

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1887.

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PUBLIC LAWS
OF THE
STATE OF MAINE.

1887.

CHAP. 35

dictate, excepting in cases of upright tubular boilers, when the upper tube sheet is placed above the surface line of the water, which class of boilers shall be exempted from the provisions of this section.'

Approved February 23, 1887.

Chapter 35.

An Act to amend section fifteen of chapter fifty-nine of the revised statutes, relating to the returns of Marriages.

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

Sec. 15, ch. 59,
R. S., amended.

SECT. 1. Section fifteen of chapter fifty-nine of the revised statutes, is hereby amended by inserting after the word "solemnized," in the fourth line thereof, the following words : 'and the clerk of the town where the intentions of marriage of each party were recorded;' also by inserting after the word "forfeits," 'not exceeding,' so that said section, as amended, shall read as follows :

Return of mar-
riages to be
made to town
clerk.

'SECT. 15. Every person commissioned as aforesaid, shall keep a record of all marriages solemnized by him, and, by the fifteenth day of each month, make return thereof for the preceding month to the clerk of the town where the marriage was solemnized, and the clerk of the town where the intentions of marriage of each party were recorded, certifying the names of the parties, the places of their residence and the date of their marriage ; and for any neglect to do so, he forfeits not exceeding fifty dollars, half to the county and half to the prosecutor.'

Amendment
applicable to
past neglects.

SECT. 2. This amendment, so far as it relates to the forfeiture, shall apply to past neglects and prosecutions now pending.

Approved February 23, 1887.

Chapter 36.

An Act creating certain Islands in the town of Cumberland into a voting district.

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

Certain islands
in the town of
Cumberland,
created a voting
district.

SECT. 1. The following islands, part of the town of Cumberland, namely : Great Chebeague island, Hope island, Bangs island, Sturdivant island, Stave island, Ministerial island and

Bates island, Basket and such portions of Jewell's island and Crotch island, as are included in the limits of the town of Cumberland, are hereby created a voting district for the election of representatives to the legislature, senators, county and state officers and electors of president and vice-president.

SECT. 2. The remainder of said town and the officers thereof, shall be subject to the laws relating to the election of the officers described in the preceding section, enacted in case of towns, except as hereinafter expressly provided.

Remainder of the town and officers, shall be subject to general laws relating to elections.

SECT. 3. The selectmen of said town shall provide a suitable place within said Island District for holding elections therein; and in their warrant for holding such elections in said town, they shall direct the voters in said Island District to assemble for the purpose at the place so provided, and the voters in the remainder of the town to assemble at the town house or other place provided for holding elections in said town. In addition to the notice of such election now required by law, at least one attested copy of the warrant shall be posted in a public and conspicuous place in said Island District.

Selectmen shall provide place for holding elections in Island District.

SECT. 4. The assessors and selectmen shall prepare separate lists of qualified voters for said Island District and the remainder of the town, and all provisions of law relating to the preparation and posting of such lists in towns, apply to both lists herein provided for, except that no changes shall be made in the list for the Island District on the day of election.

Copy of warrant shall be posted in a public place.

List of voters.

SECT. 5. The duties of the clerk of the Island District in relation to the check list, making records and returns shall be the same as those prescribed by law for clerks of towns, except as herein otherwise provided.

Duties of clerk.

SECT. 6. At each election for governor, the qualified voters in said Island District shall elect a warden, clerk and constable to hold office for two years from the first day of January next thereafter; except that the warden, clerk and constable first chosen hereunder, shall enter at once upon the discharge of their respective duties. During such first election any qualified voter may preside; and in case of the absence of the warden or clerk at any election, an officer, pro tempore, may be chosen in the same manner.

Election of officers.

—tenure.

SECT. 7. The warden shall receive the ballots at such elections and perform the duties specified in section forty-four of chapter four of the revised statutes, but the list shall

Proceedings at elections.

CHAP. 37

—list shall be delivered to clerk within twenty-four hours.

Law relating to elections shall apply to District.

be delivered within twenty-four hours after the closing of the polls to the clerk of said town, who shall enter the same on the town record and transmit it, attested by him, to the secretary of state, to be treated in all respects as a part of the vote of said town.

SECT. 8. All provisions of law, not inconsistent with this act, apply to elections held in said Island District.

Approved February 23, 1887.

Chapter 37.

An Act to amend section thirty-four of chapter forty of the Revised Statutes, relating to Fishways.

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

Sec. 34, ch. 40, R. S., amended.

That section thirty-four of chapter forty of the revised statutes is hereby amended by striking out after the word "shad," in the second line of said section, the word "or" in the third line of said section, and inserting after the word "alewives," in said third line, the words 'or land-locked salmon,' so that said section, as amended, shall read as follows :

Fish ways to be provided.

SECT. 34. The owner or occupant of every dam or other artificial obstruction in any river or stream naturally frequented by salmon, shad, alewives or land-locked salmon, shall provide the same with a durable and efficient fish-way, of such form and capacity, and in such location as may, after notice in writing to one or more of said owners or occupants and a hearing thereon, be determined by the commissioners of fisheries, by written notice to some owner or occupant, specifying the location, form and capacity of the required fish-way, and the time within which it shall be built; and said owner or occupant shall keep said fish-way in repair, and open, and free from obstruction for the passage of fish, during such times as are prescribed by law; provided, however, that in case of disagreement between the commissioners of fisheries and the owner or occupant of any dam, as to the propriety and safety of the plan submitted to the owner or occupant of such dam for the location and construction of the fish-way, such owner or occupant may appeal to the county commissioners of the county where the dam is located, within twenty days after notice of the determination, to the

—hearing and notice.

—fish ways to be kept in repair.

—appeal to county commissioners.