

MAINE STATE LEGISLATURE

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Acts and Resolves

As Passed by the

Seventy-Eighth Legislature

OF THE

STATE OF MAINE

1917

Including Acts and Resolves of the Special Session of the
Seventy-Seventh Legislature held in 1916.

Published by the Secretary of State, in accordance with the Resolves of the Legislature approved June 28, 1820, March 18, 1840, and March 16, 1842.

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Eighth Legislature

1917

[supplied from page 1 of volume]

Chapter 275.

An Act Authorizing the Taking of Land for Forts, and Other Purposes.

Emergency preamble. Whereas, in order to provide adequate means of defense and to discharge the obligations of the State of Maine to the Government of the United States, an act authorizing the taking of land for military purposes and the ceding thereof to the federal government is immediately necessary for the preservation of the public peace, health and safety:

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

Sec. 1. State may take land on which to erect fortifications, etc.; may cede to United States. The governor by advice of the council, is hereby authorized and empowered, to take in the name of the state, by purchase, lease or deed, or in the manner herein denoted, any land or lands, or rights of way, for the purpose of erecting, using or maintaining any fort, fortification, arsenal, or other military structure or establishment, military connection, way or railroad, with all necessary rights, powers and privileges incident to the use thereof, whenever the governor by and with the advice of the council, may determine that the public exigencies require it; and by and with the advice of the council, he may deliver possession, and cede the jurisdiction thereof to the United States, on such terms and conditions as they deem expedient.

Sec. 2. Procedure. When the governor and council determine that a public exigency requires the taking of any land or rights as aforesaid, they shall cause the same to be surveyed, located and so described, that the same can be identified, and a plan thereof, with a copy of the order in council, to be filed in the office of the secretary of state, and there recorded. The filing of said plan and copy shall operate to vest the title in the land and rights aforesaid in the State of Maine, or their grantees, to be held during the pleasure of the state, and if transferred to the United States, during the pleasure of the United States.

Sec. 3. Compensation to owner. The owner of any land or rights, taken as aforesaid, shall have a just compensation therefor, to be determined as provided for the determination for damages for land taken for highway purposes.

Sec. 4. Time limitation. The powers herein granted are limited to the first day of March, nineteen hundred nineteen, after which time they cease.

Sec. 5. When effective. In view of the emergency expressed in the preamble hereof, this act shall take effect when approved.

Approved April 7, 1917.