

# MAINE STATE LEGISLATURE

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DOCUMENTS

PRINTED BY ORDER OF

THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1845.

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*AUGUSTA:*

WM. T. JOHNSON, PRINTER TO THE STATE.

1845.

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# TWENTY-FIFTH LEGISLATURE.

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No. 29.]

[HOUSE.]

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## STATE OF MAINE.

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

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AN ACT making towns liable for certain personal  
injuries.

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*Be it enacted by the Senate and House of Represent-  
atives in Legislature assembled—as follows :*

3 When any of the persons unlawfully or riotously as-  
4 sembled as mentioned in the fifth section of chapter  
5 159 of the Revised Statutes shall assault, beat or  
6 injure any person or persons, the city or town in  
7 which such assault or injury shall be committed, shall  
8 be liable to indemnify the person or persons so as-  
9 sailed or injured in an action of the case, which ac-  
10 tion shall not abate by the death of the plaintiff; and  
11 in case any person or persons shall be killed by reason  
12 of any such assault or battery, his executor or admin-  
3 istrator may maintain a special action on the case

14 therefor against said city or town for the benefit of  
15 the heirs at law of the deceased; *provided*, that the  
16 person so assaulted or injured shall have used all  
17 reasonable to prevent such assault or injury.

PROPOSED AMENDMENT.

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*A.*

Insert the word *diligence* after the word “reasonable”  
in the last line.

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STATE OF MAINE.

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HOUSE OF REPRESENTATIVES, }  
March 15, 1845. }

ORDERED, That 350 copies be printed for the use of the Legislature.

SAMUEL BELCHER, *Clerk.*