

MAINE STATE LEGISLATURE

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NINETY-FOURTH LEGISLATURE

Legislative Document

No. 931

H. P. 1660

House of Representatives, February 23, 1949

Referred to the Committee on Public Utilities, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Pullen of Oakland by request.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

AN ACT Relating to Railroad Crossings.

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

R. S., c. 41, § 34, amended. Section 34 of chapter 41 of the revised statutes is hereby amended to read as follows:

'Sec. 34. Cattle-guards and passes to be made and maintained by road; liability for double damages. The county commissioners shall order the corporation to make and maintain such cattle-guards, cattle-passes and farm crossings as they think reasonable, or any other crossing necessary to develop any land if it can be shown that a substantial property tax will be realized by such development; prescribe the time and manner of making them, and consider this work in awarding pecuniary damages; and if the corporation after 48 hours' notice in writing to its president or superintendent neglects to commence the work or complete it within a reasonable time, the owner may apply to the supreme judicial court or to the superior court, and either of said courts, after due notice to said corporation, shall issue all necessary processes to enforce the specific performance of such orders, or restrain it by injunction; or the party interested may recover, in an action on the case, double the damage that he has sustained by such neglect.'