

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

Ninety-eighth Legislature

OF THE

# STATE OF MAINE

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PUBLIC LAWS  
OF THE  
STATE OF MAINE

As Passed by the Ninety-eighth Legislature

1957

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## Chapter 5

### AN ACT Relating to Stealing or Killing Dogs.

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

R. S., c. 100, § 23, amended. Section 23 of chapter 100 of the Revised Statutes is hereby amended to read as follows:

'Sec. 23. Stealing or killing dog. Whoever steals or confines and secretes any registered dog, or willfully or negligently injures or willfully or negligently kills any such dog, except as provided in the following section 24 and unless such killing be justifiable in the protection of persons, property or game, shall be liable to the owner in a civil action for the full value of the dog.'

Effective August 28, 1957

## Chapter 6

### AN ACT Relating to Obstructions to View at Railroad Crossings.

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

Sec. 1. R. S., c. 46, § 91, amended. Section 91 of chapter 46 of the Revised Statutes, as amended by section 2 of chapter 36 of the public laws of 1955 is hereby further amended to read as follows:

'Sec. 91. Municipal Officers, County Commissioners or State Highway Commission, on order of Commission, to remove obstructions; 10 days' notice to be given to interested parties. At every crossing of a highway or other way ~~excepting state and state aid highways and a steam railroad at grade and at every crossing of a highway or other way excepting state and state aid highways and an electric railroad at grade,~~ the municipal officers of the town or county commissioners in the case of unorganized places in which the crossing is located are given authority and are required, when by order directed to do so by the Public Utilities Commission, after 10 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 and at every crossing on state highways and state aid highways to remove fences and encroachments which obstruct the view of an engine, train or car by a traveler at or near any such crossing, and on such crossings on state and state aid highways, when by order of the Public Utilities Commission, directed to do so, the State Highway Commission shall remove and properly trim, cut down or remove bushes, trees and signboards which obstruct the view of an engine, train or car by a traveler at or near such crossing, and shall from time to time as may be necessary keep obstructions removed therefrom. The authority of the Commission in any order and of the municipal officers ~~or~~, county commissioners, or the State Highway Commission acting thereunder shall not extend beyond the land bounded by a line from a point 300 feet on either side of any such crossing measured along the highway or other way ~~or beyond~~ and a point 300 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 300 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 300 feet from such crossing until it has passed over the same.'

Sec. 2. R. S., c. 46, § 92, amended. Section 92 of chapter 46 is hereby amended by adding at the end thereof the following sentence:

'Any expense incurred by the State Highway Commission to properly trim, cut down or remove and from time to time as may be necessary to keep trimmed, cut down and removed, bushes, trees and signboards, shall be borne by said State Highway Commission.'

Effective August 28, 1957

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## Chapter 7

AN ACT Relating to Procedure to Repair or Demolish Buildings after Fire.

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

R. S., c. 97, § 23, repealed and replaced. Section 23 of chapter 97 of the Revised Statutes is hereby repealed and the following enacted in place thereof:

'Sec. 23. Buildings repaired or demolished; petition to enforce order. If any person fails to comply with the order of any officer under the provisions of section 22 or with the decision of the Insurance Commissioner on review and within the time fixed, then such officer or the Insurance Commissioner may petition the Supreme Judicial Court or the Superior Court in equity, in term time or vacation, in the county where the building or premises is located to enforce the order of said officer or the Insurance Commissioner. After notice and hearing the Court shall make such order, judgment or decree as law and justice may require, or the Court may authorize the town to cause such building or premises to be forthwith repaired, torn down or demolished and such materials removed and all dangerous conditions remedied, as the case may be, at the expense of the town in which such property is situated; and if the owner thereof, within 30 days after notice in writing of the amount of such expense, fails, neglects or refuses to repay said town the expense thereby incurred, a special tax may be assessed by the assessors against the land on which said building was located for the amount of such expenses, and such amount shall be included in the next annual warrant to the tax collector of said town for collection, and shall be collected in the same manner as other state, county and municipal taxes are collected.'

Effective August 28, 1957

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## Chapter 8

AN ACT Relating to Procedure of Municipal Tax Collectors in Issuing Warrants of Distress.

**Emergency preamble.** Whereas, acts of Legislature do not become effective until 90 days after the Legislature adjourns; and

Whereas, due to error in chapter 91-A, enacted at the last session of the Legislature, municipal tax collectors were deprived of an additional method to collect taxes; and