

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

NINTH LEGISLATURE,

AT ITS

SESSION HELD IN JANUARY, 1829.

Published agreeably to the Resolve of the 20th June, 1820.

Portland:

DAY & FRASER, PRINTERS TO THE STATE,

1829.

CCCCL.

AN ACT additional to the several Acts, now in force, securing to owners their property in logs, masts, spars and other timber.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,*

That when any logs, masts, spars or other timber shall be conveyed, by freshets, on unimproved lands adjoining to any rivers, ponds, bays, streams, brooks or inlets in this State, and which may lie thereon four years, shall be forfeited to the owners of said lands; and when conveyed, as aforesaid, on improved lands or on lands which the owner or owners may wish and determine to improve, and the owner or owners of said lands, shall give public notice to the owner or owners of such logs, masts, spars or other timber, at the expense of the latter, in some paper printed in the County, where such owner or owners, if known, may live, if any such there be, otherwise in the paper printed for the State, or by posting up written notices at two or more public places in the town where said lands are situated, and three adjoining towns for three successive months, that such logs, masts, spars or other timber have been conveyed upon said lands, that the owner or owners of such lands is desirous of improving the same, and he or they wish or require the owner or owners of such logs, masts, spars or other timber, to remove the same from his, her, or their land, and if, after such notice, the owner or owners of such logs, masts, spars or other timber, shall refuse or neglect to remove the same within one year, then such logs, masts, spars or other timber, shall be forfeited to the owner or owners of such land.

Logs, &c. floated on to unimproved land and remaining four years, forfeited to the owner of the land,

on to improved land and remaining one year after due notice, forfeited to the owner of the land.

SECT. 2. *Be it further enacted,* That when ever any logs, masts, spars, or other timber shall hereafter be carried by freshets or otherwise lodged upon any improved lands adjoining any rivers, ponds, bays, streams or inlets within this State, and have laid thereon for the term of six months,

Logs, &c. floated on to improved lands, and after 6 months removed by freshets, owner of land entitled to damages.

and shall afterwards, be removed from said lands by freshets or otherwise without the consent or aid of the owners of such logs, masts, spars or other timber; the owner or occupier of such lands shall be entitled to receive a reasonable compensation for the damages, which said owner or occupier may have sustained by said logs and timber, and is hereby authorized to have and maintain an action of the case, against the owner or owners of said timber to recover compensation for the damages aforesaid, after demand made and refusal to pay the same.

Act chap. 237, sec. 3, repealed

SECT. 3. *Be it further enacted,* That the third section of "An Act additional to an Act to secure to owners their property in logs, masts, spars, and other timber in certain cases" be and hereby is repealed.

[Approved by the Governor, March 5, 1829.]



CHAPTER CCCCLI.

An additional ACT respecting the appointment of Clerks of the Judicial Courts.

BE it enacted by the Senate and House of Representatives, in Legislature assembled, That every Clerk appointed by the Justices of the Supreme Judicial Court, by virtue of an Act passed on the twenty first day of February last, shall be held to perform the several duties and be subject to all the provisions and requisitions which are prescribed in the existing laws of this State, respecting Clerks of the Judicial Courts: *Provided,* That this Act shall not be construed to impair the powers of the Justices of the Supreme Judicial Court, in the appointment of Clerks, as prescribed in the Act aforesaid.

Clerks of the courts appointed by the S. J. C. under Act, chap. 422, shall be holden to perform all duties, &c. required by existing laws of the state.

Proviso.

[Approved by the Governor, March 5, 1829.]