

# MAINE STATE LEGISLATURE

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# DOCUMENTS

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# THE LEGISLATURE

OF THE

STATE OF MAINE.

1865.

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STEVENS & SAYWARD, PRINTERS TO THE STATE.

1865.

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# FORTY-FOURTH LEGISLATURE.

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HOUSE.

No. 45.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SIXTY-FIVE.

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### AN ACT additional concerning railroads.

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

SECTION 1. A railroad corporation may take and  
2 hold real estate necessary for depot purposes, and when  
3 the parties interested do not consent thereto, and can-  
4 not agree upon other persons to determine the question  
5 of necessity and the extent thereof, the said corpora-  
6 tion may make application to the railroad commission-  
7 ers of this state to view the premises and determine  
8 whether, and how much of, such estate is necessary  
9 for the reasonable accommodation of the traffic and  
10 appropriate business of the said corporation.

SECT. 2. The said application shall be in writing

2 and shall set forth a definite description of the estate,  
3 giving the name of the owner or owners or other par-  
4 ties interested, and a hearing thereon shall be had, at  
5 the expense of the said corporation, at such time, and  
6 at such place in the vicinity of the premises, as the  
7 said commissioners shall appoint, of which notice shall  
8 be given to all parties interested, in such manner as  
9 the said commissioners shall direct, fourteen days at  
10 least before the day appointed for the said hearing.

SECT. 3. If the said commissioners shall adjudge and  
2 determine, after such hearing, that the estate in ques-  
3 tion is necessary for the use of the corporation as afore-  
4 said, they shall furnish to the said corporation a cer-  
5 tificate of their adjudication, together with a definite  
6 description of the estate so found by them to be neces-  
7 sary to the said corporation, which shall be filed with  
8 the clerk of the courts in the county in which the land  
9 lies, and thereupon the said corporation may enter  
10 upon, locate and take the said estate to the extent set  
11 forth in the said certificate; and the provisions of  
12 chapter fifty-one of the revised statutes and of all sub-  
13 sequent acts amendatory thereof shall be applicable to  
14 all further proceedings in relation to the taking of the  
15 said estate, and the estimation and payment of dam-  
16 ages therefor.

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

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

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }  
February 17, 1865. }

Reported by Mr. WILLIAMS, from the Committee on Judiciary.

HORACE STILSON, *Clerk.*