

MAINE STATE LEGISLATURE

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L A W S

OF THE

S T A T E O F M A I N E ;

TO WHICH ARE PREFIXED

THE

C O N S T I T U T I O N O F T H E U . S T A T E S

AND OF SAID STATE,

IN TWO VOLUMES,

W I T H A N A P P E N D I X .

.....
VOL. II.
.....

Published according to a resolve of the State, passed
March 8, 1821.

BRUNSWICK.

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.....
1821.

Penalty on
surveyor for
neglect.

the purposes aforesaid, in the same way and manner as surveyors of highways are empowered to collect town highway taxes, in and by "An Act directing the method of laying out, and making provision for the repair and amendment of highways;" and if any such surveyor shall neglect or refuse to pay over the monies so collected to such person or persons as he, in his warrant of distress shall be required, when demanded, he shall be liable to the same penalties as in and by the said laws is provided, in case of surveyors failing to pay over monies to the town Treasurer in the like case.

[Approved February 28, 1821.]

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CHAPTER CXX.

An Act making provision for erecting Guide Posts upon public Roads.

Towns, &c. to
erect and keep
guide posts.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in Legislature assembled, That it shall be the duty of the inhabitants of the several towns in this State, and also such plantations as are assessed in any public tax, to provide, erect, and keep in repair such guide posts upon all public roads, at such places, and in such manner, as is hereafter in this Act provided.

Selectmen, &c.
to direct where
they shall be
placed, and a
record of such
places to be
made.

SEC. 2. *Be it further enacted,* That the Selectmen of the several towns, and the Assessors of all plantations, assessed in any public tax, in this State, be and they hereby are authorized and required from time to time to fix and determine upon such places at the corners and angles of all roads in the several towns and plantations aforesaid, at which the said guide posts shall be erected and kept, as in their judgment shall be found necessary and convenient, and shall cause a fair record thereof to be entered and kept among the records of the said towns or plantations.

Manner of
their construc-
tion.

SEC. 3. *Be it further enacted,* That the guide posts to be erected and kept in pursuance of this Act, shall be constructed in manner following, that is to say; there shall be erected at the several corners or angles of the roads aforesaid, at such places as shall be ordered by the Selectmen of

towns, or Assessors of the plantations aforesaid, a substantial post of not less than eight feet in height, upon the upper end of which shall be placed a board or boards, upon each of which boards shall be plainly and legibly painted the name of the next town, with such other noted town or place, as may be judged most expedient for the direction of travelers, to which each of the roads may lead, together with the distance or number of miles to the same; and also the figure of a hand with the fore finger thereof pointing towards the town or place to which the said roads may lead: *Provided nevertheless*, That the inhabitants of the several towns and plantations aforesaid, duly qualified to vote in town or plantation affairs, may, if they judge fit, annually agree upon some suitable substitute in the room of said guide posts, and appoint any proper person or persons to superintend the erecting the same.

Towns may agree on a substitute for such guide posts.

SEC. 4. *Be it further enacted*, That if the inhabitants of any of the towns or plantations aforesaid shall neglect or refuse to erect and maintain said guide posts in such places and in such manner as is herein provided, the said inhabitants shall forfeit and pay, to the use of the State, five dollars for every month which they shall so neglect or refuse: And if the Selectmen of the several towns or Assessors of the several plantations aforesaid, shall neglect or refuse to fix and determine upon any places in the towns and plantations aforesaid, at which the said guide posts shall be erected and kept, by the time in this Act set and limited, the said Selectmen or Assessors shall forfeit and pay, to the use of the State, five dollars for every month which they shall so neglect or refuse; said penalties and forfeitures to be recovered by indictment of the Grand Jury in the county where the offence may be committed.

Penalty on towns for their neglect.

On selectmen, &c. for their neglect.

SEC. 5. *Be it further enacted*, That if any person shall injure, mar or deface any guide post, or its substitute agreed upon as aforesaid, or board which shall be set up, as is in this Act provided, and be convicted thereof before any Justice of the Peace within this State, such person, so convicted, shall forfeit a sum not more than six dollars nor less than two dollars; one half to the complainant, and the other half to

Penalty for injuring guide posts or substitutes.

the use of the town or plantation in which such guide post or its substitute, so injured, marred or defaced was set up, and shall pay all costs of the prosecution.

[Approved February 28, 1821.]

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CHAPTER CXXI.

An Act for regulating Drains and common Shores.

Penalty for breaking up highway, &c. to lay drains without consent of selectmen.

SEC. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That if any person shall dig or break up the ground in any highway, street or lane in any town, for the laying, altering, repairing or amending of any drain or common shore without the consent of the Selectmen of the town, signified in writing, under the hand of the Town Clerk, such person shall forfeit and pay four dollars for each offence, to the use of the poor of the town, to be recovered with costs of suit, in an action of debt, by the Treasurer thereof, before any disinterested Justice of the Peace in the county.

How common shores must be made.

SEC. 2. *Be it further enacted,* That all drains and common shores for the draining of cellars which shall hereafter be made or repaired in any streets or highways, shall be substantially done with brick or stone, or with such other materials as the Selectmen of the town shall permit; and in such manner as the said Selectmen shall direct. And when any one or more of the inhabitants of any town, shall, by the consent and under the direction aforesaid, at his or their own charge, make and lay any common shore or main drain, for the benefit of themselves and others who may think fit to join therein; every person who afterwards shall enter his or her particular drain into the same; or by any more remote means shall receive any benefit thereby, for the draining of their cellars or lands, shall be held to pay to the owner or owners of such common shore or main drain, a proportionable part of the charge of making or repairing the same, to be ascertained and determined by the Selectmen of the town or a major part of them, and certified under their hands; saving always to the party aggrieved at any such determination, a right of appeal to the Court of Sessions.

Owners of private drains connected with main drain, to assist in paying expense of it—

Amount to be settled by selectmen or Court of Sessions.