

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE.

1877.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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1877.

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PUBLIC LAWS  
OF THE  
STATE OF MAINE.  
1877.

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## CHAP. 169

## Chapter 169.

An act amendatory to chapter thirty of the Public Laws of eighteen hundred and seventy-five, relating to the better protection of life and property.

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

Sec. 1, ch. 30,  
public laws 1875,  
amended.

Section one of chapter thirty of the public laws of eighteen hundred and seventy-five is hereby amended, by inserting the word 'October,' after the word "September," and the words, 'ten resident tax payers,' after the word "of," in the fifth line, so that the section, as amended, shall read as follows, viz :

Engineer to be  
appointed to  
inspect dams and  
reservoirs.

'SECT. 1. The governor, by and with the consent of the council, shall annually appoint one competent and practical engineer, a citizen of this state, whose duty it shall be, during the months of August, September and October, upon the petition of ten resident tax payers, the selectmen or assessors of any town, or county commissioners of any county, to inspect any dam or reservoir located in such town, which now is or may be hereafter erected for the purpose of saving water for manufacturing or any other purposes whatever, and after personal examination, and hearing testimony of witnesses summoned for the purpose, to report forthwith to the governor his opinion of the safety and sufficiency of said dam or reservoir.'

—to report to  
governor and  
council.

Section two is hereby amended, by inserting the word 'alterations,' after the word "such," in the eighth line, so that said section, as amended, shall read as follows, viz :

If dam or reser-  
voir be reported  
unsafe, owners or  
occupants to  
make alterations,  
&c.

'SECT. 2. If, after such personal survey and inspection, the engineer shall adjudge, determine and report that any such dam or reservoir is unsafe or dangerous to the lives or property of persons residing near or below such dam or reservoir, then the owners, occupants or lessees of such dam or reservoir shall immediately make, or cause to be made, such alterations, repairs and additions to said dam or reservoir as such engineer shall advise and recommend; and in default thereof, upon application of said engineer to any justice of the supreme judicial court, the said owners, occupants or lessees shall be enjoined from the use of such dam or reservoir and the water therein contained, until they or either of them shall comply with the requirements of said engineer, and the water contained in said dam or reservoir may be discharged therefrom, by order of said engineer, in such manner as said engineer shall direct as most conducive to the

Proceedings in  
case of neglect.

safety of human life, and consistent with the protection of CHAP. 170 property.'

Approved February 7, 1877.

**Chapter 170.**

An act authorizing views by juries in all cases.

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

SECT. 1. In any jury trial the presiding justice may, at his discretion, order a view by the jury.

Presiding justice may order a view by the jury.

SECT. 2. This act shall take effect when approved.

Approved February 7, 1877.

**Chapter 171.**

An act to amend chapter forty, section fifty, of the Revised Statutes, relative to Pleasant river.

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

That section fifty, chapter forty, of revised statutes be amended, by striking out the words "Pleasant river, in Washington county," so that the section, as amended, will read as follows: 'The following waters and their tributaries are exempt from the operation of the provisions of this chapter, relating to the migratory fishes, and the supervision of fishways by the commissioners, that is to say: Royall's river in North Yarmouth, Sewall's pond or its outlet in Arrowsic; Nequasset stream in Woolwich; Damariscotta river; Duck Trap stream in Lincolnville and Belmont; the eastern Penobscot river in Orland; Winslow's and Leach's streams in Penobscot; all waters in Vinalhaven, Bluehill, Tremont, Mount Desert, Eden, Franklin and Sullivan; Tunk river in Steuben; East Machias river, and Cobscook or Orange river in Whiting.'

Sec. 50, ch. 40, R. S., amended. Pleasant river omitted.

Certain waters exempted.

Approved February 7, 1877.