

MAINE STATE LEGISLATURE

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EIGHTY-SECOND LEGISLATURE

H. P. No. 708

H. D. No. 152

House of Representatives, Feb. 17, 1925.

Referred to Committee on Judiciary and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Hammond of Van Buren.

STATE OF MAINE

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

AN ACT Relating to the Taking of Additional Land by Rail-
road Corporations; Proceedings Before Public Utilities
Commission.

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

That section twenty-six, chapter fifty-six of the revised
2 statutes of Maine, revision of nineteen hundred and six-
3 teen, is hereby amended by striking out the first sentence
4 of said section which reads: "Any railroad corporation may
5 also purchase or take and hold, as for public uses, additional
6 land at any time required for the purpose of improving the
7 alignment of its road, or for double tracking its road, also
8 land for borrow and gravel pits, necessary tracks, side-

9 tracks, stations, coal-sheds, wood-sheds, repair-shops, and
10 car, engine and freight houses; but if the owner of said
11 land does not consent thereto, or if the parties do not agree
12 as to the necessity therefor or the area necessary to be
13 taken, the corporation may make written application to the
14 public utilities commission, describing the estate, and naming
15 the persons interested; the commission shall thereupon ap-
16 point a time for the hearing near the premises, and require
17 notice to be given to the persons interested, as they may
18 view the premises, hear the parties and determine how
19 much, if any, of such real estate is necessary for the rea-
20 sonable accommodation of the traffic and appropriate busi-
21 ness of the corporation," and substituting therefor the fol-
22 lowing:

‘Any railroad corporation may also purchase or take and
2 hold, as for public uses, additional land at any time re-
3 quired for improving the alignment or grades of its road,
4 or for double tracking its road, also land for borrow and
5 gravel pits, necessary tracks, sidetracks, spur tracks, sta-
6 tions, coal-sheds, wood-sheds, water-tanks, repair-shops, car,
7 engine, freight and section houses, section dwelling houses
8 and boarding houses which the public utilities commission
9 shall find to be necessary in the operation or maintenance
10 of the railroad, and for any other purpose or purposes
11 which said commission, after hearing, shall find to be rea-
12 sonably required in the safe, economical and efficient oper-
13 ation of the railroad and in the rendering of adequate com-

14 mon carrier service to the public; but if the owner or
15 owners of said land do not consent thereto, or if the par-
16 ties do not agree as to the necessity therefor, or as to the
17 area to be taken, or if the parties are unable to agree as
18 to the fair value of said land, the corporation may make
19 written application to the public utilities commission re-
20 questing its approval of the taking, describing the estate
21 and naming the persons interested; the commission shall
22 thereupon appoint a time for the hearing near the premises,
23 and require notice to be given to the persons interested,
24 as they may direct, fourteen (14) days at least before said
25 time; the commission shall then view the premises, hear
26 the parties and determine how much, if any, of such real
27 estate should be taken for the reasonable accommodation
28 of the traffic, the safe operation of the railroad, and the
29 appropriate business of the corporation.'