

MAINE STATE LEGISLATURE

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NINETY - SECOND LEGISLATURE

Legislative Document

No. 903

S. P. 361

In Senate, February 16, 1945.

Transmitted by revisor of statutes pursuant to joint order.

Referred to the Committee on Ways and Bridges, sent down for concurrence and ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Boucher of Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-FIVE

AN ACT Relating to Culverts Crossing Under Roads, Streets and Ways.

Be it enacted by the People of the State of Maine, as follows:

R. S., c. 84, § 156, amended. Section 156 of chapter 84 of the revised statutes is hereby amended to read as follows:

Sec. 156. Towns may construct ditches, drains and culverts to drain highways; control, liability for damages; procedure. The municipal officers of a town may at the expense of the town construct ditches, ~~and~~ drains and culverts to carry water away from any highway or road therein, and over or through any lands of persons or corporations when they deem it necessary for public conveniences or for the proper care of such highway or road, provided that no such ditch, ~~or~~ drain or culvert shall pass under or within 20 feet of any dwelling-house without the consent of the owner thereof. **Such ditches, drains and culverts may be constructed under such highways or roads.** Such ditches, ~~or~~ drains or culverts shall be under the control of said municipal officers and ~~wilful~~ interference therewith shall be punished ~~as is provided by statute for obstruction in a traveled road by~~ a fine of not more than \$500, or by imprisonment for not more than 3 months, or by both such fine and imprisonment. If such town does not

maintain and keep in repair such ditches, ~~and~~ drains **and culverts**, the owner or occupant of the lands through or over which they pass may have his action against the town for damages thereby sustained.

Before land is so taken, notice shall be given and damages assessed and paid therefor as is provided for the location of town ways.'