

MAINE STATE LEGISLATURE

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FIFTY-FOURTH LEGISLATURE.

HOUSE.

No. 68.

STATE OF MAINE.

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

AN ACT for the better protection of life and property.

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

SECTION 1. The governor, by and with the consent
2 of the council, shall annually appoint one competent
3 and practical engineer, a citizen of this state, whose
4 duty it shall be during the months of August and Sep-
5 tember, upon petition of the selectmen, assessors, or
6 county commissioners of any town, to inspect any dam
7 or reservoir located in such town which now is or may
8 be hereafter erected for the purpose of saving water
9 for manufacturing or any other purposes whatever, and
10 after personal examination and hearing testimony of
11 witnesses summoned for the purpose, to report forth-
12 with to the governor his opinion of the safety and suffi-
13 ciency of said dam or reservoir.

SECT. 2. If after such personal survey and inspection the engineer shall adjudge, determine and report, that any such dam or reservoir is unsafe or dangerous to the lives or property of persons residing near or below such dam or reservoir, then the owners, occupants or lessees of such dam or reservoir shall immediately make or cause to be made such repairs and additions to said dam or reservoir as said engineer shall advise and recommend ; and in default thereof, upon application of said engineer to any justice of the supreme judicial court, the said owners, occupants or lessees shall be enjoined from the use of such dam or reservoir and the water therein contained until they or either of them shall comply with the requirements of said engineer, and the water contained in said dam or reservoir may be discharged therefrom by order of said engineer in such manner as said engineer shall direct as most conducive to the safety of human life, and consistent with the protection of property.

SECT. 3. The said engineer shall receive as full compensation for his services five dollars per diem while actually employed in such service, together with his actual travelling expenses, to be audited, allowed and paid from the state treasury in all cases where such dam or reservoir shall be by him adjudged to be safe and sufficient ; and by the owners, occupants or lessees,

8 of said dam or reservoir in all cases where said dam or
9 reservoir shall be by him adjudged to be unsafe and
10 insufficient, to be recovered by said engineer in an ac-
11 tion of the case.

SECT. 4. This act shall take effect when approved.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
February 12, 1875. }

Reported from Committee on Interior Waters, by Mr. DENI-
SON of Poland, and ordered printed under Joint Rule.

S. J. CHADBOURNE, *Clerk.*