

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

FORTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE.

1865.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 26, 1840, and March 16, 1842.

AUGUSTA:
STEVENS & SAYWARD, PRINTERS TO THE STATE.
1865.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1865.

Chapter 321.

An act additional concerning railroads.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Railroad corporations may take real estate for depot purposes. Question of necessity and extent, how determined.

SECT. 1. A railroad corporation may take and hold real estate necessary for depot purposes, and when the parties interested do not consent thereto, and cannot agree upon other persons to determine the question of necessity and the extent thereof, the said corporation may make application to the railroad commissioners of this state, to view the premises and determine whether, and how much of such estate, is necessary for the reasonable accommodation of the traffic and appropriate business of the said corporation.

Application to railroad commissioner, how made. Hearing and notice.

SECT. 2. The said application shall be in writing and shall set forth a definite description of the estate, giving the name of the owner or owners or other parties interested, and a hearing thereon shall be had at the expense of the said corporation, at such time, and at such place in the vicinity of the premises, as the said commissioners shall appoint, of which notice shall be given to all parties interested, in such manner as the said commissioners shall direct, fourteen days at least before the day appointed for the said hearing.

Adjudication of commissioners.

SECT. 3. If the said commissioners shall adjudge and determine, after such hearing, that the estate in question is necessary for the use of the corporation as aforesaid, they shall furnish to the said corporation a certificate of their adjudication, together with a definite description of the estate so found by them to be necessary to the said corporation, which shall be filed with the clerk of the courts in the county in which the land lies ; and thereupon the said corporation may enter upon, locate and take the said estate to the extent set forth in the said certificate ; and the provisions of chapter fifty-one of the revised statutes and of all subsequent acts amendatory thereof, shall be applicable to all further proceedings in relation to the taking of the said estate, and the estimation and payment of damages therefor.

—their certificate.

Provisions of chap. 51, R. S., &c., applicable.

Property not liable to be taken.

SECT. 4. Nothing in this act shall be construed to authorize the taking of any meeting-house, dwelling-house, or public or private burying ground, without the consent of the owners.

SECT. 5. This act shall take effect when approved.

Approved February 24, 1865.