

# MAINE STATE LEGISLATURE

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# Seventy-first Legislature.

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HOUSE.

No. 10

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND THREE.

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AN ACT to enlarge the powers of street railroads in taking  
lands.

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

Section 1. Any street railroad corporation may purchase  
2 or take and hold, as for public uses, land for borrow and  
3 gravel pits, spur tracks thereto, side tracks, turnouts, stations,  
4 car barns, pole lines, wires, installing and maintaining power  
5 plants, double tracking its road, improving the alignment  
6 thereof, changing or avoiding grades, or for avoiding grade  
7 crossings of any railroad; but if the owner of said land does  
8 not consent thereto, or if the parties do not agree as to the  
9 necessity therefor or the area necessary to be taken, the corpo-  
10 ration may make written application to the railroad commis-  
11 sioners, describing the estate and naming the persons sup-

12 posed to be interested; the commissioners shall thereupon  
13 appoint a time for a meeting near the premises, and require  
14 notice to be given to the persons so interested as they may  
15 direct fourteen days at least before said time; and shall then  
16 view the premises, hear the parties, and determine how much,  
17 if any, of such real estate is necessary for the reasonable  
18 accommodation of the traffic and appropriate business of the  
19 corporation. If they find that any of it is so necessary, they  
20 shall furnish the corporation with a certificate containing a  
21 definite description thereof; and when it is filed with the  
22 clerk of courts in the county where the land lies, it shall be  
23 deemed and treated as taken; provided, however, that when  
24 land is held by a tenant for life and the reversion is contingent  
25 as to the persons in whom it may vest on the termination of  
26 the life estate, such fact shall be stated in an application and  
27 the commissioners shall, in addition to the notice to the  
28 tenant for life, give notice by publication to all others inter-  
29 ested in such matter as they deem proper.

Sect. 2. The land taken under section one shall not be  
2 entered upon except to make surveys before the certificate  
3 aforesaid has been filed with the clerk of courts. All dam-  
4 ages shall be determined and paid as provided by chapter  
5 fifty-one of the Revised Statutes for lands taken by railroads,  
6 and chapter two hundred and thirty-six of the Public Laws  
7 for one thousand eight hundred and ninety-three shall be  
8 applicable thereto. No meeting house, dwelling house, public  
9 or private burying grounds shall be so taken without consent  
10 of the owners.



STATE OF MAINE.

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IN HOUSE OF REPRESENTATIVES,

AUGUSTA, January 22, 1903.

Tabled pending reference to the Committee on Railroads, Telegraphs  
and Expresses, by Mr. WEEKS of Fairfield, and ordered printed.

W. S. COTTON, *Clerk.*