

MAINE STATE LEGISLATURE

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THE
REVISED STATUTES

OF THE
STATE OF MAINE,

PASSED OCTOBER 22, 1840;

TO WHICH ARE PREFIXED

THE CONSTITUTIONS

OF THE

United States and of the State of Maine,

AND TO WHICH ARE SUBJOINED THE OTHER

PUBLIC LAWS OF 1840 AND 1841,

WITH AN

APPENDIX.

PRINTED AND PUBLISHED IN COMPLIANCE WITH A RESOLVE OF OCTOBER 22, 1840.

Augusta:

PUBLISHED BY WILLIAM R. SMITH & Co., PRINTERS TO THE STATE.

.....
1841.

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Manner of enforcing payment.

assessors of any town or plantation, where any such lands may lie, shall, in estimating the value thereof, deduct the amount due the state, so that the possessor or occupant shall be taxed only for his interest therein, according to its just value.

SECT. 116. The right and interest of any person to any lands, the fee of which is in the state, shall be held liable for all taxes, assessed thereon; and the said interest shall be forfeited, if the taxes, assessed thereon, be not paid, in the same manner as real estate is forfeited. And in all assessments on such lands, or on the interest of any person in such lands, whether by the county commissioners, for making or repairing highways, or by the assessors of any town or plantation for any legal purpose, the same proceedings shall be had, in the assessment and collection thereof; as if the state had no claim to said lands; and any person interested shall have the right to redeem the same, in such manner, as is provided for redeeming real estate taxed.

CHAPTER 26.

OF THE LAW OF THE ROAD.

- SECT. 1. Travelers with vehicles, meeting on the road, to pass to the right.
- 2. Modification of this rule.
- 3. Duty, when one traveler wishes to pass another.
- 4. Teams and carriages, not to travel without a driver, nor obstruct a road.
- 5. Bells to horses, with sleighs or sleds.
- 6. Penalties.

- SECT. 7. Stage drivers, not to leave horses unfastened.
- 8. Proprietors of bridges may restrict travelers passing thereon.
- 9. Selectmen of towns may do the same.
- 10. Penalty for violation.
- 11. Wagons, on certain roads, to have wide rimmed wheels.
- 12. Penalty for violation.
- 13. Cart or wagon may be libeled.

Travelers with vehicles, meeting on the road, to pass to the right. 1824, 245, § 1.

SECTION 1. Whenever any persons shall meet each other, on any bridge, turnpike, or other road, traveling with carriages, wagons, carts, sleighs or other vehicles, each person, so meeting, shall seasonably turn or drive his carriage or other vehicle to the right of the middle of the traveled part of such road or bridge, when practicable; so that the respective carriages, or other vehicles aforesaid, may pass each other, without interference.

Modification of this rule. 1824, 245, § 1.

SECT. 2. Where it is difficult or unsafe for persons traveling, with any of the aforesaid carriages or other vehicles, on account of their being heavily loaded, or otherwise, to turn or drive their carriages, or other vehicles, to the right of the middle of such traveled part, as aforesaid, any person, thus prevented, when meeting with any other person traveling with any of the carriages, or vehicles aforesaid, shall stop a reasonable time at a convenient part of the road, to enable such other person to pass by.

Duty, when one traveler wishes to pass another. 1824, 245, § 2.

SECT. 3. Whenever any person, traveling with any carriage or vehicle, as aforesaid, on any bridge or road, shall overtake any other person, with any such carriage or vehicle, either stationary at

some inconvenient place for passing by, or traveling at a slower rate, and shall request such other person, to permit him to pass, it shall be the duty of the person, so overtaken, to turn or drive his carriage or vehicle to the right or left of the middle of the traveled part of said bridge or road, or to stop a reasonable time, in some convenient place, for the other person to pass by.

SECT. 4. No person shall permit his carriage or other vehicle, to travel or pass upon any such bridge or turnpike or other road, without a suitable driver or conductor; nor shall leave the same, on such bridge or road, stationary, in such a situation, as to obstruct other persons, traveling with any carriage or other vehicle.

Teams and carriages, not to travel without a driver, nor obstruct a road. 1824, 245, § 3.

SECT. 5. No person shall travel, on any bridge, turnpike or other road, with any sleigh or sled, drawn by one or more horses, unless there shall be three or more bells to such horse, if but one, or to the foremost horse, if more than one.

Bells to horses, with sleighs or sleds. 1824, 245, § 4.

SECT. 6. Every person, offending against either of the foregoing provisions, shall forfeit, for each offence, not less than one dollar, nor more than twenty dollars, to the use of the state, to be recovered on complaint of any person, aggrieved thereby, before any justice of the peace in the county, where the offence shall have been committed, made within sixty days thereafter. Any person, injured by any of the offences or neglects aforesaid, shall also be entitled, to recover his damages, in an action on the case, to be commenced within one year after such injury.

Penalties. 1824, 245, § 5.

SECT. 7. No driver of any stage coach or other vehicle, for the conveyance of passengers for hire, shall, when any passenger is within or on such coach or vehicle, leave the horses thereof, without some suitable person to take charge and guidance of them, or without fastening them in a safe and prudent manner; and the person, offending against this section, may be punished by imprisonment, not exceeding one month, or by fine, not exceeding thirty dollars.

Stage drivers, not to leave horses unfastened.

SECT. 8. The incorporated proprietors of any bridge, or the directors or agents of the same, may prohibit any person, from riding or driving any horse at a pace, faster than a walk, over such bridge.

Proprietors of bridges may restrict travelers, passing thereon. 1833, 53, § 1.

SECT. 9. The selectmen of any town may prohibit any person, from riding or driving any horse, at a pace faster than a walk, over any bridge, covered with plank, for the length of fifty feet; such bridge being a part of a highway or town way, within the limits of such town.

Selectmen of towns may do the same. 1833, 53, § 2.

SECT. 10. Any person, wilfully riding or driving any horse, contrary to the provisions of either of the two preceding sections, shall be liable to a penalty, not exceeding five dollars, to be recovered by the proprietors of such bridge, or the inhabitants of such town, respectively; provided, that a board, giving notice of such liability, legibly printed in black letters on a white ground, be kept exposed, in a conspicuous position, at each end of said bridge: but no person shall be liable to such penalty, driving after sunset, or before sunrise, unless he had actual knowledge of such prohibition and penalty.

Penalty for violation. 1833, 53, § 3.

SECT. 11. No cart, nor wagon, drawn by more than one horse, Wagons, on

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certain roads,
to have wide
rimmed wheels.
1833, 52, § 1.
1839, 371.

shall pass upon the Mattanawcook state road, nor upon the United States military road, in this state, unless the felloes of the wheels thereof be, at least, four inches in width; and no cart or wagon, drawn by oxen, shall pass upon said roads, or either of them, unless the felloes of the wheels thereof be, at least, six inches in width; provided, that this restriction shall not apply to any cart, wagon or other carriage, the property of the United States, or of this state, nor to any pleasure carriage, nor to any cart or wagon, drawn by two oxen or two horses only, carrying a load, not exceeding fifteen hundred pounds.

Penalty for violation.
1833, 52, § 2.

SECT. 12. If any cart or wagon shall pass upon either of said roads, contrary to the provisions of the preceding section, the owner or driver thereof shall forfeit not less than ten dollars, for each offence, together with one dollar, in addition, for each mile of said road passed, as aforesaid, to the use of the state; to be recovered by complaint before any justice of the peace for the county, in which such offence may have been committed, with costs.

Cart or wagon
may be libeled.
1833, 52, § 2.

SECT. 13. Any such justice of the peace, before whom such complaint may be pending, may also, on libel or complaint therefor, issue his warrant, to seize and detain the carts or wagons, with the teams thereof, found on either of said roads, having been used by any person, in violation of the provisions of section, eleven, of this chapter; which may be held to respond the fine and costs, to be awarded against such owner or driver.

CHAPTER 27.

OF FERRIES.

- SECT. 1. No person to keep a ferry, without license.
2. County commissioners may grant licenses, and establish tolls.
 3. Ferryman liable for damages, through his neglect.
 4. Ferryman to keep a good boat, and attend.
 5. Penalties for neglect.
 6. Towns to provide ferrymen, if commissioners require.
 7. Ferries between towns, to be provided at their joint expense.
 8. Forfeiture, if towns neglect.
 9. Penalty for keeping a ferry, without license.

- SECT. 10. Ferrymen, to level ice, and repair passage way, in winter.
11. Condition of ferryman's bond.
 12. Forfeiture for neglect to repair passage way.
 13. Prohibition of horse or steam ferries. Exceptions.
 14. Persons authorized to use horse or steam ferries, may use other boats.
 15. Penalties for obstructing ferries.
 16. Exception to this liability.
 17. Proprietors of ferries may sink piers.
 18. Mode of recovering forfeitures.

No person to
keep a ferry,
without license.
1821, 176, § 1.
8 Greenl. 365.

SECTION 1. No person shall keep a ferry, and receive pay, unless he shall first obtain a license therefor, from the county commissioners; and such license may be granted for such time, as the commissioners shall think proper, and they may revoke it, when necessary; excepting where ferries are already established by law.

County com-
missioners may

SECT. 2. Said commissioners are hereby authorized to grant licenses to such persons, and for such places, as they shall judge