

MAINE STATE LEGISLATURE

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FIFTY-FIRST LEGISLATURE.

SENATE.

No. 59.

STATE OF MAINE.

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

AN ACT to amend section sixteen 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 sixteen of chapter fifty-one of the revised 2 statutes is amended to read as follows :

SECT. 16. A railroad may be carried over or under a 2 canal or railroad in such manner as not unnecessarily 3 to impede the travel or transportation on them. The 4 corporation making such crossing is liable for damages 5 occasioned by it in an action on the case. Bridges 6 and their abutments constructed for a crossing of any 7 way, are to be kept in repair by the corporation, or 8 persons or parties running trains on any railroad cross- 9 ing a highway or town way. The municipal officers

10 of any city or town may give notice in writing to such
11 persons, parties or corporation that a bridge required
12 at such crossing has not been erected, or is out of
13 repair and not safe and convenient, within the require-
14 ments of section forty, chapter eighteen of the revised
15 statutes, or that the crossing of any such highway or
16 town way passing such railroad at grade within their
17 respective cities or towns is not made or maintained
18 safe and convenient as required by section forty afore-
19 said, and it shall be the duty of such persons, parties
20 or corporations to erect or repair such bridge or make
21 such crossing safe and convenient as aforesaid within
22 ten days from the service of said notice ; and if they
23 neglect so to do any one of said municipal officers may
24 apply to any justice of the supreme judicial court
25 in term time or vacation, to compel such persons,
26 parties or corporations to erect or repair such bridge
27 or make such crossing as aforesaid ; and after hearing,
28 such justice or court may make any order thereon the
29 public convenience and safety may require and compel
30 the respondents to comply therewith by injunction.

STATE OF MAINE.

IN SENATE, February 17, 1872.

Reported from the Committee on Railroads, Ways and Bridges,
by Mr. HINKS, and laid over to be printed under the Joint Rule.

SAMUEL W. LANE, *Secretary.*