

MAINE STATE LEGISLATURE

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NINETY - SECOND LEGISLATURE

Legislative Document

No. 502

H. P. 809

House of Representatives, February 7, 1945.

Referred to Committee on Judiciary, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Anderson of Oxbow Plantation.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-FIVE

AN ACT Relating to Eminent Domain for the State Park Commission.

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

R. S., c. 32, § 23, sub-§ I, amended. Subsection I of section 23 of chapter 32 of the revised statutes is hereby amended by adding at the end thereof the following sentences:

'If the right of eminent domain is to be exercised, the procedure shall be as follows: for real estate so taken, the owners are entitled to damages, to be paid by the state and estimated by the county commissioners, on written application by either party, made within 1 year after filing the location as hereinafter provided, or if proceedings thus commenced fail for causes not affecting the merits, new ones may be commenced within 1 year thereafter. When the commission deems that a public exigency requires the taking of any land or rights for the purposes aforesaid, said commission shall cause the same to be surveyed, located and so described that the same can be identified, and a plan thereof shall be filed in the registry of deeds in the county, or registry district, where the land or rights are located, and there recorded. The filing of such plan and description shall vest the title to the land and buildings and right aforesaid in the state, or its grantees to be held during the pleasure of the state. Either party, if aggrieved by a decision of the county commissioners rendered in conformity with the provisions of this section, may appeal as in cases of

land taken for highways to the superior court in the county in which the land is situated.'