

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE.

1859.

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

AUGUSTA:
STEVENS & SAYWARD, PRINTERS TO THE STATE.

1859.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1859.

Chapter 97.

CHAP. 97.

An act to increase the salary of the county attorney for the county of Piscataquis.

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

SECT. 1. The salary of the county attorney for the county of Piscataquis, from and after the first day of January, eighteen hundred and fifty-nine, is hereby established at the sum of two hundred dollars, instead of the sum now allowed by law.

Salary of county attorney of Piscataquis.

SECT. 2. This act shall take effect from and after its approval by the governor.

[Approved April 2, 1859.]

Chapter 98.

An act to define the liability of mill owners.

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

SECT. 1. The owner of any mill used for the purpose of manufacturing lumber is hereby made liable for the act of his tenant in the unlawful obstruction or diversion of the water of any river or stream caused by the slabs or other mill waste from his mill; but nothing herein contained shall be construed to deprive a party of his right of action against the tenant in preference to the mill owner, or to create any restriction upon the present rights of operators of mills to float their waste matter from their mills upon any river or stream.

Owner of mill liable for acts of tenant, proviso.

SECT. 2. A mortgagee of any such mill in possession shall be deemed the owner for the purposes of this act.

Mortgagee in possession, deemed owner.

SECT. 3. If a tenant of such a mill shall, by his act in the management of the same, cause any unlawful obstruction or diversion of such water, his lease or other tenancy in the premises shall be therefor terminated at the election of the owner, upon notice given in writing.

Lease of tenant may be terminated.

SECT. 4. No suit shall be maintained unless demand shall have been made of payment of damages at least thirty days before the commencement of the action.

Demand for damages, when to be made.

[Approved April 2, 1859.]