

MAINE STATE LEGISLATURE

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NEW DRAFT.

Seventy-first Legislature.

HOUSE.

No. 365

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THREE.

AN ACT additional to chapter 16 of the Revised Statutes relating to Public Drains and Sewers.

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

Section 1. Whenever a public drain or sewer is located and
2 about to be constructed under the general provisions of law,
3 which crosses the right of way of any railroad, unless the
4 municipal officers or committee of the city or town which
5 located the drain or sewer shall agree with the corporation
6 operating such railroad as to the place, manner and conditions
7 of the crossing, the railroad commissioners, upon petition of
8 either party, after notice and hearing, shall determine the

9 place, manner and conditions of such crossing, all the work
10 within the limits of such railroad location shall be done under
11 the supervision of the officers of the corporation operating
12 said railroad and to the satisfaction of the railroad commis-
13 sioners, and the expense thereof shall be borne by the city
14 or town in which said drain or sewer is located; provided,
15 however, that any additional expense in the construction of
16 that part of the sewer or drain within the limits of the right
17 of way of said railroad occasioned by the determination of
18 said commissioners shall be borne by said railroad company
19 or by the city or town in which said drain or sewer is located,
20 or shall be apportioned between such company and the city
21 or town as may be determined by said railroad commissioners.
22 Said commissioners shall make report of their decision in the
23 same manner as in the case of highways located across rail-
24 roads and subject to the same right of appeal.

Sect. 2. This act shall take effect when approved.



STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES,
AUGUSTA, March 13, 1903.

Reported by Mr. MANSON of Pittsfield, from Committee on Legal
Affairs, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*