

# MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

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SENATE

NO. 201

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*In Senate, Feb. 5, 1913.*

*Presented by Senator Flaherty of Cumberland, and on motion by Senator Bailey of Penobscot, laid on the table for printing, pending reference to a committee.*

*W. E. LAWRY, Secretary.*

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STATE OF MAINE

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

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AN ACT to regulate the taking of Real Estate of Private  
Owners for Rights of Way.

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

Section 1. All persons, corporations or individuals, who  
2 have, or may hereafter acquire, the right of eminent domain  
3 to condemn and take real estate of private owners, for the  
4 purpose of constructing any electric light, heat, power, pipe  
5 or pole lines, including all telegraph, telephone, trolley and  
6 water-pipe lines shall not enter upon the land of any pri-  
7 vate owner until all damages for lands so taken for right  
8 of way shall be fully adjusted and paid to the owners of  
9 said real estate condemned or taken.

Sect. 2. Full and complete blue-print plans of all parcels  
2 of real estate condemned for any of the purposes, herein  
3 specified, containing the names of the respective owners of  
4 all said parcels of real estate, also the number of poles  
5 proposed to be set, and the position of each of said poles,  
6 shall be plainly indicated upon said plans, and all measure-  
7 ments, distances, compass courses, angles and areas of land  
8 proposed to be condemned shall be accurately displayed.  
9 Said plans shall be filed, approved and recorded by the  
10 county commissioners of the respective counties, wherein  
11 any portion of such rights of way are proposed to be located,  
12 at least ninety days before any act of condemnation of  
13 real estate for any of the purposes specified in this act shall  
14 commence.

Sect. 3. All costs of estimating and adjusting said dam-  
2 ages referred to in section one shall be borne and paid by  
3 the persons, corporations or individuals who exercise or  
4 enjoy such franchise.

Sect. 4. If so requested by the adjoining land owner, said  
2 persons, corporations or individuals shall be required to  
3 maintain legal and sufficient fences of their located right  
4 of way in the same manner as provided by law for railroads.

Sect. 5. This act shall not be construed as applying to  
2 any law for the taking of real estate for highways.