

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE

1895.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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1895.

PUBLIC LAWS
OF THE
STATE OF MAINE.

1895.

Chapter 165.

An Act to amend sections thirty-four and seventy-five of chapter fifty-one of the Revised Statutes as amended by chapter two hundred and five of the Public Laws of eighteen hundred and ninety-three, relating to Highway Crossings.

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

SECT. 1. Section thirty-four of chapter fifty-one of the revised statutes, as amended by chapter two hundred and five of the public laws of eighteen hundred and ninety-three, is hereby amended as follows: By striking out the word "is" in the tenth line, and inserting instead thereof the words 'or automatic signals are'; and also by inserting after the word "stationed" in the eleventh line, the words 'or automatic signals to be maintained; ' so that said section as amended, shall read as follows :

Sec. 34, ch. 51, R. S., as amended by ch. 205, Public Laws of 1893, amended.

'SECT. 34. When the municipal officers of a town deem it necessary for public safety, that gates should be erected across a way where it is crossed by a railroad, and that a person should be appointed to open and close them, they may make such request in writing; and in case of neglect or refusal they may apply to the railroad commissioners to decide upon the reasonableness of such request, who after notice and hearing, shall decide. When they decide that such a request is reasonable, or that at said crossing a flag-man or automatic signals are necessary for the public safety, they may, upon said application, order a flag-man to be stationed or automatic signals to be maintained there instead of gates, and the corporation shall comply with such order and pay the costs; when they decide otherwise, the costs shall be paid by the applicants.'

Town officers may request company to provide gates at railroad crossings.

—application to railroad commissioners, in case of refusal, who may require flag-man or automatic signals.

SECT. 2. Section seventy-five of said chapter fifty-one of the revised statutes, as amended by chapter three hundred and seventy-seven of the public laws of eighteen hundred and eighty-five, is hereby further amended by inserting after the word "gate" in the fourth line thereof, the words 'or automatic signals ordered or approved by the railroad commissioners'; so that said section as amended, shall read as follows :

Sec. 25, as amended by ch. 377, Public Laws of 1885, further amended.

'SECT. 75. No engine or train shall be run across a highway near the compact part of a town at a speed greater than six miles an hour, unless the parties operating the railroad maintain a flag-man, or a gate or automatic signals ordered

Highways, how to be passed.

CHAP. 166

—not to be obstructed.

—penalty.

or approved by the railroad commissioners, at the crossing of such highway. And no way shall be unreasonably and negligently obstructed by engines, tenders or cars. The corporation forfeits not exceeding one hundred dollars for every such offense.'

Approved March 27, 1895.

Chapter 166.

An Act to amend section thirty-four of chapter three of the Revised Statutes, relating to the duties of Municipal Officers.

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

Sec. 34, ch. 3,
R. S.,
amended.

Section thirty-four of chapter three of the revised statutes is amended by adding at the end of said section the following : 'Any city officers elected or appointed by the city council, or appointed by the mayor and aldermen shall discharge their respective duties under the direction and control of the mayor and aldermen,' so that said section as amended, shall read as follows :

Mayor to have casting vote in choice of officers.

'SECT. 34. In the election of any city officers by ballot in the board of aldermen or in convention of the aldermen and common council, in which the mayor has a right to give a casting vote, if two or more candidates have each half of the ballots cast, he shall determine and declare which of them is elected. Whenever appointments to office are directed or authorized to be made by the mayor and aldermen of cities, they may be made by the mayor with the consent of the aldermen, and such officers may be removed by the mayor. Any city officers elected or appointed by the city council, or appointed by the mayor and aldermen shall discharge their respective duties under the direction and control of the mayor and aldermen.'

—appointees of mayor and aldermen may be removed by mayor.

Approved March 27, 1895.