

MAINE STATE LEGISLATURE

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PRIVATE AND SPECIAL

A C T S

OF THE

STATE OF MAINE,

PASSED BY THE

NINTH LEGISLATURE,

AT ITS

SESSION, COMMENCING JANUARY 7th, 1829.

Published agreeably to the Resolve of the 28th June, 1829.

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1829.

CHAP. 48.

AN ACT providing for the appointment of Surveyors of Logs at the Side Booms in Topsham and Brunswick, in Androscoggin River, and for reducing the tolls on logs, that may be rafted out and secured near said Booms above the falls.

Approved February 27, 1829.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That it shall not be lawful for the proprietors of side booms in Topsham and Brunswick, in Androscoggin River, to ask, demand or receive the toll or boomage established by this Act, of the owners of logs, by said Corporation rafted out of said booms, and secured for the several owners thereof; unless said logs, after they are rafted out of said booms and secured, shall be duly surveyed by a surveyor appointed and sworn as is hereinafter provided; and a bill of the survey of said logs, shall be delivered to the person receiving the same.

Boom corporation not entitled to toll until logs are surveyed.

SECT. 2. *Be it further enacted,* That it shall be the duty of the Selectmen, or the major part of them, of the town of Topsham, in the County of Lincoln, and of the town of Brunswick, in the County of Cumberland, annually, in the month of March, to appoint in writing under their hands, two or more suitable persons, to be surveyors of logs, at the several side booms in Androscoggin River, in Topsham and Brunswick, which appointment shall be recorded, in the office of the Town Clerk, where the same is made. And the surveyors thus appointed, before entering upon the duties of their office, shall be sworn to the faithful performance thereof, by some Justice of the Peace, in the county where the surveyors sworn as aforesaid, shall reside; and it shall be the duty of the Justice of the Peace, before whom any such surveyor appointed as aforesaid, may be sworn, to make out and file a certificate thereof with the clerk of the town, where the appointed surveyor may dwell.

Selectmen of Topsham and Brunswick to appoint surveyors of logs.

Surveyors to be sworn, &c.

SECT. 3. *Be it further enacted,* That if any surveyor or surveyors of logs, so appointed and sworn as aforesaid, shall be guilty of any fraud, in the survey of the logs, at the booms aforesaid, or shall wilfully make and sign any false certificate of the survey of logs made, at said side booms, and shall be thereof lawfully convicted, in any Court of competent jurisdiction, shall forfeit a sum not more than twenty, nor less than five dollars, to be recovered by indictment, for the use of the State, or by action of debt, before any Justice of the Peace, for the use of him, who may sue or prosecute therefor, in the county where the offence may be committed.

Penalty for fraudulent surveys.

SECT. 4. *Be it further enacted,* That from and after the passing of this Act, the proprietors of side booms in Topsham and Brunswick, in Androscoggin river, shall be entitled to demand, take and receive of the respective owners of logs stopped in said river, rafted out and secured by said boom proprietors above the falls, for the owners of any log or logs sufficient to make one thousand feet of boards, thirty cents; and no more, in lieu of forty cents as before established: *Provided,* That the fees hereby established, shall at all times be subject to be altered, revised or annulled by the Legislature.

Toll or boomage.

Proviso.

SECT. 5. *Be it further enacted,* That the said boom proprietors are hereby exempted from making and placing side booms in Topsham and Brunswick, in Androscoggin river, as is provided in their Act of incorporation passed in eighteen hundred and five; on condition, that the said boom proprietors on or before the first day of April next, make a release, in writing, duly authenticated, of all their right and interest in side booms below the Falls, and file the same in the Secretary of State's office.

Boom proprietors exempt from making side booms.