

MAINE STATE LEGISLATURE

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(NEW DRAFT)

EIGHTIETH LEGISLATURE

HOUSE

NO. 271

House of Representatives, March 11, 1921.

Reported by Mr. Cole from Committee on Judiciary and ordered printed under joint rules.

CLYDE R. CHAPMAN, Clerk.

STATE OF MAINE

**IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND TWENTY-ONE**

AN ACT to Amend Section Seventeen of Chapter Sixty and
Section Eleven of Chapter Sixty-one of the Revised Statutes,
Relating to the Taking of Land for Public Uses.

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

Section 1. Section seventeen of chapter sixty of the re-
2 vided statutes is amended by striking out the words "in
3 case of railroads" at the end of said section and inserting
4 in the place thereof the words 'provided by sections twelve to
5 twenty-two inclusive of chapter sixty-one of the revised
6 statutes,' so that said section as amended shall read as fol-
7 lows:

‘Every corporation operating a telegraph or telephone line
2 in the state may connect its line or lines with those of any
3 other like corporation, and may sell or lease its lines and
4 property, in whole or in part, to any other like corporation,
5 and may purchase or lease the line, or lines, and property,
6 in whole or in part, of any like corporation, upon such
7 terms as may be agreed upon by the contracting parties,
8 subject, however, to the control of the public utilities com-
9 mission; and may purchase, or take and hold as for public
10 uses, land necessary for the construction and operation of
11 its lines. Land may be so taken and damages therefor may
12 be estimated, secured, determined and paid as provided by
13 sections twelve to twenty-two inclusive of chapter sixty-one
14 of the revised statutes.’

Sect. 2. Section eleven of chapter sixty-one of the re-
2 vised statutes is amended by striking out from the fifth and
3 sixth lines thereof the words “or telegraph or telephone cor-
4 porations,” so that said section as amended shall read as
5 follows:

‘All locations made and all damages assessed for the tak-
2 ing of property by the exercise of the right of eminent do-
3 main, except for property taken by the United States, the
4 State of Maine, or a county or municipality thereof, or a
5 quasi-municipal corporation, or steam railroad or street rail-
6 road corporations, and excepting property which, when tak-
7 en, is being, or is necessary to be used by the owner thereof
8 in the performance of a public duty, shall be made and as-

9 sessed and the rights of the parties shall be as follows, not-
10 withstanding anything contained in the act granting such
11 right.'