

# MAINE STATE LEGISLATURE

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# FIFTY-EIGHTH LEGISLATURE.

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SENATE.

No. 59.

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[NEW DRAFT.]

## STATE OF MAINE.

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

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AN ACT additional to chapter ninety-two of the  
revised statutes, concerning mills and mill dams.

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

SECTION 1. When the owners of mills carried  
2 by the water of a stream, or the owners of water  
3 power for operating mills, find or apprehend that  
4 the necessary head of water for working or reser-  
5 voir purposes, cannot be obtained, or when their  
6 existing rights in respect to the same cannot be  
7 exercised without over-flowing some highways or  
8 town ways, they may petition the county commis-  
9 sioners for permission to raise said ways and enlarge  
10 the water vent thereof. Such commissioners shall

11 appoint a time and place for a hearing on the peti-  
12 tion, and give notice thereof to all parties interested,  
13 as provided in section two of chapter eighteen of  
14 the revised statutes, and such notice may be proved  
15 in the manner provided in said section.

SECT. 2. On the day appointed, they shall meet,  
2 examine the premises described in the petition,  
3 and hear the parties present, and thereupon they  
4 shall determine whether said ways shall be raised  
5 and the water vents enlarged, and to what extent,  
6 and prescribe the manner in which it shall be done,  
7 and what portion of the expenses thereof and the  
8 costs of the hearing, shall be borne by the peti-  
9 tioners, and what portion, if any, by the town  
10 where the way is located.

SECT. 3. If the decision of the county commis-  
2 sioners is against the petitioners, they shall pay the  
3 costs of the hearing, taxed as in other cases before  
4 county commissioners.

# STATE OF MAINE.

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IN SENATE, February 14, 1879.

Reported by Mr. VINTON of Cumberland, from the Committee on the Judiciary, and laid over to be printed under the Joint Rule.

SAMUEL W. LANE, *Secretary.*