

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

OF THE

## FORTY-SEVENTH LEGISLATURE

OF THE

## STATE OF MAINE.

1868.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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PUBLIC LAWS

OF THE

STATE OF MAINE.

1868.

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CHAP. 171.**Chapter 171.**

An act to amend chapter three hundred and twenty-one of the laws of eighteen hundred and sixty-five, relating to railroads.

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

Public laws of 1865, chap. 321, sect. 1, amended.

Railroad corporations authorized to take land for depot, side tracks, shops, &c.

—extent to be determined by railroad commissioners when parties do not agree.

Section one of chapter three hundred and twenty-one of the public laws of the year eighteen hundred and sixty-five, is hereby amended, so that the section, as amended, shall read as follows:

‘A railroad corporation may take and hold real estate for depot purposes, and for all necessary tracks or side tracks, wood sheds, repair shops, and car, engine and freight houses, 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 said estate is necessary for the reasonable accommodation of the traffic and appropriate business of the said corporation.’

Approved February 24, 1868.

**Chapter 172.**

An act to amend section twenty-eight of chapter eleven of the revised statutes, relating to the location and erection of school houses.

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

R. S., chap. 11, sect. 28, amended.

SECT. 1. Section twenty-eight of chapter eleven of the revised statutes, is hereby amended, by inserting, after the word “officers,” in the fifth line thereof, the words ‘or resides without the limits of this state, and has no authorized agent or attorney within the same’; and by inserting, after the word “damages,” in the eighth line thereof, the words, ‘or if such owner shall not reside within this state, upon depositing such damages in the treasury of such town or district for his use’; so that said section, as amended, by chapter one hundred and three of the laws of eighteen hundred sixty-two, and by this act, shall read as follows:

Lot may be taken for erection of school house without consent of owner, when sale is unreasonably refused. Proceedings.

SECT. 28. When a location for the erection or removal of a school house and necessary buildings has been legally designated, and the owner thereof refuses to sell, or asks an unreasonable price for it, in the opinion of the municipal officers, or resides without the limits of this state, and has no authorized agent or attorney within the same, they may lay out a school house lot, not exceeding forty square rods, and appraise the damages, as is

‘ provided for laying out town ways and appraising damages there-  
 ‘ for; and on payment or tender of such damages, or if such owner  
 ‘ shall not reside within this state, upon depositing such damages  
 ‘ in the treasury of such town or district for his use, the town or  
 ‘ district designating it may take such lot to be held and used for  
 ‘ the purposes aforesaid; and when such school house as is required  
 ‘ of the town or district has ceased to be thereon for two years, it  
 ‘ shall revert to the owner, his heirs or assigns.’

CHAP. 173.

SECT. 2. This act shall take effect when approved.

Approved February 24, 1868.

### Chapter 173.

An act to grant certificates of service to soldiers who served in the war for the suppression of the rebellion.

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

SECT. 1. The governor is hereby authorized to issue certificates of appropriate design to all soldiers who served in the war for the suppression of the rebellion, and have been honorably discharged, and to widows or next in kin of such as have deceased, said certificate to contain a transcript of the record in the adjutant general's office of the service of the soldier.

Certificates for honorable service during late war, to be granted soldiers and widows of deceased soldiers.

SECT. 2. The cost of said certificates shall not exceed, in the aggregate, the sum of two thousand dollars.

SECT. 3. This act shall take effect when approved.

Approved February 24, 1868.

### Chapter 174.

An act to regulate certain fisheries.

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

SECT. 1. Any person who shall use any weir, trap, seine or net, other than a dip-net, for taking any kind of fish in any other than tide waters, except as hereinafter provided, shall be punished by a fine of not more than fifty nor less than ten dollars, and shall forfeit all implements so unlawfully used, and all boats employed in said unlawful fishery.

Restriction in the taking of fish in other than tide waters. —penalty.

SECT. 2. Any person who shall take or kill any trout, salmon, togue or whitefish, during the months of October, November and

Taking of trout, salmon, &c., restricted.