

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

SENATE

NO. 431

In Senate, March 3, 1913.

Came from the House referred to the Committee on Railroads and Expresses, and on motion by Senator Packard of Knox laid on the table for printing pending reference in concurrence.

W. E. LAWRY, Secretary.

STATE OF MAINE

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

AN ACT to amend Section 26 of Chapter 51 of the Revised Statutes, in relation to the taking of land by railroad companies.

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

Section 1. Section 26 of chapter 51 of the Revised Statutes is hereby amended by striking out from the sixteenth and seventeenth lines thereof the words "furnish the corporation with a certificate containing a definite description thereof;" and insert in place thereof the words 'make a certificate containing a definite description thereof and furnish the corporation with a true copy thereof attested by the clerk of the board'; and also inserting after the word

9 “such” in the seventeenth line of said section the words
10 ‘copy of,’ so that said section as amended shall read as fol-
11 lows :

‘Sect. 26. Any railroad corporation may also purchase or
13 take and hold, as for public uses, additional land at any time
14 required for the purpose of improving the alignment of its
15 road, or for double-tracking its road, also land for borrow
16 and gravel pits, necessary tracks, side-tracks, stations, coal-
17 sheds, wood-sheds, repair shops, and car, engine and freight
18 houses ; but if the owner of said land does not consent there-
19 to, or if the parties do not agree as to the necessity therefor
20 or the area necessary to be taken, the corporation may make
21 written application to the railroad commissioners, describ-
22 ing the estate, and naming the persons interested ; the com-
23 missioners shall thereupon appoint a time for the hearing
24 near the premises, and require notice to be given to the per-
25 sons interested, as they may direct, fourteen days at least
26 before said time ; and shall then view the premises, hear the
27 parties and determine how much, if any, of such real estate
28 is necessary for the reasonable accommodation of the traffic
29 and appropriate business of the corporation. If they find
30 that any of it is so necessary, they shall make a certificate
31 containing a definite description thereof and furnish the
32 corporation with a true copy thereof, attested by the clerk
33 of the board ; and when such copy of certificate is filed with
34 the clerk of courts in the county where the land lies, the
35 land shall be deemed and treated as taken ; provided, how-

36 ever, that when land is held by a tenant for life, and the
37 reversion is contingent as to the persons in whom it may vest
38 on the termination of the life estate, such fact shall be stated
39 in the application, and the commissioners shall, in addition
40 to the notice to the tenant for life, give notice by publication
41 to all others interested, in such manner as they deem proper.'