

MAINE STATE LEGISLATURE

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FIFTIETH LEGISLATURE.

HOUSE.

No. 25.

STATE OF MAINE.

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

AN ACT concerning the liability of railroads for defective crossings.

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

SECTION 1. In any action against the inhabitants of
2 a town for damages alleged to have occurred by reason
3 of a defect in a railroad crossing constituting a part of
4 a highway which said town is obliged to keep in re-
5 pair, the railroad company owning or occupying such
6 crossing may be notified of the pendency of the suit,
7 and may take upon itself the defence of the same.

SECT. 2. In the trial of such action, after notice as
2 provided in the first section has been given, if the
3 plaintiff recovers damages and the jury find specially

4 that the same was occasioned by the fault of said rail-
5 road company, the company shall be liable to the
6 defendants in said suit in an action of debt for all
7 damages and costs paid by them.

SECT. 3. The notice required in section one of this
2 act shall be by copy of the writ served upon the com-
3 pany at least thirty days before the sitting of the court
4 to which it is returnable, or by such notice as the
5 court may order after the entry of said action.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
February 3, 1871. }

Reported from the Committee on the Judiciary by Mr. PIKE,
and printed under the rules.

S. J. CHADBOURNE, *Clerk.*