

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE

1895.

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PUBLIC LAWS
OF THE
STATE OF MAINE.

1895.

Chapter 71.

An Act to prevent the Adulteration of Candy.

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

SECT. 1. No person shall by himself, his servant, or agent of any other person or corporation, manufacture for sale, or knowingly sell or offer to sell, any candy adulterated by the admixture of terra alba, barytes, talc, or any other mineral or metallic substance, or by poisonous colors or flavors, or containing brandy, whiskey, rum, wine or any alcoholic liquor in liquid form or other ingredients deleterious or detrimental to health.

Sale of adulterated candy, forbidden.

SECT. 2. No person shall by himself, his servant, or agent of any other person or corporation offer for sale any candy under the name of brandy, whiskey, rum or wine drops.

Sale of brandy and other drops, prohibited.

SECT. 3. Whoever violates any of the provisions of this act shall be punished by a fine not exceeding one hundred dollars nor less than fifty dollars. The candy so adulterated shall be forfeited and destroyed under the direction of the court.

Penalty for violation.

SECT. 4. It is hereby made the duty of the prosecuting attorneys of this state to appear for the people and to attend to the prosecution of all complaints under this act, in all the courts in their respective counties.

County attorneys charged with enforcement of act.

Approved March 6, 1895.

Chapter 72.

An Act referring to Railroads crossing other Railroads and Highway Bridges.

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

SECT. 1. The board of railroad commissioners shall have authority to determine the manner and conditions of one railroad of any kind crossing another. Any corporation or party operating such railroad may apply to said board for a change in the then existing condition, construction or manner of any such crossing. Such application shall be in writing, giving the location of the crossing, and said board shall give

Railroad commissioners authorized to determine manner in which railroads shall cross each other.

—application, notice and hearing.

CHAP. 72

a hearing thereon, after they have ordered such notice to be given by the applicants, as to the time, place and purposes of such hearing, as said board shall deem proper. Said board shall determine at such hearing what changes, if any, are necessary, and how such crossings shall be constructed and maintained, the expense thereof to be borne as the railroad commissioners may order.

Crossing over railroad already built, shall be made as ordered by railroad commissioners.

SECT. 2. In the case of a railroad company of any kind whose tracks are to be constructed across the tracks of any railroad already built, such crossings shall be made, constructed and maintained in such manner and under such conditions as shall be ordered by the board of railroad commissioners, the expense thereof to be borne as the railroad commissioners may order. The parties contemplating making such crossing shall apply to the railroad commissioners in writing, giving the location of the crossing desired, and said commissioners shall give a hearing thereon after they shall have ordered such notice to be given by the applicants of the time, place and purposes of such hearing as said board shall deem proper. At such hearing the board of railroad commissioners shall determine the manner and conditions of construction and maintenance of such crossing and make their report as hereinafter provided.

— application, notice and hearing.

Bridges erected by municipalities shall be maintained as commissioners may determine after hearing thereon.

SECT. 3. Bridges erected by any municipality, over which any railroad passes, shall be constructed and maintained in such manner and condition, as to safety, as the board of railroad commissioners may determine. Said board shall have authority to require the officers of the railroad company and those of the municipality to attend a hearing in the matter, after such notice of the hearing to all parties in interest as said board may deem proper. Said commissioners shall determine at such hearing the repairs, renewals or strengthening of parts, or if necessary the manner of rebuilding of such bridge, required to make the same safe for the uses to which it is put. They shall determine who shall bear the expenses of such repairs, renewals, strengthening or rebuilding of such bridge, or they may apportion such expense between the railroad company and the city or town, as the case may be, in such manner as shall be deemed by the board as just and fair. Said board shall make their report as hereinafter provided.

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SECT. 4. The board of railroad commissioners shall make a report in writing of their determinations and decisions in the matters named in the three preceding sections, file the same in their office, and cause to be sent by mail to each of the railroad corporations, or the municipal officers of the cities or towns as the case may be, interested therein, a copy of such determination or decision. Such decision or determination shall be final and binding upon all parties named, unless an appeal therefrom shall be taken and entered in the next succeeding term of the supreme judicial court, to be held in the county where the crossing or bridge is located, after thirty days from the date of the report.

Commissioners shall make report of their decisions, and send copies to parties interested.

-when appeals may be taken.

SECT. 5. If any appeal shall be taken as provided in the preceding section, the appellant shall within thirty days from the date of the filing of such decision, file in the office of the board of railroad commissioners, its reasons for appeal, and fourteen days at least before the sitting of the appellate court, it shall cause to be served upon such other interested corporation or municipality a copy of such reasons for appeal, certified by the clerk of the board of railroad commissioners. The presiding justice, at such term of court, shall make such order or decree thereon as law and justice may require. Exception may be taken to such order or decree. The final adjudication shall be recorded by the clerk of courts in the county where the crossing or bridge is located, and a copy of the same shall be certified by said clerk to the board of railroad commissioners for record in their office. Costs may be taxed and allowed to either party at the discretion of the court.

When appeal is taken, appellant shall file reasons for appeal, and copy shall be served on other party.

-final adjudication shall be recorded by clerks.

Costs, how taxed.

Approved March 6, 1895.

Chapter 73.

An Act to establish a Salary for the Clerk of Courts for Waldo County.

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

SECT. 1. From and after the first day of January eighteen hundred and ninety-five, the salary of the clerk of courts for Waldo county, shall be eleven hundred dollars per annum, payable quarterly from the county treasury on the first days

Salary of clerk of courts, Waldo county, fixed.