

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

FORTY-SECOND LEGISLATURE

OF THE

STATE OF MAINE.

1863.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 26, 1840, and March 16, 1842.

AUGUSTA:
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1863.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1863.

CHAP. 249. menced in or by said court, and to certify and duly authenticate the records or their contents of the municipal court for the town of Lewiston, as effectually in all respects as said last named court could have done had not this act been passed.

SECT. 2. This act shall take effect from and after its approval by the governor.

Approved March 9, 1863.

Chapter 249.

An act to change the name of Jane Mehan and for her adoption.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Name changed,
&c.

SECT. 1. Jane Mehan shall be allowed to take the name of Abby Robinson Wyman, and is hereby declared to be the adopted daughter of William Wyman and Julia A. Wyman, and shall sustain the same relation to them and to their estate at all times, as if she had been the daughter of said William Wyman and Julia A. Wyman, born in lawful wedlock.

SECT. 2. This act shall take effect when approved by the governor.

Approved March 9, 1863.

Chapter 250.

An act to prevent obstructions in Pushaw stream.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Way to be left
open.

—width of, &c.

SECT. 1. Hereafter at all times between the first day of April and the first day of December of each year, a way shall be left open in the Pushaw stream, in the county of Penobscot, not less than eighteen feet wide on each side of the centre or thread of the channel, for the free passage of boats, rafts, logs and other lumber on said stream.

Rafts, logs, &c.,
left in stream
more than forty
eight hours.

—to be deemed
a nuisance.

SECT. 2. Rafts, logs and other lumber left in the passage way of said stream, as defined in section one, more than forty-eight hours together, between the first day of April and the first day of December, so as to obstruct the free passage thereof, shall be deemed a public nuisance and may be disposed of as hereinafter provided.

SECT. 3. Any person interested in the use of said stream for the transportation of boats, rafts, logs and other lumber up and down the stream, may after the expiration of forty-eight hours, as aforesaid, remove the obstructions in said Pushaw stream by placing the rafts, logs and other lumber causing the obstruction, in side booms or some other safe and convenient place.

Obstructions in stream, &c.

SECT. 4. For payment of the expenses of removing and securing said rafts, logs and other lumber as aforesaid, a lien is hereby given on the same to continue for thirty days next after said rafts, logs and other lumber are removed and secured as aforesaid, which lien may be enforced as provided in the following section.

Lien on rafts, &c., for payment of expenses.

SECT. 5. Any person or persons who have incurred expenses in removing and securing said rafts, logs and other lumber, may sell at public auction in the town of Oldtown, with or without an auctioneer, so much of said logs and other lumber as shall be sufficient to pay said charges and expenses of sale, first giving notice of said sale by posting up written or printed notices thereof in two public places in said Oldtown seven days at least before the day of sale, which notice shall describe the kind of lumber, the marks thereon if any, and the cause of sale. And if no persons appear at or before the time aforesaid for said sale to pay said expenses and charges, said sale shall be made as aforesaid, and shall transfer to the purchaser a complete and valid title ; *provided* the requirements of this act have been substantially complied with in making the sale.

—may sell at public auction.

—notice, how given.

Proviso.

SECT. 6. Instead of a sale to enforce said lien as provided in this act, the expenses of removing and securing said rafts, logs and other lumber as aforesaid, and damages caused by said obstructions, may be recovered of the owner or owners thereof in an action of assumpsit on account annexed specifying the items of expense.

Expenses may be recovered in action of assumpsit.

SECT. 7. Nothing in this act authorizes the removal of, or interference with the bridges across said stream as now constructed.

SECT. 8. This act shall be in force on its approval.

Approved March 9, 1863.

Chapter 251.

An act to secure the proper expenditure of school moneys in the Madawaska township.

WHEREAS, There is reason to believe that the moneys appropriated for the support of schools in Madawaska territory, so called, is not expended in such a manner as to promote the education of the people, many of whom are of French origin ; and whereas no essential improvement in this regard can be expected so long as the present management continues ; therefore,

Preamble.