

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTIETH LEGISLATURE

OF THE

STATE OF MAINE

1901.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

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PUBLIC LAWS
OF THE
STATE OF MAINE.
1901.

Chapter 198.

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 twenty-nine of chapter ninety-two of the revised statutes of Maine is hereby amended by adding after the word "court" in the second line of said section, the following words 'or if the issue is decided in favor of the complainant, or if the respondent is defaulted, or does not plead or show any legal objection to proceedings, the respondent may, in writing entered of record with its date, offer to be defaulted for a specific sum for the yearly damages, or a sum in gross as reasonable compensation for all damages,' and by striking out the word "it" in the third line and insert in its place 'either' and adding to said section the following words, 'if not accepted within such time as the court orders, it shall not be offered in evidence or have any effect upon the rights of the parties, or the judgment to be rendered except the costs. If the complainant fails to recover a sum greater than the sum tendered or offered, he recovers such costs only as accrued before the offer, and the respondent recovers costs accrued after that time, and his judgment for costs may be set off against the complainant's judgment for damages and cost,' so that said section as amended, shall read as follows:

Section 29,
chapter 92, R.
S., amended.

'Section 29. In case of an original complaint, the respondent may, with the same advantages to himself, tender and bring money into court, or if the issue is decided in favor of the complainant, or if the respondent is defaulted, or does not plead or show any legal objections to proceedings, the respondent may, in writing entered of record with its date, offer to be defaulted for a specific sum for the yearly damages or a sum in gross as reasonable compensation for all damages, as in an action at common law; and if either is accepted, the judgment has the same effect as if rendered on a verdict. If not accepted within such time as the court orders, it shall not be offered in evidence or have any effect upon the rights of the parties, or the judgment to be rendered except the costs. If the complainant fails to recover a sum greater than the sum tendered or offered, he recovers such costs only as accrued before the offer, and the respondent recovers costs accrued after that time, and his judgment for costs may be set off against the complainant's judgment for damages and cost.'

Tender of
damages and
effect thereof.