

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)

ACTS AND RESOLVES,

PASSED BY THE

TWENTIETH LEGISLATURE

OF THE

STATE OF MAINE,

JANUARY SESSION, 1840.

Published by the Secretary of State, agreeably to Resolves of June
28, 1820, and February 26, 1840.

AUGUSTA:

W^M. R. SMITH & Co., PRINTERS TO THE STATE.

1840.

ERRATA:

**The following leaf is
inserted because one or more pages
in this chapter have errors
noticed and corrected here.**

ERRATA.

- Page 2, eleventh line from the bottom, for "Nathan" read *Nahum*.
3, third line from the bottom, after the word "matters" insert *and things*.
6, at the end of chap. 6, for "January 27," read *January 29*.
15, at the end of chap. 17, for "February 18," read *February 19*.
22, chap. 23, sec. 3, sixth line, for "vehicle" read *vehicle*.
29, third line from the top, for "votes" read *voters*.
29, seventh line from the top, omit the word "by" before "law."
29, sec. 8, tenth line, for "estate" read *estates*.
31, chap. 50, sec. 1, fifth line, omit the word "other" before "refuse."
33, chap. 33, sec. 1, eleventh line, for "mast" read *masts*.
33, second line from the bottom, for "chair-" read *chain*.
47, fourth line from the bottom, for "Northam" read *Northane*.
48, third line from the top, for "Videto" read *Viddeto*.
51, twelfth line from the bottom, between "that" and "all" insert the word *in*.
52, in the enacting clause of chap. 53, for "entaced" read *enacted*.
67, fifteenth line from the bottom, for "thousand" read *thousands*.
68, twenty-third line from the top, for "annully" read *annually*.
111, ninth line from the top, for "such" read *said*.
113, chap. 1, fifth line, omit the word "the" before "advice."
115, fifth line from the bottom, for "certificate" read *certificates*.
122, in the title of chap. 21, for "Jordon," read *Jordan*.
188, eighth line from the bottom, before the word "person" insert *other*.
206, in the title of chap. 77, for "relating" read *relative*.
207, chap. 79, second and third lines, between the words "of" and "State" insert the word *the*.
224, chap. 93, twelfth line, for "relation" read *reference*.

PUBLIC AND PRIVATE LAWS
OF THE
STATE OF MAINE.

1840.

Chapter 1.

AN ACT repealing the seventh section of an Act incorporating the Thomaston Theological Institution.

Be it enacted by the Senate and House of Representatives in Legislature assembled, That the seventh section of an Act passed February twentieth, one thousand eight hundred and thirty-nine, incorporating the Thomaston Theological Institution, be and the same is hereby repealed.

Seventh section
of former Act re-
pealed.

[Approved January 18, 1840.]

Chapter 2.

AN ACT respecting Side Booms in Androscoggin River.

SEC. 1. *Be it enacted by the Senate and House of Representatives in Legislature assembled,* That the proprietors of Side Booms in Androscoggin river, or the owners of the franchise thereof, be and hereby are authorized and empowered to ask, demand and receive of the respective owner or owners of all logs by them stopped and

Additional com-
pensation of 20
cents for rafting
& securing logs.

rafted and properly secured for the owners thereof; and logs that are floated upon the shores and intervals within the precincts of said Booms are to be by said Boom owners put afloat and rafted and secured with other logs, and in a like manner—as a compensation the sum of twenty cents in addition to the sum of thirty cents per thousand feet which he or they are now by law entitled to receive, making fifty cents per thousand feet and no more—

Provide:

Repairs and conditions to be performed by proprietors.

Provided however that the said owners of said franchise shall immediately and during the present winter put said Booms in a thorough state of repair by building a good and sufficient Pier and Sheer Boom at the head of carrying place Boom and elevate the present Booms and Piers to a sufficient height to guard against a high freshet; and also build a sufficient Boom from the head of Twichell Island to the Pier at the foot of said Island, also to remove the fastenings which connect the Boom sticks with the Piers and raise them to a corresponding height with the Piers, and suitably connect them therewith, and shall whenever the Boom sticks are decayed and defective replace them with new and suitable sticks and shall sufficiently extend the Merrill Boom—and in fine that the owners of said Booms are to make such repairs as may be adjudged necessary by David Dunlap, John C. Humphreys and James L. Peabody of Brunswick, and Nathan Perkins, Jesse D. Wilson, Joshua Haskell and Rufus Rogers of Topsham; and *provided* said owners of said Side Booms shall procure a certificate from said Committee, or a majority thereof, on or before the first day of April in each year—Then in that case said proprietors shall be entitled to the additional sum aforesaid, and the Selectmen of the several towns of Brunswick and Topsham respectively, are hereby required to appoint yearly after this year and before the first day of March, a Committee from the owners of

Committee to judge of the necessary repairs, &c.

Owners to procure a certificate from Committee on or before 1st of April.

Selectmen of Brunswick and Topsham to appoint, yearly, a Committee to be the judges of the sufficiency of said Booms, &c.

logs in the proportion of three from the town of Brunswick, and four from Topsham, who shall be the inspectors and judges of the sufficiency of said Booms from year to year and grant their certificate, if in their opinion, said Booms are kept in a suitable state of repair on which said certificate the owners of said Booms shall be entitled to demand and receive said additional sum for boomage and not otherwise.

SEC. 2. *Be it further enacted,* That this law shall take effect immediately after the passage thereof, and all Acts and parts of Acts inconsistent with the terms of this Act be and are hereby repealed—*Provided nevertheless;* that the fees aforesaid shall at all times be subject to the revision and alteration of the Legislature.

Act to take effect from and after its passage.

[Approved January 24, 1840.]

Chapter 3.

AN ACT in addition to "An Act establishing the County of Aroostook."

SEC. 1. *Be it enacted by the Senate and House of Representatives in Legislature assembled,* That "an Act additional to an Act to regulate the jurisdiction and proceedings of the Courts of Probate," approved March tenth, in the year of our Lord one thousand eight hundred and thirty-five, and also "an Act providing for the appointment of a Judge and Register of Probate for the Northern District of the County of Washington," approved March thirteenth, eighteen hundred and thirty-five, be, and the same are hereby repealed.

Act in relation to the Courts of Probate for Northern District in Washington County repealed.

SEC. 2. *Be it further enacted,* That all matters pending in the Probate Court for the Northern District of the County of Washington, or which were pending in said Court on the first

All business, &c. pending before the Court of Probate for Northern District in Washington County transferred to the Court for Aroostook County.