

# MAINE STATE LEGISLATURE

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THE  
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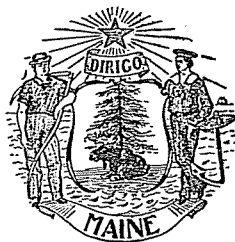
OF THE

STATE OF MAINE,

PASSED SEPTEMBER 1, 1903, AND TAKING EFFECT JANUARY 1, 1904.

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BY THE AUTHORITY OF THE LEGISLATURE.



AUGUSTA :  
KENNEBEC JOURNAL PRINT,  
1904.

## CHAPTER 59.

## MILLS AND THEIR REPAIRS.

SEC. 1. When an owner of a mill, or of the dam necessary for working it, thinks it necessary to rebuild or repair it in whole or in part, he may apply in writing to a justice of the peace in the county where it is situated, or if partly in two counties, to a justice of the peace in either, to call a meeting of the owners, stating the object, time and place of the meeting, and such justice may issue his warrant for the purpose, directed to such owner, which shall be published in some newspaper printed in such county, if any, three weeks successively, the last publication to be not less than ten, nor more than thirty days before the meeting; or a true copy of the warrant may be delivered to each of said owners, or left at his last and usual place of abode; and either notice is binding on all the owners.

SEC. 2. At such meeting, whether all the owners attend or not, the owners in interest of at least one-half of such mill or dam may rebuild or repair so far as to make them serviceable; and shall be reimbursed out of said mill or its profits, what they advanced therefor beyond their proportions, with interest in the meantime.

SEC. 3. If they are not reimbursed by the profits of the mill, or paid by the other owners, within six months after the work is completed, they may charge one per cent a month on the amount advanced, from the end of six months until so reimbursed; and if a delinquent owner dies, or alienates his interest in the premises, the advancing owners have a continuing lien thereon for reimbursement; but no special contract, made by the owners, respecting the building or repair of such mill or dam, is hereby affected.

SEC. 4. Where any part of such mill or dam, at the time of meeting and notice, is owned by minors, tenants by curtesy, in tail, for life or years, or by mortgagor or mortgagee, the guardians of such minors, such tenant, mortgagor or mortgagee shall be deemed, for the purposes of this chapter the proprietors thereof, and shall be notified, vote, and contribute accordingly; and all advances so made by them, if not paid, may be recovered in a special action on the case, with interest.

SEC. 5. The owner or occupant of every grist mill shall keep scales and weights therein to weigh corn, grain and meal, when required; and he shall well and sufficiently grind as required, according to the nature, capacity and condition of his mill, all grain brought to his mill for that purpose, and in the order in which it shall be received; and for neglecting or refusing to weigh the same when required, or failing to grind the same in the order received, or for taking more than lawful toll, he shall be fined for each offense not less than ten, nor more than fifty dollars; *provided*, that this section shall not be so construed as to preclude the right of any owner or occupant of any mill to enter into any mutual agreement with any customer or customers as to the order in which the grain of such customers shall be received and ground, made at the time said customer or customers shall bring his or their grain to the mill for the purpose of being ground.

SEC. 6. The toll for grinding, cleansing and bolting all kinds of grain, shall not exceed one-sixteenth part thereof.

Manner of calling a meeting of mill owners. R. S., c. 57, § 1. 31 Me., 35. 57 Me., 103. 91 Me., 353.

Owners of half or more may repair or rebuild. R. S., c. 57, § 2. 11 Me., 172. 53 Me., 553.

How to be reimbursed. R. S., c. 57, § 3. 53 Me., 553. 51 Me., 360.

Proceedings, if a part owner is a minor, or otherwise disqualified. R. S., c. 57, § 4.

Owners of grist mills to furnish scales for weighing grain. 1885, c. 232.

—grind grain in the order it is received at mill. 86 Me., 103.

—penalty.

Tolls. R. S., c. 57, § 6. 86 Me., 103.