

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

SEVENTH LEGISLATURE,

AT ITS SESSION

HELD IN JANUARY, 1827.

PUBLISHED AGREEABLY TO THE RESOLVE OF THE 28TH OF JUNE, 1820.

PORTLAND.

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1827.

the same effect as though recorded by a Register of Deeds for the county of Waldo.

SECT. 14. *Be it further enacted*, That the Governor and Council, within ninety days from and after the passing of this Act, are authorized and empowered to nominate and appoint a Sheriff, a Clerk of the Judicial Courts, Judge and Register of Probate, Justices of the Court of Sessions, and all civil officers, that it is or may be legal for them to appoint for the county of Waldo; who may enter upon the duties of their respective offices from and after the third day of July next.

Certain officers, to be appointed within 90 days.

[*Approved by the Governor, Feb. 7, 1827.*]

CHAPTER CCCLV.

AN ADDITIONAL ACT for securing to owners their property in Logs, Masts, Spars, and other Timber, in certain cases.

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled*, That, from and after the passing of this Act, if any person or persons shall take or carry away, or convert to his or their use, any logs, masts, spars or other timber, the same being in or upon the river Kennebec, or any of its tributary streams, or branches, their bays or inlets, contrary to the general provisions of either of the Acts for securing to owners their property in logs, masts, spars and other timber in certain cases, it shall be no justification or ground of defence, in any action commenced therefor, that the log or logs or other timber so taken, were of the description of prize logs, or without a mark. And if any person or persons, shall fraudulently mark any log or other timber, with intent to claim the same as his or their own, he or they shall be considered guilty of taking or converting the same to his or their own use, and shall be liable for every such offence, to be proceeded against in either of

Persons taking logs, &c. in the Kennebec, and prosecuted therefor, it shall be no justification if such were prize logs or not marked.

—fraudulently marking any log, &c. considered guilty of taking:

the ways provided in the first section of each of the Acts to which this is additional.

SECT. 2. *Be it further enacted,* That the owners of logs, masts and spars, on the Kennebec and Dead Rivers, shall meet on the second Tuesday of March annually, at ten of the clock in the forenoon, for the choice of such officers as is hereinafter provided for. The place of said first meeting shall be the dwelling house of Bezer Bryant, Esq. in Anson, in the county of Somerset. At each annual meeting the place of the next annual meeting shall be designated. And in case of accident or other cause, the owners aforesaid do not attend on the day provided by this act, the assessors, for the time being, shall notify in the best practicable manner, the time and place of holding the next subsequent meeting. And the said owners shall then and there choose a moderator, clerk, and three assessors for the year ensuing: All of whom shall be chosen and qualified in like manner as town officers are in town meetings. And it shall be the duty of said assessors to apportion and assess such sum or sums of money as may be agreed upon by a majority of the owners present, upon all the logs in said rivers, as near as may be, according to the situation of said logs therein, and the distance they are to be run or driven. And said assessors shall have the same power and authority, for the purposes aforesaid, as assessors of towns and plantations have, in the assessment of taxes on property. And at the annual meeting aforesaid, there shall be chosen a master driver, who shall cause all logs in said river to be driven in a faithful manner: and, under the direction of the said assessors, or a majority of them, shall cause any obstructions to be removed, or jams broken, or booms to be erected, which may at any time or place be necessary, to facilitate the running of logs on said rivers, at any season of the year, which may be deemed expedient by said assessors. And said assessors shall direct said master

Owners of logs,
&c. on the Kenne-
bec and Dead
Rivers, authoriz-
ed hold meetings,
select officers, &c.

driver what mark shall be put on the prize logs having no mark: and such master driver shall sell the same, together with all such as may be found at any time having no mark, at public auction, to the highest bidder, on the second Monday in June annually, or at such time and place as the assessors may direct; and the person purchasing the same shall be the owner of all logs in said rivers bearing such prize marks; and the master river driver, shall account with said assessors on settlement of his accounts of the expenses of driving, for the proceeds of sale of all such logs to aid in defraying the expenses aforesaid; and in case the sums assessed for the purposes aforesaid, shall not be duly paid over to said assessors, or being paid shall not be sufficient to meet the expenses of driving and other duties required as aforesaid, of the master driver, such logs, masts, spars or other timber shall be holden by their marks, to pay said master driver a reasonable sum for so driving and discharging other duties as aforesaid, which sum or sums as aforesaid, shall be and continue a charge or lien on said logs, masts, spars, and other timber, until sold as hereinafter provided, unless the owners thereof shall appear and pay to the said master driver, within thirty days after the service shall be performed, the sums due therefor: And at the expiration of said thirty days, the said master driver shall have full power to sell at public auction, so many of said logs, masts, or other timber, as shall pay the full expense remaining due for driving the same, after giving fifteen days notice by posting up advertisements in two or more public places in the town where such logs, masts, spars, or other timber are; and the surplus, over and above what shall compensate said master river driver for his trouble and expenses, (if any,) shall be returned to the owners thereof: *Provided*, That this act shall not be extended to that part of the river Kennebec, called and known by the name of the east branch, or to

any logs, or other timber which may be in the Moosehead lake or in said east branch, or that may be run down said east branch. *And provided also*, That no person or persons, who shall drive his or their logs, masts or spars in said waters, in such manner as not to intermix them with other logs, so that they cannot be conveniently separated, shall be subject to the provisions of this Act.

[*Approved by the Governor, Feb. 12, 1827.*]

CHAPTER CCCLVI.

AN ACT ADDITIONAL to An Act establishing the times of holding the Supremo Judicial Court within this State.

Term altered in Hancock.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled*, That the time of holding the Supremo Judicial Court, in and for the County of Hancock, shall be on the third Tuesday of October, annually, and not on the fourth Tuesday of October, as heretofore holden.

Additional term in Penobscot.

SECT. 2. *Be it further enacted*, That in addition to the terms of the Supremo Judicial Court, by law established, a term of said Court shall be holden annually, by one or more of the Justices thereof, at Bangor, in and for the county of Penobscot, on the fourth Tuesday of October annually.

[*Approved by the Governor, Feb. 13, 1827.*]

CHAPTER CCCLVII.

AN ACT respecting Toll Bridges.

Penalty for injuring bridge or gate or attempting to pass without paying toll.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled*, That if any person shall maliciously break down, or otherwise injure or destroy the toll