

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

FIFTH LEGISLATURE

AT ITS SESSION, HELD IN JANUARY, 1825.

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

Portland :

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1825.

with the advice of the Council, and shall receive in full compensation for his services, eight hundred and fifty dollars per annum, to be paid quarter yearly, at the treasury of the county of Cumberland. And in all processes, whether of a civil or criminal nature, which may be brought before him, and for all copies of his records or papers, remaining in any case, on his files, it shall be the duty of said Judge, to tax, claim, and receive, all such fees, as would accrue to any Justice of the Peace, for similar services; and to account therefor, quarter yearly, on oath, to the treasurer of said county, towards his said salary; and the balance, if any there be, over and above the salary of the said Judge, for any such quarter, shall be paid into the treasury of said county. And the said Judge shall not, in any case, act as counsellor or attorney in any Court.

Compensation for services.

Judge to receive and to account for fees.

Not to act as counsellor or attorney.

SECT. 5. *Be it further enacted*, That all fines and penalties, which may be awarded by said Judge, shall be accounted for, and paid over, as if the same had been awarded by the sentence of any Justice of the Peace.

Fines and penalties to be accounted for.

SECT. 6. *Be it further enacted*, That this act shall be in force, and take effect, from and after the first day of June next.

When in force

[*This Act passed February 22, 1825.*]

CHAPTER CCXCV.

AN ACT additional to "An Act to secure to owners their property in logs, masts, spars, and other timber, in certain cases," and to "An Act in addition to an Act to secure 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 and carry away, or convert to his or their own use, any logs, masts, spars, or other timber, the same being in or upon the Androscoggin or Saco rivers, or any of their tributary

Persons taking and carrying away logs, &c. shall not defend on the ground that they were prize logs.

streams, their, or any of their bays or inlets, contrary to the general provisions of either of the Acts to which this is additional, it shall be no justification or ground of defence in any action, commenced therefor, that the log or logs, or other timber so taken, was of the description of prize logs, or without a mark ; and if any person or persons shall fraudulently mark any log or other timber, or alter any mark, with intent to claim the same as his, or their own, he or they shall be considered guilty of taking and converting the same to his, or their own use, and shall be liable, for every such offence to be proceeded against, in either of the ways provided in the first section of each of the Acts to which this is additional.

Persons
fraudulently
marking or al-
tering mark,
how to be pro-
ceeded against

SECT. 2. *Be it further enacted,* That all the prize logs, on which no mark can be found, whereby to identify the owner or owners, shall be considered the property of the log owners generally, in each of said rivers, and shall be sold for the purpose of defraying the expenses of driving the river, in manner following, viz. : The owners of logs on Saco river, shall meet at or near Salmon Falls, in Buxton, and the owners of logs on Androscoggin river, shall meet at the toll-house on Androscoggin bridge, in Topsham, each on the first Monday in April annually, and shall each choose a master river driver, for the main river, who shall direct what mark shall be put on the prize log, or logs, having no mark ; and such master river 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 first Monday in June annually, at the same place, where the meeting shall have been held for choosing him to that office ; and the person purchasing the same as aforesaid, shall be the owner of all the logs in such river, having the prize mark, and all the logs in the same, having no mark, to all legal intents and purposes, as though his own mark was on the same ; and the master river driver shall account for the proceeds of the sale of said logs, to aid in defraying the expenses of driving the river, annually : *Provided,* That nothing contained in

Prize logs how
to be disposed,
of.

Proviso.

this Act shall be considered as relating to any fencing stuff, ranging timber, or drift stuff, not evidently cut and intended for mill logs, or to any logs having no mark, the ownership of which can be proved by good and sufficient evidence.

SECT. 3. *Be it further enacted,* That the eighth and ninth sections of the first Act, to which this is additional, passed the sixteenth day of March, in the year of our Lord one thousand eight hundred and twenty one, be, and the same are hereby repealed, so far as the same are repugnant to this Act, and so far as the same relate to prize logs in Saco river.

Parts of former act repealed.

[*This Act passed February 22, 1825.*]

CHAPTER CCXCVI.

AN ACT in addition to an act, entitled "An Act concerning Parishes."

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That whenever any parish or religious society, at any legal meeting thereof, shall grant and vote, for any legal purpose, any sum of money, and assess the same upon the polls and estates of the several members thereof, it shall be lawful for the members of said parish or religious society, to appoint their treasurer a collector of taxes, with the same powers, within the said parish or religious society as is provided for the treasurer of a town, who has been duly appointed a collector of said town, pursuant to the provisions of an act, entitled "An Act concerning the assessment and collection of taxes," passed March 21st A.D. eighteen hundred and twenty one, *Mutatis Mutandis*; with similar powers to appoint any number of deputies or assistants, whom he shall require to give bonds, for the faithful discharge of their duties, in such sums and with such sureties, as the assessors of such religious society shall direct.

Parishes may appoint their treasurers, collectors of parish taxes, and they may appoint deputies.

SECT. 2. *Be it further enacted,* That the members of said parish or religious society, may, by vote