of the person to whom sold, the amount received for
7 the same, the date of sale, and the date when payable.

Sect. 30. The treasurer of state may negotiate the sale
2 of such bonds by direction of the governor and council, but
3 the amount of such bonds originally issued in any one year
4 shall not exceed the sum of five hundred thousand dollars,
5 and none of such bonds shall be sold for less than its par
6 value, nor shall any such bond be loaned, pledged or hypo-
7 thecated in behalf of the state. The proceeds of the sales
8 of such bonds shall be held by the treasurer of state and
9 paid by him upon warrants drawn by the governor and
10 council for the purposes of this act. The commission with
11 the approval of the governor and council shall divide the
12 expenditure of the money raised from the sales of such
13 bonds in such manner as will carry into effect the provisions
14 of this act and conform to the constitution of the state;
15 and so much thereof as may be necessary to carry out the
16 provisions of this act is hereby appropriated.

Sect. 31. All fees received by the secretary of state under

2 section twenty-one of chapter one hundred and sixty-two
3 of the public laws of nineteen hundred and eleven shall be
4 delivered to the state treasurer each calendar month and
5 shall be appropriated and used in the following order, name-
6 ly: First, to pay interest due on all bonds issued under this
7 act; second, to create such sinking fund for said bonds as
8 the governor and council may deem necessary; third, to
9 apply the balance to the fund for maintenance and admin-
10 istration as hereinafter provided.

Sect. 32. To provide funds for the construction of state
2 aid highways there shall be appropriated out of any funds
3 in the state treasury not otherwise appropriated the sum of
4 three hundred thousand dollars annually, to be known as
5 the fund for state aid construction, which fund shall be
6 used exclusively for the construction of state aid highways
7 as herein provided, except that on the thirty-first day of
8 December in each year any balance of said fund unexpend-
9 ed or not required by virtue of any contract under this act
10 shall be added to said fund for maintenance and adminis-
11 tration.

Sect. 33. To provide funds for the administration of the
2 office and duties of the commission and for all expenditures,
3 salaries and expenses incident thereto as provided in this
4 act, and for the miantenance of all state and state aid high-
5 ways as herein provided, there shall be appropriated out of
6 any funds in the state treasury not otherwise appropriated
7 the sum of fifty thousand dollars annually. This fund shall

8 be known as the maintenance and administration fund and
9 to it shall be added from time to time the amounts provided
10 for under sections ten, thirteen, thirty-one and thirty-two,
11 and any unexpended balance of this fund at the end of any
12 year shall be added to this fund for the next year.

Section 34. The commission shall make an annual report
2 to the governor and council of its doings and the expendi-
3 tures of its office, with such statement relative to the con-
4 struction and maintenance of public highways and such
5 recommendations as to the general policy of the state rela-
6 tive thereto as it considers appropriate, and an estimate of
7 the amount necessary to carry out the provisions of this
8 act for one year next following. The report shall be trans-
9 mitted to the secretary of state on or before the thirty-first
10 day of December in each year.

Sect. 35. All acts and parts of acts inconsistent herewith,
2 and chapter one hundred and twelve of the laws of nine-
3 teen hundred and seven as amended by chapter sixty-nine
4 of the laws of nineteen hundred and nine and as further
5 amended by chapters twenty-one and one hundred and
6 eighty-three of the laws of nineteen hundred and eleven,
7 and chapter one hundred and eighty-nine of the laws of
8 nineteen hundred and eleven, and sections ninety-nine to
9 one hundred and five both inclusive of chapter twenty-three
10 of the revised statutes, are hereby repealed.