

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-SECOND LEGISLATURE

OF THE

STATE OF MAINE.

1885.

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PUBLIC LAWS
OF THE
STATE OF MAINE.

1885.

CHAP. 311

—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.

thereto suitable for its use or adornment as a burying ground, are forever inalienable and indivisible, and exempt from liability for debt. Such city, town, corporation or trustee may also accept and forever hold any donation or legacy for insuring proper care and attention to any burial lot or ground, and the avenues thereof and monuments thereon. Having accepted such donation or legacy, said trustee becomes bound to perform the duties appertaining to the trust, as specified in writing creating the same, or in default of such specification, as required by law, and as in cases of public charity.'

—may hold funds
in trust for
repair of
grounds.

Approved March 4, 1885.

Chapter 312.

An Act to amend section twenty-eight of chapter fifty-one of the Revised Statutes, relating to Railroad Crossings.

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

Section twenty-eight of chapter fifty-one of the revised statutes, is hereby amended by inserting after the word "highways," in the first line thereof, the words 'or town-ways;' and also by striking out all between the word "determined," in the third line thereof, and the word "no," in the eleventh line thereof, and inserting instead of the words thus stricken out, the words 'as provided by section twenty-seven of chapter eighteen of the revised statutes;' so that said section, as amended, shall read as follows :

Sec. 28, ch. 51,
R. S., amended.

'SECT. 28. Railroads may cross highways or town-ways in the line of the railroad; but cannot pass along them without leave of the town. The conditions and manner of crossing shall be first determined, as provided by section twenty-seven of chapter eighteen of the revised statutes. No crossing of a street in a city not a highway, shall be made without the written consent of the mayor and aldermen, stating the manner and conditions thereof, to be recorded in the records of the commissioners. Crossings not so made, are nuisances and may be so treated, and the directors making them are personally liable.'

Crossings of high-
ways and streets,
how made.

Approved March 4, 1885.