

MAINE STATE LEGISLATURE

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DOCUMENTS

PRINTED BY ORDER OF

THE LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1859.



AUGUSTA:

STEVENS & SAYWARD, PRINTERS TO THE STATE.

1859.

THIRTY-EIGHTH LEGISLATURE.

HOUSE.]

[No. 14.

STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND  
FIFTY-NINE.

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AN ACT to define the liability of Mill owners.

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

SECTION 1. The owner of any mill used for the  
2 purpose of manufacturing lumber, is hereby made  
3 liable for the act of his tenant in the unlawful ob-  
4 struction or diversion of the waters of any river or  
5 stream caused by the slabs or other mill wash from  
6 his mill ; but nothing herein contained shall be con-  
7 strued to deprive a party of his right of action against  
8 the tenant in preference to the mill owner, or to make  
9 any restriction upon the present rights of operators of  
10 mills to float their waste matter from their mills upon  
11 any river or stream.

## MILL OWNERS.

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

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

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

STATE OF MAINE.

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HOUSE OF REPRESENTATIVES, March 3, 1859.

By Mr. BUTLER laid on the table, and 350 copies of same ordered to be printed for the use of the Legislature.

GEO. W. WILCOX, *Clerk.*