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If any church, chapel, convent, dwelling house, &c.; any ship, ship yard, or lumber yard, barn, stable, or out house, &c., shall be injured or destroyed, or any property therein or thereon shall be taken away, injured or destroyed by any rioters or tumultuous assemblage of people, the full amount of the damage so done, shall be recoverable by the sufferers, &c., by suit at law against the county, incorporated town or city, &c. 137

No such liability shall be incurred however, unless the authorities of the county, town or city, shall have had good reason to believe that such riot, &c., was about to take place—have had notice thereof in time, and have ability to prevent said injury, ” ”

In no case shall such indemnity be recovered where the civil authorities or citizens of such county, town or city, have used all reasonable diligence, and all the powers entrusted to them, when called upon by the civil authority, to prevent or suppress such riot, &c. ” ”