

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-second Legislature

OF THE

STATE OF MAINE

1925

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-second Legislature

1925

[supplied from page 1 of volume]

Chapter 115.

An Act Relating to the Ringing of the Engine Bell or Sounding of the Whistle at Grade Crossings.

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

Sec. 1. R. S., c. 56, sec. 72; P. L., 1921, c. 16; relating to sign boards, ringing of bell and sounding of whistle at railroad crossings, amended. Section seventy-two of chapter fifty-six of the revised statutes as amended by chapter sixteen of the public laws of nineteen hundred and twenty-one is hereby amended by striking out the word "eighty" in line ten, the word "seventy-five" in line ten, and the word "eighty" in line seventeen, and substituting therefor the word 'sixty' in line ten, the word 'sixty' in line ten, and the word 'sixty' in line seventeen, and by adding the word 'beginning' in the ninth line before the word "at," and by adding the words 'beginning at' before the word "a" in the tenth line, so that said section, as amended, shall read as follows:

'Sec. 72. Whistle to be sounded and bell to be rung beginning at a distance of sixty rods from railroad crossings. Every railroad corporation shall cause sign-boards with the words "Railroad Crossing" distinctly painted on each side thereof in letters plainly legible, to be placed and constantly maintained at the side of highways and town ways where they are crossed at grade by such railroads, on posts or other structures, in such position as to be easily seen by persons passing upon such ways; and every such corporation shall cause a steam whistle, and a bell of at least thirty-five pounds in weight to be placed upon each locomotive used upon its railroad, and such whistles shall be sounded as a warning beginning at a distance of sixty rods on standard gauge railroads and beginning at a distance of sixty rods on narrow gauge railroads from all crossings of such ways on the same level, unless the public utilities commission upon petition of the 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 sixty 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

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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.'

Sec. 2. Until November 1, 1925, legal to sound whistles 80 or 60 rods from crossings. Until November 1, 1925, it shall be legal to sound the said whistles at either eighty or sixty rods from such crossings.

Approved April 2, 1925.

Chapter 116.

An Act to Relieve the State of the Necessity of Alleging and Proving the Non-existence of a Federal Permit in Proceedings for Punishment for Unlawful Transportation of Liquor and for Forfeiture of Vehicles, Boats, etc.

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

Sec. 1. R. S., c. 127, sec. 20; P. L., 1917, c. 291; 1923, c. 167; relating to transporting intoxicating liquors, amended. Section twenty of chapter one hundred and twenty-seven of the revised statutes, as amended by chapter two hundred and ninety-one of the public laws of nineteen hundred and seventeen and by chapter one hundred and sixty-seven of the public laws of nineteen hundred and twenty-three, is hereby further amended by striking out of said section, the clause, "and the failure of any person so transporting intoxicating liquor to exhibit such permit when requested to do so, by any duly qualified officer charged with the duty of enforcing the provisions of this chapter, shall be deemed to be prima facie evidence that no such permit exists," and substituting therefor the following: 'and in any prosecution under this section it shall not be incumbent on the state to allege and prove that the respondent did not possess such a permit,' so that said section, as amended, shall read as follows:

'Sec. 20. Allegation and proof of not holding a federal permit not required of state in prosecutions. No person shall knowingly transport into this state or from place to place therein any intoxicating liquor, or aid any person in such transportation without being in possession of a permit therefor duly issued under authority conferred by the provisions of the national prohibition act of October twenty-eight, nineteen hundred and nineteen, and amendments thereto, providing for the enforcement of the eighteenth amendment to the constitution of the United States; and in any prosecution under this section it shall not be incumbent on the state to allege and prove that the respondent did not possess such a permit. Whoever violates the provisions of this section shall be fined not less than three hundred nor more than six hundred dollars and costs, and in addition thereto, shall be imprisoned for not less than three months nor more than six