

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

SENATE

NO. 137

In Senate, Jan. 30, 1913.

Presented by Senator Flaherty of Cumberland, and on motion by same Senator laid on the table for printing pending reference to a committee.

W. E. LAWRY, Secretary.

STATE OF MAINE

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

AN ACT to provide adequate punishment for any person who shall engage or act in the capacity of a locomotive engineer or a train conductor upon any railroad in the State of Maine, as hereafter provided in this act. To punish any person, who shall knowingly engage, promote, require, persuade, prevail upon or cause any person to do any act in violation of this act.

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

Section 1. If any person shall run or operate any locomotive engine upon any railroad in the State of Maine without having served three years prior thereto as a fireman, or

4 previously as an engineer on a locomotive engine, he shall
5 be deemed guilty of a misdemeanor, and shall be punished
6 by a fine of not less than \$25, and not more than \$500, and
7 each day that he so engages shall constitute a separate
8 offence.

Sect. 2. If any person shall act or engage as a conductor
2 on a railroad train in this state without having for three
3 years prior thereto served or worked in the capacity of a
4 brakeman or previously as a conductor on a train or line
5 of railroad, he shall be deemed guilty of misdemeanor, and
6 shall be punished by a fine of not less than \$25, or more
7 than \$500, and each day he so engages shall constitute a
8 separate offence.

Sect. 3. If any person shall knowingly engage, promote,
2 require, persuade, prevail upon or cause any person to do
3 any acts in violation of the provisions of the two preceding
4 sections of this act, he shall be deemed guilty of a misde-
5 meanor, and shall be punished by a fine of not less than
6 \$25 or more than \$500, and each day he so engages shall
7 constitute a separate offence.

Sect. 4. Nothing in this act shall be construed as apply-
2 ing to the running or operating of engine by engine hostlers
3 at, in or about engine houses, or in case of the disability of
4 an engineer or conductor while out on the road between
5 terminals. In such cases the company may continue their
6 train with men not with qualifications in compliance with
7 this act, but no employment will continue longer than such

8 companies can get their trains to the terminal, where their
9 respective places must be filled with men having the quali-
10 fications prescribed by this act.

In case of contagion when such companies cannot obtain
12 the employes mentioned in this act who have the qualifica-
13 tions prescribed by the provisions of this act, then such
14 companies may employ temporary engineers and conductors
15 who have not qualifications prescribed by the act, but no
16 such employment shall continue longer than such companies
17 can supply their respective places with men who have quali-
18 fications prescribed by this act and provided further that
19 nothing herein contained shall release any such companies
20 from the negligence of any of its employes.