

MAINE STATE LEGISLATURE

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SIXTY-FIRST LEGISLATURE.

HOUSE.

No. 83.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
EIGHTY-THREE.

AN ACT to amend chapter fifty-seven or the revised
statutes, relating to mills and their repairs.

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

SECTION 1. The provisions of chapter fifty-
2 seven of the revised statutes, relating to mills and
3 their repairs, and of each section thereof, shall
4 apply to and include not only dams which are
5 appurtenant to a single mill, but also dams which
6 are appurtenant to or furnish water for more than
7 a single mill, whether or not the mills are all
8 owned by the same persons, or in the same propor-
9 tions; and shall also apply to and include dams
10 intended for manufacturing purposes, whether or

11 not there is any mill or mills used in connection
12 therewith at the time of the proceedings under
13 said chapter.

SECT. 2. The reimbursements and liens provided
2 in sections two and three of said chapter, as
3 extended by the provisions of this statute, shall
4 extend to the use of any mill or mills whatever,
5 and the use of any dam or dams whatever,
6 which may be hereafter rebuilt or repaired, as
7 provided in said chapter and the amendments
8 thereof; and any part owner of any mill or dam,
9 which may be hereafter repaired or rebuilt, accord-
10 ing to the provisions of said statute, and any
11 amendments thereof, and any person claiming
12 under such owner, who may, alone, or in connec-
13 tion with others, make use of any dam or mill,
14 rebuilt or repaired in accordance with the provis-
15 ions of said chapter or the amendments thereto,
16 after the same is so rebuilt or repaired, shall be
17 liable as upon an implied promise, to reimburse the
18 proportionate part of the expense of such rebuild-
19 ing or repairing, with interest, as provided in said
20 chapter, to the extent of the value of the use made
21 by him of such dam or mill, and may be compelled,
22 from time to time, by action at law, or a bill in

23 equity, to so reimburse with such interest, to the
24 extent of the value of such use.

SECT. 3. No person, acquiring the title or use,
2 or possession, from, through or under any such
3 owner, for a valuable consideration, shall be holden
4 to such reimbursements unless he has notice
5 thereof or an abstract of the proceedings about
6 rebuilding or repairing, identifying the mill or
7 dam, and naming such owner, and the amount
8 claimed to be due from him, and signed by one or
9 more co-owner, is recorded in the registry of
10 deeds of each county in which said mill or dam is
11 situated or extends, before such title, use or pos-
12 session was acquired; and upon filing such notice
13 the register of deeds shall file, index and record,
14 the same as provided with reference to deeds of
15 real estate.

SECT. 4. This act shall take effect upon its
2 approval by the governor.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
February 9, 1883. }

Reported by Mr. HALE, from the Committee on the Judiciary,
and ordered printed.

ORAMANDAL SMITH, *Clerk.*