

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

FOURTH LEGISLATURE,

AT ITS SESSION, HELD IN JANUARY, 1824.

PUBLISHED AGREEABLY TO THE RESOLVE OF THE 28TH JUNE, 1820.



PORTLAND:

PRINTED BY TODD AND SMITH.....PRINTERS TO THE STATE.

1824.

SECT. 3. *Be it further enacted*, That the Selectmen of the several towns in this State, who may be chosen after the passing of this act, shall be sworn to the faithful discharge of the duties of their respective offices previous to entering thereupon.

[*This Act passed February 14, 1824.*]

Selectmen to be sworn.

CHAPTER CCLXI.

AN ACT additional to an act for the support and regulation of Mills.

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled*, That if any owner or occupant of a Mill, being notified as directed in the second section of the act to which this is in addition, shall not appear, or appearing, shall not shew sufficient cause, the Court in which the complaint therein mentioned may be pending, may appoint three or more disinterested freeholders of the same county, to make true and faithful appraisement, under oath, of the yearly damages, if any, done to the complainant by flowing his said lands, and how far the same may be necessary, and to ascertain and make report what portion of the year such lands ought not to be so flowed. And the report of such commissioners, so made, shall, under the direction of the Court, be given in evidence to the Jury, who shall at the request of either party be empannelled to try such cause, at the bar of said Court, subject however, to be impeached by evidence from either party. And if neither party request a trial of such cause by a Jury, at the bar of said Court, for the purpose of impeaching such report, then said report, being accepted by said Court, judgment shall be rendered thereon according to the same. And the verdict of such Jury, or the report of said commissioners, in case neither party shall request a trial by Jury as aforesaid, shall be a sufficient bar to any action, to be brought for such damages; and shall in no manner authorize

Courts may appoint Commissioners instead of Jury to make appraisement of damages done by flowing lands;

the report to be given in evidence to the Jury in the case, &c.

such owner or occupant to flow such lands during any portion of the period in which said commissioners or Jury shall determine that the same ought not to be flowed. And the Court shall have power to award reasonable compensation to such commissioners, which shall be taxed in the bill of costs, to be recovered by the party prevailing.

Compensation
to Commissioners.

SECT. 2. *Be it further enacted*, That the fourth and fifth sections of "an Act for the support and regulation of Mills," be, and the same hereby are repealed.

Repeal of part
of former law.

[*This Act passed February 14, 1824.*]

CHAPTER CCLXII.

AN ACT additional to an Act for rendering the decisions of civil causes as speedy and as little expensive as possible.

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled*, That any one of the referees appointed in pursuance of the act to which this is additional, and any one of the referees appointed by rule of Court, and any auditor or auditors appointed pursuant to law, by any of the Judicial Courts in the State, be, and they hereby are authorized and empowered to administer the necessary oaths or affirmations to all such witnesses as may be brought before them to testify relating to any matters and things submitted to said referees or auditors; and either of the referees appointed or agreed upon by the parties to a rule under the provisions of the act aforesaid, may also take the acknowledgment of the parties to the submission of their dispute to said referees.

Any one of
referees may
take acknowl-
edgment of
parties and
swear witness-
es before them.

SECT. 2. *Be it further enacted*, That if any witness, sworn or affirmed pursuant to the provisions of this act, shall knowingly testify falsely, and be thereof duly convicted in the Supreme Judicial Court, he shall be adjudged guilty of perjury, and be liable and subject to all the pains, penalties, forfeitures and disabilities thereto by law incident.

Witnesses in
such cases
swearing false-
ly, guilty of
perjury.

[*This Act passed February 14, 1824.*]