

# MAINE STATE LEGISLATURE

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# FIFTY-SIXTH LEGISLATURE.

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HOUSE.

No. 43.

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## STATE OF MAINE.

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

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AN ACT amendatory to chapter thirty of the public laws of eighteen hundred and seventy-five, relating to the better protection of life and property.

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

Section one of chapter thirty of the public laws of 2 eighteen hundred and seventy-five, is hereby amended, 3 by inserting the word "October" after the word 4 September, and the words "ten resident tax-payers" 5 after the word of in the fifth line, so that the section, 6 as amended, shall read as follows, viz :

7 *Sect. 1.* The governor, by and with the consent of 8 the council, shall annually appoint one competent 9 and practical engineer, a citizen of this state, whose 10 duty it shall be during the months of August, Sep-

11 tember and October, upon the petition of ten resident  
12 tax-papers, the selectmen or assessors of any town,  
13 or county commissioners of any county, to inspect any  
14 dam or reservoir located in such town, which now is  
15 or may be hereafter erected for the purpose of saving  
16 water for manufacturing or any other purpose what-  
17 ever; and after personal examination, and hearing  
18 testimony of witnesses summoned for the purpose, to  
19 report forthwith to the governor his opinion of the  
20 safety and sufficiency of said dam or reservoir.

Section two, is hereby amended, by inserting the  
2 word “alterations” after the word such in the eighth  
3 line, so that said section, as amended, shall read as  
4 follows, viz:

5 *Sect. 2.* If, after such personal survey and inspec-  
6 tion, the engineer shall adjudge, determine and report  
7 that any such dam or reservoir is unsafe or dangerous  
8 to the lives or property of persons residing near or  
9 below such dam or reservoir, then the owners, occu-  
10 pants or lessees of such dam or reservoir shall imme-  
11 diately make or cause to be made such alterations,  
12 repairs and additions to said dam or reservoir as such  
13 engineer shall advise and recommend; and in default  
14 thereof, upon application of said engineer to any jus-  
15 tice of the supreme judicial court, the said owners,  
16 occupants or lessees shall be enjoined from the use of

17 such dam or reservoir and the water therein contained,  
18 until they or either of them shall comply with the  
19 requirements of said engineer ; and the water contained  
20 in said dam or reservoir may be discharged therefrom  
21 by order of said engineer, in such manner as such  
22 engineer shall direct, as most conducive to the safety  
23 of human life, and consistent with the protection of  
24 property.

STATE OF MAINE.

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IN HOUSE OF REPRESENTATIVES, }  
January 25, 1877. }

Reported from the Committee on Interior Waters, by Mr. PILSBURY of Lewiston,  
and ordered printed under the Joint Rule.

ORAMANDAL SMITH, *Clerk.*