

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-SECOND LEGISLATURE

OF THE

STATE OF MAINE.

1885.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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1885.

PUBLIC LAWS
OF THE
STATE OF MAINE.

1885.

Chapter 310.

An Act to amend section twenty-seven of chapter eighteen of the Revised Statutes, relating to laying out ways across Railroads.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section twenty-seven of chapter eighteen of the revised statutes is hereby amended by inserting after the word "application," in the third line of said section, the words 'of the municipal officers of the city or town wherein such crossing is situated, or'; and also by striking out the word "way" in the twelfth line of said section, and inserting instead thereof the word 'crossing'; and also by striking out all between the word "parties" in the fifteenth line, and the word "costs," in the twenty-ninth line of said section, and inserting instead thereof, the following words: 'said commissioners shall make a report, in writing, of their decision thereupon to the supreme judicial court at its next succeeding term to be held in the county wherein such crossing is situated, and shall also make a report of such rulings, proofs and proceedings as either party desires, or as they deem necessary for a full understanding of the case. The presiding justice, at such term of court, may accept, reject, or recommit said report, or send the case to a new commission, or make such other order or decree as law or justice may require, and to his ruling or order either party may file exceptions. The final adjudication, in such cases shall be recorded as provided in section thirty of this chapter'; so that said section, as amended, shall read as follows :

Sec. 27, ch 18,
amended.

'SECT. 27. Town ways and highways may be laid out across, over or under any railroad track, in the same manner as other town ways and highways, except that the railroad commissioners, on application of the municipal officers of the city or town wherein such crossing is situated, or of parties owning or operating the railroad, shall upon notice and hearing, determine the manner and conditions of crossing the same; and when such way crosses such track at grade, the expense of building and maintaining so much of such way as is within the limits of such railroad shall be borne by the railroad company whose track is so crossed; and when such way is laid out under or over such track and

Ways crossing
railroad tracks,
how laid out.

—manner and
conditions of
crossing, to be
determined by R.
R. commissioners.

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—when not at grade, expense adjusted by R. R. commissioners.

—commissioners to report to S. J. court.

—presiding justice may accept, reject or recommit report, or send case to new commission, etc.

—either party may file exceptions.

—costs.

not at grade, the expense of building and maintaining so much thereof as is within the limits of such railroad shall be borne by such company or by the city or town in which such crossing is located, or shall be apportioned between such company and such city or town as may be determined by the railroad commissioners upon petition and after notice and hearing of the parties. Said commissioners shall make a report in writing of their decision thereupon to the supreme judicial court at its next succeeding term to be held in the county wherein such crossing is situated, and shall also make a report of such rulings, proofs and proceedings as either party desires or as they deem necessary for a full understanding of the case. The presiding justice at such term of court may accept, reject, or recommit said report, or send the case to a new commission, or make such other order or decree as law or justice may require, and to his ruling or order either party may file exceptions. The final adjudication in such cases shall be recorded as provided in section thirty of this chapter. Costs may be taxed and allowed to either party at the discretion of the court.'

Approved March 4, 1885.

Chapter 311.

An Act to amend section fourteen of chapter fifteen of the Revised Statutes, relative to Private Burying Grounds.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Sec. 14, ch. 15, R. S., amended.

Section fourteen of chapter fifteen of the revised statutes is hereby amended by adding after word "company," in the first and ninth lines, the words 'or trustee,' so that said section, as amended, shall read as follows:

Towns and cemetery corporations may accept title to lands for private burying grounds.

'SECT. 14. Any city, town, cemetery corporation, trust company or trustee may accept any conveyance of land not exceeding half an acre, to be forever held, kept and used for a private or family burying ground, for the grantors and such of their relatives, by blood or marriage, as the conveyance shall designate. Such lot and all erections thereon, including the erection and maintenance of the same, and fixtures

—lot and fixtures exempt from liability for debt.