

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)

DOCUMENTS

PRINTED BY ORDER OF

THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSIONS

A. D. 1842.

AUGUSTA:

SMITH & Co., PRINTERS TO THE STATE.

1842.

TWENTY-SECOND LEGISLATURE.

NO. 23.]

[SENATE.

A N A C T

RELATING TO

R A I L R O A D S .

[Wm. R. Smith & Co.....Printers to the State.]

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND FORTY-TWO.

AN ACT relating to rail roads.

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

3 SECT. 1. Every rail road corporation, own-
4 ing any rail road upon which cars shall run, is
5 hereby required, at reasonable times, and for a
6 reasonable toll, not exceeding the ordinary rate,
7 to draw over their road the passenger, baggage
8 and merchandize cars of any other rail road cor-
9 poration, which has been or may be authorized
10 by the Legislature, to connect their rail road
11 with the road of such corporation.

SECT. 2. Whenever the directors or other
2 managers of such intersected road, shall refuse
3 or neglect to draw over their road the passenger,
4 baggage and merchandize cars of any other rail
5 road connecting therewith, as aforesaid, the

6 directors of such connecting road shall have the
7 right to draw their said cars, with their own loco-
8 motive, over such intersected road, so long as
9 the directors of such intersected road shall refuse
10 or neglect as aforesaid, and no longer : the same
11 being subject, while upon said road, to the same
12 general regulations prescribed by the directors
13 of the intersected road, for the regulation and
14 management of their own trains ; and the direc-
15 tors of such intersecting road being required to
16 provide their own depots, at the termini of said
17 road.

SECT. 3. No rail road corporation shall run
2 or permit to be run, upon their road, any train
3 of cars, moved by steam power, for the trans-
4 portation of passengers, unless there shall be
5 placed upon the train one trusty and skillful
6 brakeman to every two cars in said train.

SECT. 4. Whenever any engineer, fireman,
2 or other agent of any rail road corporation, or
3 any person employed in conducting the trains
4 upon any rail road, shall be guilty of negligence
5 or carelessness, whereby an injury is done to any
6 person or corporation, he shall, upon conviction,
7 be punished by imprisonment in the county jail

8 for a term not exceeding twelve months, or by
9 fine not exceeding one thousand dollars; but
10 nothing in this section shall exempt said corpo-
11 ration from an action in damages to any person
12 or corporation sustaining such injury.

SECT. 5. When any injury is done to a build-
2 ing or other property of any person, or corpo-
3 ration, by fire communicated by a locomotive
4 engine of any rail road corporation, the said
5 corporation shall be held responsible in damages
6 to the person or corporation so injured; and
7 any rail road corporation shall have an insurable
8 interest in the property for which it may be so
9 held responsible in damages along its route, and
10 may procure insurance thereon in its own behalf;
11 *Provided*, that nothing in this act contained shall
12 be construed to apply to any rail road corpora-
13 tion heretofore granted.

AMENDMENT PROPOSED BY MR. EASTMAN.

SECT. 6. Every rail road corporation shall
2 erect and maintain substantial, legal, and suffi-
3 cient fences on each side of the land taken by
4 them for their rail road, where the same passes
5 through enclosed or improved lands; and for
6 neglect or failure to erect and maintain such
7 fences, such corporation shall be liable to be
8 indicted in the district court for the county
9 where such fence shall be insufficient, and
10 to be fined in such sum as shall be adjudged
11 necessary to repair the same; and such fine
12 shall be expended for the erection or repair of
13 said fence under the direction of an agent
14 appointed by said court, as in case of fines
15 imposed upon towns for deficiencies of high-
16 ways.

STATE OF MAINE.

IN SENATE, February 19, 1842.

ORDERED, That 500 copies of the foregoing Bill and amendment, be printed for the use of the Legislature.

[Extract from the Journal.]

ATTEST : JERE HASKELL, *Secretary.*