

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

AS PASSED BY THE

Eighty-fourth Legislature

OF THE

STATE OF MAINE

1929

Published by the Secretary of State, in accordance with the Resolves of the Legislature approved June 28, 1820, March 18, 1840, and March 16, 1842.

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

1929

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-fourth Legislature

1929

[supplied from page 1 of volume]

Chapter 259.

An Act Relating to the Acquisition of Title to Lands of Railroad Corporations by Adverse Possession.

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

Title by adverse possession prohibited. No title to any real estate or to any interest therein shall be acquired against any railroad corporation by adverse possession, however exclusive or long-continued.

Approved April 6, 1929.

Chapter 260.

An Act to Revise, Arrange and Simplify the "Mill Tax Highway Fund" Laws.

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

Public laws relating to "Mill Tax Highway Fund," amended. All public laws relating to "Mill Tax Highway Fund" are hereby amended by repealing the same and substituting therefor the following:

Sec. 1. Tax of one mill to be assessed annually for highways and bridges. A tax of one mill on a dollar shall annually be assessed on all property of the state according to the value thereof, and shall be known as the mill tax highway fund. This fund shall be used for the construction of third class highways as defined in section five of chapter twenty-five of the revised statutes, except that not more than one hundred and fifty thousand dollars of the fund shall annually be used for the construction of highways and bridges and other purposes contemplated by said chapter twenty-five and in accordance with the terms of any appropriate resolves of the legislature, and further, except that two hundred thousand dollars of said fund shall be transferred and used in the fund for second class or state aid highways.

Sec. 2. Administration, expenditure and supervision; removal of useless trees, bushes and weeds by towns. The administration and expenditure of the third class highway fund shall be under the general supervision of the state highway commission and shall be apportioned among the various towns according to the number of miles of third class roads maintained therein, as determined by the highway commission, provided that such towns shall have appropriated in addition to the appropriation for state aid work and appropriation under the so-called bridge act, an amount not less than four mills on the valuation of such town for roads and bridges, summer and winter. It is further provided that such towns shall have prior to November first in the year next preceding, cut and removed all trees, shrubs and useless fruit trees, bushes and weeds, except shade trees,

timber trees, cared-for fruit trees, and ornamental shrubs, growing between the road limit and the wrought part of any improved section of state highway, state aid highway and third class road locations.

Sec. 3. Municipal officers may recommend roads for construction; standards regulated. Municipal officers of any town may file with the state highway commission the description or location of the road whose construction and improvement they recommend under the provisions of this act. After acceptance by the state highway commission of a location as above construction shall proceed and continue on that location until the entire length of the road has been constructed, or until the location is changed. Upon the completion of any road located as above, municipal officers shall file with the state highway commission recommendation for location upon another road. In case the municipal officers are unable to agree upon the designation of a third class road, it shall then be the right of the state highway commission to make such designation and to proceed with the construction of the road as provided in this act. The work performed under this act shall conform to standards adopted by the state highway commission taking into consideration the width and type of construction suited to the conditions there existing. Work shall be completed before the thirtieth day of October annually.

Sec. 4. Third class highways must be suitably maintained by towns. Roads constructed on third class highways under the provisions of this act must be suitably maintained by the several towns under penalty of forfeitures of the right of the town to receive the benefit of future apportionments under this act. In order for a town to be entitled to third class apportionment, the town shall annually raise for maintaining the improved sections on third class highways designated to receive third class apportionments in such town, a sum not less than eight per cent of the total expenditures for constructing these highways made during and after the year nineteen hundred and twenty-seven. In case the town maintenance appropriation should be more than sufficient to satisfactorily maintain said improved sections, the balance of the fund may be used in connection with the state apportionment for third class construction work. Expenditure of the town maintenance appropriation shall be under the direction and supervision of the state highway commission. In case a town fails to provide funds for maintenance as herein stated, a sum not to exceed fifty per cent of any year's apportionment to a town may be expended by the state highway commission for maintenance of improved sections of third class highway therein and the balance of the apportionment shall be re-apportioned in the year following to the various towns entitled to third class aid. Where third class apportionments have been expended on state or state aid roads, such roads shall be maintained in accordance with the pro-

CHAP. 261

visions of sections eight, seventeen, twenty-six and twenty-seven of chapter twenty-five of the revised statutes.

Sec. 5. Apportionment of third class highway fund; returns to be made April 15. The apportionment of the third class highway fund herein created shall be made in accordance with the returns which shall have been made by the several towns desiring participation on or before April fifteenth of each year, and no town whose selectmen or other officials authorized by law have not made the return required by the state highway commission on or before said April fifteenth shall be entitled to any apportionment of said fund. The state highway commission and municipal officers shall co-operate in the construction and maintenance of work performed under this act. Whenever work is done by the municipal officers, no money shall be paid by the state until such work has been inspected and accepted by the state highway commission.

Approved April 5, 1929.

Chapter 261.

An Act to Provide for the Payment of a Bounty on Bears in Towns Where Damage Is Being Caused to Valuable Domestic Animals.

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

Sec. 1. Bounty on bears may be petitioned for by assessors; hearing. When bear are destroying sheep, cattle or any other kind of valuable domestic animals in any town, plantation or unincorporated place and if compensation therefor is paid subsequent to July first, nineteen hundred and twenty-eight, the assessors of such town or plantation, may petition the commissioner of inland fisheries and game for authority to place a bounty on bears killed within such town or plantation or in any adjoining town, plantation or unincorporated place or places, and in the case of unincorporated places, a similar petition may be filed by the assessors of any adjoining town or of the nearest incorporated town where there are none adjoining, to place a bounty on bears killed within such unincorporated place. Upon receipt of the petition from the assessors, the commissioner of inland fisheries and game shall give due notice and hold a hearing. Unless said hearing discloses that damages to valuable domestic animals are not being caused by bear, the commissioner shall authorize such bounty to be paid as hereinafter set forth, which shall continue in full force until the commissioner after due notice and hearing shall annul such authorization.

Sec. 2. Twenty-five dollars for each bear killed. A bounty of twenty-five dollars for each and every bear killed in said towns or plantations in