

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE,

1857.

Published by the Secretary of State, agreeably to Resolves of June 23, 1820, February 26, 1840,
and March 16, 1842.

AUGUSTA:
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1857.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1857.

Chapter 13.

An act to prevent injury from snow and ice sliding from roofs of buildings, in cities and villages.

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

SECT. 1. The municipal authorities of any city or village corporation in this state may make and establish such regulations, not inconsistent with the constitution and laws of this state, as shall effectually protect persons from danger of injury from snow and ice sliding from roofs of buildings, in said city or village corporation, and said municipal authorities shall notify persons owning such buildings of such regulations; and if such owners, after having been duly notified, shall neglect or refuse to comply with such regulations for the space of thirty days after being so notified, such owners shall be liable for all injuries suffered or sustained by any person in consequence of such non-compliance.

Municipal authorities authorized to make and establish regulations to protect persons from injury.

—shall notify owners of buildings. Liability of owners for neglect, &c.

SECT. 2. If any owner of such buildings shall neglect or refuse, after thirty days notice, to comply with such regulations, the municipal authorities may, at the expense of the city or village corporation, place such guards or other obstructions upon the roofs of said buildings as their regulations shall require; and the owner of such buildings shall be liable to repay all reasonable charges for the same, to such city or village corporation.

Proceedings in case of refusal, &c., to comply with regulations.

[Approved March 20, 1857.]

Chapter 14.

An act to secure the safety of passengers at railroad crossings.

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

SECT. 1. Whenever any railroad now constructed, or which shall hereafter be constructed, crosses or is crossed by any other railroad, at the same grade, it shall be the duty of every engineer, on both of said railroads, when approaching the point of intersection, with an engine attached to a train, or running without a train, before reaching such crossing to stop his engine at some point within the distance of five hundred feet of such crossing, and when he resumes his course to pass at a rate not exceeding eight miles an hour over such crossing; and when two or more crossings on the same railroad are situated within four hundred feet of each other, one stop shall suffice for both.

Regulations at railroad crossings.

CHAP. 15.

—penalty for violation of.

SECT. 2. For every violation of this act, the engine-man offending shall forfeit and pay the sum of one hundred dollars, and the corporation, on whose railroad such offense shall be committed, shall forfeit and pay the sum of two hundred dollars, to be recovered by indictment in the county where the offense was committed.

SECT. 3. This act shall take effect and be in force from and after the first day of May, in the year of our Lord one thousand eight hundred and fifty-seven.

[Approved March 21, 1857.]

Chapter 15.

An act to amend chapter one hundred and twenty-five of the revised statutes, and for the further protection of mechanics' liens.

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

Ch. 125, sec. 32,
R. S., amended,
in relation to
mechanics' liens.

SECT. 1. Chapter one hundred and twenty-five of the revised statutes shall be amended by inserting after the word "mortgage," in the eighth line of section thirty-seven, the following words: "And when the house or building is erected on the land of another, he shall have a lien on the house or building itself, and upon such right as the owner of the same has in the land;" said section shall be further amended by adding, at the close of the same, the following words: "In the case of a levy on execution by the lien creditor, if in the opinion of the appraisers the whole lot is not needed for the purpose of the house or building, they shall set out by metes and bounds a lot suitable therefor;" so that the section, when amended, shall read as follows: "Any person who shall perform labor, or furnish materials, for erecting, altering, or repairing any house or other building, or appurtenances, or furnish labor or materials for the above purposes, by virtue of any contract with the owner thereof, shall have a lien to secure the payment of the same, upon such house or other building, and the lot of land on which the same stands, and upon the right of redeeming the same when under mortgage; and when the house or building is erected on the land of another, he shall have a lien on the house or building itself, and upon such right as the owner of the same has in the land; and such lien shall continue in force for the space of ninety days from the time when such payment becomes due; notwithstanding the decease of any such debtor, and the representation of his estate as insolvent; and the administrator or executor of any insolvent estate shall, upon

Lien on building,
&c., erected or
repaired by
contract.

—when erected
on land of
another.

—in case of
insolvent estate.