

# MAINE STATE LEGISLATURE

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# Sixty - Fourth Legislature.

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HOUSE.

No. 36.

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## STATE OF MAINE.

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

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AN ACT in relation to fences and other structures erected to annoy, and for the abatement of nuisances.

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

SECTION 1. Any fence or other structure in the  
2 nature of a fence, unnecessarily exceeding six feet  
3 in height, maliciously erected or maintained for the  
4 purpose of annoying the owners or occupants of  
5 the adjoining property, shall be deemed a private  
6 nuisance.

SECT. 2. Any such owner or occupant injured  
2 either in his comfort or the enjoyment of his estate  
3 by such nuisance, may have an action on the case

4 for his damages; and the provisions of chapter  
5 seventeen of the Revised Statutes, relating to  
6 actions for and the removal of private nuisances,  
7 are hereby made applicable thereto.

STATE OF MAINE.

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HOUSE OF REPRESENTATIVES, }  
January 25, 1889.

Reported from Committee on Legal Affairs by Mr. SPRAGUE of  
Dexter; ordered printed under joint rule.

NICHOLAS FESSENDEN, *Clerk.*