

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eightieth Legislature

OF THE

STATE OF MAINE

1921

Including Acts and Resolves of the Special Session held in 1920.

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PUBLIC LAWS
OF THE
STATE OF MAINE

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corporation or of the municipal officers or of ten or more legal voters of any city or town in which such crossing is located, after notice and hearing, shall order the sounding of such whistle to be discontinued in any city or village until further order of the commission; and such bell shall be rung at a distance of eighty rods on standard gauge railroads and sixty rods on narrow gauge railroads, from such grade crossings, and be kept ringing until the engine has passed the same; provided, however, that upon petition of ten or more legal voters of the state, after notice to the railroad corporation and a public hearing, the public utilities commission may in writing order such corporation to give additional warning to travelers upon such ways by requiring the sounding of such whistles or the ringing of such bells at other places where said railroads cross such public ways other than at grade or run contiguous thereto, and such orders shall have the same force, and place the same obligations upon railroad corporations as when required under the provisions of this section.'

Approved March 10, 1921.

Chapter 17.

An Act to Amend Sections Three, Four, Twelve and Thirteen of Chapter One Hundred and Forty-five of the Public Laws of Nineteen Hundred and Seventeen, Relating to the Removal of Obstructions at Grade Crossings.

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

Sec. 1. 1917, § 3, c. 145; relating to removal of obstructions at grade crossings, amended. Section three of chapter one hundred and forty-five of the public laws of nineteen hundred and seventeen is hereby amended by substituting for the words, "designated under the provisions of the preceding section," in the second line thereof, the words, 'of a highway or other way and a steam railroad at grade;' and by adding after the word "remove" in the ninth line thereof the words, 'and from time to time as may be necessary to keep trimmed, cut down and removed;' and by adding after the word "car," in the eighteenth line thereof, the words, 'from one or more angles;' so that said section, as amended, shall read as follows:

'Sec. 3. Crossings at which obstructions must be removed redefined; bushes, trees, etc. to be kept trimmed and cut down from time to time, as occasion demands; train, engine or car must be in view at grade crossings from one or more angles. At every crossing of a highway or other way and a steam railroad at grade and at every crossing of a highway or other way and an electric railroad at grade the municipal officers of the town in which the crossing is located are given authority and are hereby required, when by order directed so to do by the

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public utilities commission, after ten days notice to all persons interested, to remove embankments and other obstructions within highway limits and to enter upon private property and properly trim, cut down or remove, and from time to time as may be necessary to keep trimmed, cut down and removed, bushes, trees, fences, signboards and encroachments which obstruct the view of an engine, train or car by a traveler at or near any such crossing. The authority of the commission in any order and of the municipal officers acting thereunder shall not extend beyond a point one hundred and fifty feet on either side of any such crossing measured along the highway or other way or beyond a point three hundred feet on either side of any such crossing measured along the railroad right of way, the purpose herein being to enable a traveler on any such way, when such traveler is one hundred and fifty feet or less distant from any such crossing, to have a fair view of an approaching train, engine or car from one or more angles continuously from the time such train, engine or car is three hundred feet from such crossing until it has passed over the same.'

Sec. 2. 1917, c. 145, § 4; relating to expense of removal of obstructions at grade crossings, amended. Section four of chapter one hundred and forty-five of the public laws of nineteen hundred and seventeen is hereby amended by adding after the word "removed" in the third line thereof the words 'and from time to time as may be ordered by said commission to keep the same trimmed, cut down or removed,' so that said section as amended shall read as follows:

'Sec. 4. Municipal officers must keep bushes and trees trimmed and cut down and obstructions removed from time to time as public utilities commission orders. Within such time as said commission by order directs, such municipal officers shall cause such bushes, trees, fences, sign-boards or encroachments to be trimmed, cut down or removed, and from time to time as may be ordered by said commission to keep the same trimmed, cut down or removed, and the expense thereof shall in the first instance be paid by the city, town or plantation wherein the labor is performed, but upon the filing with the governor and council of proper proof of such payment, one-half of any such amount shall be repaid by the state to such city, town or plantation, the same to be paid out of any funds not otherwise appropriated.'

Sec. 3. 1917, c. 145, § 12; relating to railroad company entering upon private property for removal of obstructions at grade crossings, amended. Section twelve of chapter one hundred and forty-five of the public laws of nineteen hundred and seventeen is hereby amended by adding after the word "act," in the second line thereof, the words, 'or for the pur-

pose of improving the view at one or more angles;' so that said section, as amended, shall read as follows:

'Sec. 12. May enter upon private property for purpose of improving view at one or more angles. For the purpose of creating and maintaining the fair view mentioned in this act, or for the purpose of improving the view at one or more angles, any steam railroad company subject to the provisions hereof may enter upon private property and remove any embankment or other obstruction except a dwelling house. The owner of such property is entitled to damages, and may have the same estimated and paid in manner provided in chapter fifty-six, revised statutes, and there shall be the same right of appeal as therein given.'

Sec. 4. 1917, c. 145, § 13; relating to the exemption of certain railroads from the provisions of the act relative to automatic signals and the removal of obstructions at grade crossings, amended. Section thirteen of chapter one hundred and forty-five of the public laws of nineteen hundred and seventeen is hereby amended by adding after the word "provisions" in the first line thereof, the words 'of sections one and nine,' and by adding after the word "the" in the second line thereof the words 'Knox Railroad Company, formerly called,' so that said section as amended, shall read as follows:

'Sec. 13. Exemption applies only to installation of automatic signals; made to conform to change of name of Georges Valley to Knox Railroad Company. The provisions of sections one and nine of this act shall not apply to railroads of less than standard gauge, nor to the Knox Railroad Company, formerly called Georges Valley Railroad Company.'

Approved March 10, 1921.

Chapter 18.

An Act to Amend Section Seventy-six of Chapter Eighty-two of the Revised Statutes, as Amended by Chapter Two Hundred and Eighty of the Public Laws of Nineteen Hundred and Seventeen and by Chapter One Hundred and Ninety-two of the Public Laws of Nineteen Hundred and Nineteen, Relative to Price of Maine Reports.

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

R. S., c. 82, § 76; 1917, c. 280; 1919, c. 192; relating to the duties of the reporter of decisions, amended. Section seventy-six of chapter eighty-two of the revised statutes as amended by chapter two hundred and eighty of the public laws of nineteen hundred and seventeen and as further amended by chapter one hundred and ninety-two of the public laws of nineteen hundred and nineteen is hereby further amended by striking out in the eighth line of said section after the words, "price of" the words, "two dollars and fifty cents" and inserting in place thereof the words,