

MAINE STATE LEGISLATURE

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NEW DRAFT.

Seventieth Legislature.

HOUSE.

No. 301

STATE OF MAINE.

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

AN ACT to amend section twenty-nine of chapter ninety-two of the Revised Statutes, in relation to mills and mill dams.

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

Section 29 of chapter 92 of the Revised Statutes of 2 Maine, is hereby amended by adding after the word 3 "court" in the second line of said section, the following 4 words "or if the issue is decided in favor of the com- 5 plainant, or if the respondent is defaulted, or does not 6 plead or show any legal objection to proceedings, respon-

7 dent may, in writing entered of record with its date, offer
8 to be defaulted for a specific sum for the yearly damages,
9 or a sum in gross as reasonable compensation for all dam-
10 ages' and by striking out the word 'it' in the third line
11 and insert in its place 'either' and adding to said section
12 the following words, 'If not accepted within such time as
13 the court orders, it shall not be offered in evidence or have
14 any effect upon the rights of the parties, or the judgment
15 to be rendered except the costs. If the complainant fails
16 to recover a sum greater than the sum tendered or offered,
17 he recovers such costs only as accrued before the offer,
18 and the respondent recovers costs accrued after that time,
19 and his judgment for costs may be set off against the com-
20 plainant's judgment for damages and cost,' so that said
21 section as amended, shall read as follows :

'Sect. 29. In case of an original complaint, the respon-
23 dent may, with the same advantages to himself, tender and
24 bring money into court, or if the issue is decided in favor
25 of the complainant, or if the respondent is defaulted, or
26 does not plead or show any legal objection to proceed-
27 ings, respondent may, in writing entered of record with
28 its date, offer to be defaulted for a specific sum for the
29 yearly damages or a sum in gross as reasonable compensa-
30 tion for all damages, as in an action at common law ; and
31 if either is accepted, the judgment has the same effect as
32 if rendered on a verdict. If not accepted within such
33 time as the court orders, it shall not be offered in evidence
34 or have any effect upon the rights of the parties, or the
35 judgment to be rendered except the costs. If the com-
36 plainant fails to recover a sum greater than the sum

37 tendered or offered, he recovers such costs only as accrued
38 before the offer, and the respondent recovers costs ac-
39 crued after that time, and his judgment for costs may be
40 set off against the complainant's judgment for damages
41 and cost.'

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES,
AUGUSTA, March 6, 1901.

Reported by Mr. FELLOWS of Bucksport, from Committee on Legal
Affairs, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*