

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1848.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840,
and March 16, 1842.

Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1848.

PUBLIC LAWS

OF THE

STATE OF MAINE,

1848.

justices selected to hear the examination of the debtor provided for in the twenty-fourth section of said chapter and their appraisal shall be for the same purpose and shall have the same effect as an appraisal by three persons, as heretofore required by the provisions of the chapter aforesaid.

SECT. 6. Whenever justices of the peace and of the quorum shall be required to approve of the surety or sureties in any bond given as provided in the seventeenth and twentieth sections of said one hundred and forty-eighth chapter, such justices shall be selected in the manner prescribed in the forty-sixth section of said chapter; and in case of disagreement, the same proceedings shall be had as are therein directed, and a majority so selected, shall decide as to the sufficiency of such surety or sureties.

Manner of selecting justices to approve bond to disclose.

SECT. 7. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SECT. 8. This act shall take effect and be in force from and after its approval by the governor.

[Approved August 11, 1848.]

Chapter 86.

An act in addition to the one hundred and twenty-sixth chapter of the revised statutes.

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

If any owner or occupant of a dam shall erect or raise such dam higher than the limit which may have been determined in any previous complaint for flowage caused by such dam, or shall keep up the same for any time or portion of the year, within which, by such judgment, the same ought not to be kept up, the person so offending, or any one of two or more persons so offending, shall be liable, in an action at common law, to pay any party injured, double the damage caused thereby.

Liability of owner or occupant of dams.

[Approved August 11, 1848.]