

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE

1903.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1903.

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## CHAP. 25

Accused may be required to give bond.

—may be committed.

—cost of commitment and board shall be paid by county.

'Section 3. When the accused is brought before such or any other justice he may be required to give bond to the complainant, with sufficient sureties, in such reasonable sum as the justice orders, conditioned for his appearance at the next term of the supreme judicial or superior court for the county in which she resides, and for his abiding the order of the court thereon; and if he does not give it he shall be committed to jail until he does. The cost of commitment and board of the accused while so in jail shall be paid by the county in which said jail is situated. If he gives the required bond after said commitment he shall be liberated upon the payment of cost of commitment and board.'

Approved February 26, 1903.

## Chapter 25.

An Act to enlarge the powers of Street Railroads in taking Lands.

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

May purchase or take and hold land for gravel pits, etc.

—if owner of land does not consent, may apply to railroad commissioners.

—meeting shall be appointed.

—proviso.

Section 1. Any street railroad corporation may purchase or take and hold, as for public uses, land for borrow and gravel pits, spur tracks thereto, side tracks, turnouts, stations, car barns, pole lines, wires, installing and maintaining power plants, double tracking its road, improving the alignment thereof, changing or avoiding grades, or for avoiding grade crossings of any railroad; but if the owner of said land does not consent thereto, or if the parties do not agree as to the necessity therefor or the area necessary to be taken, the corporation may make written application to the railroad commissioners, describing the estate and naming the persons supposed to be interested; the commissioners shall thereupon appoint a time for the meeting near the premises, and require notices to be given to the persons so interested as they may direct fourteen days at least before said time; and shall then view the premises, hear the parties, and determine how much, if any, of such real estate is necessary for the reasonable accommodation of the traffic and appropriate business of the corporation. If they find that any of it is so necessary, they shall furnish the corporation with a certificate containing a definite description thereof; and when it is filed with the clerk of courts in the county where the land lies, it shall be deemed and treated as taken; provided, however, that when land is held by a ten-

ant for life and the reversion is contingent as to the persons in whom it may vest on the termination of the life estate, such fact shall be stated in an application and the commissioners shall, in addition to the notice to the tenant for life, give notice by publication to all others interested in such matter as they deem proper.

Section 2. The land taken under section one shall not be entered upon except to make surveys before the certificate aforesaid has been filed with the clerk of courts. All damages shall be determined and paid as provided by chapter fifty-one of the revised statutes for lands taken by railroads, and chapter two hundred and thirty-six of the public laws for one thousand eight hundred and ninety-three shall be applicable thereto. No meeting house, dwelling house, public or private burying grounds shall be so taken without consent of the owners. Nothing herein contained shall authorize the taking of lands already devoted to railroad uses except in cases where the railroad commissioners determine that such lands may be crossed in such manner as to avoid grade crossings with railroads.

No entry, except for survey, before filing of certificate.

—damages.

—exceptions.

Approved February 26, 1903.

## Chapter 26

An Act to repeal Sections thirty-four, thirty-five, thirty-six, thirty-seven and thirty-eight of Chapter twenty-six of the Revised Statutes, relating to inquests in cases of suspected Incendiarism.

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

Sections thirty-four, thirty-five, thirty-six, thirty-seven and thirty-eight of chapter twenty-six of the revised statutes are hereby repealed.

Sections 34, 35, 36, 37 and 38 of chapter 26, R. S., repealed.

Approved February 26, 1903.