
Commonwealth of Massachusetts.

IN SENATE, JANUARY 11, 1827.

Ordered, That the Committee on Manufactures be instructed to inquire whether any and what alterations are necessary in the law for the support and regulation of Mills, with leave to report by bill or otherwise.

Sent down for concurrence.

JOHN MILLS, *President.*

House of Representatives, January 11, 1827.—
Concurred.

WILLIAM C. JARVIS, *Speaker.*

Commonwealth of Massachusetts.

In the year of our Lord one thousand eight hundred and twenty-seven.

AN ACT,

In addition to an Act, entitled "An Act for the support and regulation of Mills."

1 SEC. 1. **BE** it enacted by the Senate and
2 House of Representatives in General Court
3 assembled, and by the authority of the same, That
4 when any person or persons have erected or
5 shall hereafter erect, any water mill upon his
6 or their own land, or that of another by his
7 consent, and for the working of the same, it
8 may be necessary to take the water from the
9 ordinary current of any stream, it shall be law-
10 ful for the owner of such mill site to divert the
11 water from such streams by means of dykes
12 or canals for the working of said mill: *Pro-*
13 *vided*, such diversion be made in, through, and
14 upon the land of such mill owner, or of some

15 other person by his consent, and that the water,
16 after having been thus used, shall be returned
17 through, or upon the land of said owner, or of
18 some other person by his consent to the origi-
19 nal stream of water in the best practicable
20 route, and that enough water shall be suffered
21 to flow along the natural course of the stream,
22 for the ordinary purposes for which the same
23 may have been previously used.

1 SEC. 2. *Be it further enacted*, That the owner
2 of any lands upon the banks of any stream of
3 water as aforesaid, between the place of di-
4 verting and returning to the stream the water
5 as aforesaid, who shall be injured by such diver-
6 sion, shall have the same rights and remedies
7 for the assessment and recovery of his dam-
8 ages by the means of a jury, as is provided in
9 the several acts to which this is in addition,
10 for the recovery of damages occasioned by
11 flowing lands; and the verdict of the jury sum-
12 moned under this and the several acts to which
13 this is in addition, shall be conclusive in all
14 questions of damages arising from such diver-
15 sion of water as aforesaid.

