

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.

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1841.

CHAPTER 33.

OF ENGINES, ENGINE MEN, AND FIRES.

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| <p>SECT. 1. Selectmen of towns may appoint engine men.</p> <p>2. Exemption from military duty.</p> <p>3. Term of appointment, meetings and officers.</p> <p>4. Of firemen appointed under special laws.</p> <p>5. Engine companies may establish by laws.</p> <p>6. Duties of engine companies.</p> <p>7. Discharge of negligent engine men, from the company.</p> <p>8. Selection from engine men, for other duties, at fires.</p> <p>9. Election of fire wards.</p> <p>10. Their duties.</p> <p>11. Powers of selectmen, in their absence.</p> <p>12. Powers of other officers, in their absence.</p> <p>13. Powers of fire wards, during fires.</p> | <p>SECT. 14. Penalty, for refusing obedience.</p> <p>15. Compensation to owners of buildings demolished, whereby fire is stopped.</p> <p>16. Persons dissatisfied, may apply to the county commissioners.</p> <p>17. No compensation to the owner of the building, where the fire originated.</p> <p>18. Punishment, for plundering at fires.</p> <p>19. Sailmakers, riggers and others, in maritime towns.</p> <p>20. Penalty, for violation by livery stable keepers.</p> <p>21. Appropriation of penalties.</p> <p>22. Engine men, excused from serving as jurors.</p> <p>23. Limitation of the foregoing regulations.</p> |
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Selectmen of towns may appoint engine men.
1831, 506, § 1.

SECTION 1. Whenever any town, corporation or individuals, shall possess, and keep for public use, any fire engine, the selectmen of the town, in which the same is kept, are empowered to appoint any number of suitable persons they may deem necessary, not exceeding sixty, to each engine having a suction hose, and not exceeding thirty five, if without a suction hose, to be engine men.

Exemption from military duty.
1831, 506, § 1.

SECT. 2. The engine men, so appointed, shall be exempted from all military duty, except that of being detached or called out to execute the laws, to suppress rebellion, or repel invasion; provided, that every person, claiming such exemption, shall first produce to the commanding officer of the company to which he belongs, on or before the second Tuesday of April annually, the certificate of the selectmen, that he has been duly appointed an engine man, and that he faithfully performs his duties, as such.

Term of appointment, meetings and officers.
1821, 132, § 1.
1850, 473.

SECT. 3. Such engine men shall continue in office, during the pleasure of the selectmen; and they are hereby authorized to meet annually; in the month of April, May, August, October and November, and at the May meeting to elect a master and director or directors, clerk, assistant clerk, and such other officers of the company, as shall be deemed necessary to give efficiency to their operations.

Firemen appointed under special laws.
Special laws,
1831, 134, § 3.

SECT. 4. The chief engineer, engineers and firewards, and other officers appointed for particular cities, towns or districts, under the provisions of special laws, shall have the same power as to pulling down or demolishing any house or building, to prevent the spreading of fires, and as to other things affecting the extinguishment thereof, as firewards now have, by the laws now in force in this state; and the city or town, to which they belong, shall be liable to pay such compensation for damages consequent upon the acts of the chief engineer, engineers and firewards, and other officers, as other towns

are liable to pay for similar damages; and the members of the fire department in such towns, cities or district[s] shall enjoy all the privileges, and be liable to all the duties of other firemen in the state.

SECT. 5. The engine men, appointed under the authority given in the first section, may establish such rules and regulations, respecting their duty, as shall be approved by the selectmen, and shall not be repugnant to the laws of the state; and annex penalties, to be recovered by their clerk; but no penalty for any one offence shall exceed six dollars.

Engine companies may establish by laws. 1821, 132, § 1.

SECT. 6. The companies of engine men, appointed as aforesaid, shall be bound to meet once every month, and oftener if necessary, for the purpose of examining the state of the engines, to which they belong, and the appendages of the same; and it shall be their duty, by night, or by day, under the direction of the firewards of the town, to use their best endeavors to extinguish any fire in the same, or the immediate vicinity thereof, that shall come to their knowledge, without delay.

Duties of engine companies. 1821, 132, § 2.

SECT. 7. When any engine man, or any member of either of the companies, mentioned in the fourth section, shall be remiss or negligent in the discharge of his duties, in the opinion of the selectmen, it shall be their duty, on proof thereof, to discharge him from the said company, and appoint some other person in his stead.

Discharge of negligent engine men, from the company. 1821, 132, § 4.

SECT. 8. The selectmen of any town may, in their discretion, select from the engine men any number, for each engine in said town, whose duty it shall be, under the direction of the fire wards, to attend fires therein with axes, fire hooks, fire sails and ladders, and perform such further duty, as the selectmen shall from time to time prescribe.

Selection from engine men, for other duties, at fires. 1821, 132, § 5.

SECT. 9. Each town, at the annual meeting, may elect as many fire wards, as may be deemed necessary; and each person, so chosen, shall be notified in three days, and he shall enter his acceptance or refusal of the office with the town clerk, within three days after such notice, on penalty of ten dollars, unless excused by the town; and if excused, the town shall elect another in his room.

Election of fire wards. 1821, 132, § 6.

SECT. 10. When any fire shall break out in any town, the fire wards shall, immediately, attend at the place, with their badges of office; and when there, any three of them shall have power to direct any building, to be pulled down or demolished, as they may judge necessary, to prevent the spreading of the fire.

Their duties. 1821, 132, § 6.

SECT. 11. If such fire wards be not present, a major part of the selectmen present, shall have the same power.

Powers of selectmen, in their absence. 1821, 132, § 7.

SECT. 12. If no selectmen be present, two or three civil officers, or in their absence, military officers shall have the same power as fire wards.

Powers of other officers, in their absence. 1821, 132, § 7.

SECT. 13. During the continuance of any fire, said fire wards or other officers shall have power to require assistance, in extinguishing the fire, and removing merchandize and furniture, and to appoint guards, to secure the same; and aid in pulling down or demolishing buildings, and suppressing disorder and tumult; and generally to direct all operations to prevent further destruction or damage.

Powers of firewards, during fires. 1821, 132, § 7.

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Penalty, for refusing obedience.

1821, 132, § 7.

Compensation to owners of buildings demolished, whereby fire is stopped.

1821, 132, § 8.

Persons dissatisfied, may apply to the county commissioners.

1821, 132, § 8.

No compensation to the owner of the building, where the fire originated.

1821, 132, § 8.

Punishment, for plundering at fires.

1821, 132, § 9.

Sail makers, riggers and others, in maritime towns.

1821, 132, § 10.

Penalty, for violation by livery stable keepers.

1821, 132, § 10.

Appropriation of penalties.

1821, 132, § 11.

Engine men, excused from serving as jurors.

1821, 132, § 12.

Limitation of the foregoing regulations.

SECT. 14. Any person, refusing to assist, or to obey orders given by such fire wards or officers in the premises, shall forfeit and pay the sum of ten dollars.

SECT. 15. If the pulling down or demolishing any house or building shall be the means of stopping the fire, or if the fire be stopped before it shall come to the same, then every owner of such house or building shall receive a reasonable compensation from the town, in which the fire shall be; and the qualified voters in such town shall grant such sum, as may be necessary, for the purpose of such compensation; and the assessors shall assess the same.

SECT. 16. Any person, considering himself aggrieved by the doings of the town, selectmen or assessors, in estimating, voting or assessing the same, may apply to the county commissioners at their next meeting; and they shall have power, after due notice, given to the selectmen of such town, to confirm the doings aforesaid, or alter the same as they shall judge proper; and award costs to either party, as the decision may be; and the sum so assessed, according to said decision, shall be forthwith committed and collected.

SECT. 17. When it shall be adjudged, as aforesaid, proper, that the house or building, where the fire shall begin and break out, shall be pulled down or demolished to prevent the further increase and spreading of the fire, then the owner of such building shall receive no compensation for the same.

SECT. 18. If at any fire, any person shall plunder, steal, embezzle, convey away, or conceal any furniture, or goods and merchandize, belonging to the owner or occupant of any house or building, then on fire, or being in immediate danger, or placed there by any other person, while the owner of the same and others are lawfully removing the same, and shall not restore the same, or give notice of them to the owner or one of the firewards, the person so offending, and being convicted thereof, shall be deemed guilty of larceny, and punished accordingly.

SECT. 19. No person shall occupy any building or tenement, in any maritime town, for the business of a sail maker or rigger, or keeper of a livery stable, except only in such part of the town or city, as the selectmen, or mayor and aldermen, shall allow and direct; and any sail maker or rigger, who shall offend against this section, shall forfeit and pay, for such offence, ten dollars per month.

SECT. 20. Any keeper of a livery stable, who shall so offend, shall forfeit and pay, for such offence, fifty dollars for every month, so occupying the same; and so in proportion for a shorter or longer time.

SECT. 21. The said penalties shall be appropriated, two thirds to the use of the town where the offence is committed, and the other to him, who shall sue for the same, with costs.

SECT. 22. All persons, attached to any engine, shall be excused from serving as jurors in any court, unless the towns, to which they respectively belong, shall otherwise decide.

SECT. 23. Nothing in this chapter shall be construed to control the manner in which any officers of the fire department are appointed in any city, town or district, under the provisions of any existing laws, specially applicable thereto.