

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.

burden or capacity of any such boat or lighter has been increased, or diminished by any repairs or otherwise, he shall forthwith ascertain, anew, the capacity of such boat or lighter, and mark her accordingly.

SECT. 6. Such selectmen shall establish and regulate the fees of such inspectors for their services.

SECT. 7. No master of any ship or vessel shall throw overboard any ballast, in any road, port or harbor, on penalty of sixty dollars; to be recovered, one half to the use of the town in which such offence is committed, and the other half to any person, who will sue for the same.

SECT. 8. If any master of a vessel, or other person, shall take, from any island, beach, or other land, without the consent of the owner, any stone or other ballast, he shall forfeit and pay for each offence, not exceeding seven dollars; to be recovered by action of debt, and to the same uses as mentioned in the preceding section.

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be re-marked, when their capacity varies. 1821, 172, § 3.

Fees. 1821, 172, § 4.

Ballast not to be thrown over in port. 1821, 173, § 1.

Penalty for taking ballast from islands, &c. without consent. 1821, 173, § 2.

CHAPTER 49.

OF WRECKS AND SHIPWRECKED GOODS.

- SECT. 1. Appointment of commissioners.
 2. Their oath and bonds.
 3, 4. General duties and powers.
 5. Inventory to be taken. Compensation.
 6. Compensation of other persons in certain cases.
 7. Adjustment of compensation.
 8. Penalty for unauthorized intermeddling.
 9. Public information of the wreck, &c. to be given.

- SECT. 10, 11. In what cases the property may be sold.
 12. Property to be accounted for to the state treasurer, after one year.
 13. Treasurer to allow the commissioners, pay.
 14. Proceedings, when the commissioner neglects to account, &c.
 15. Former commissioners retained in office.

SECTION 1. The governor, with consent of the council, may appoint in the several counties, where he may deem it necessary, one or more commissioners of wrecks and shipwrecked goods, who shall be removable at pleasure.

Appointment of commissioners. 1821, 14, § 5.

SECT. 2. Each of the said commissioners shall be duly sworn, and shall give bond to the judge of probate of the county, for which he is appointed; for the faithful discharge of his duties; and any person interested may have the same remedy for the breach of any such bond, as is given on administrators' bonds for the settlement of estates of deceased persons.

Their oath and bonds. 1821, 14, § 5.

SECT. 3. Every such commissioner, immediately, on receiving information of any shipwreck, or of finding any shipwrecked goods, or property of any kind, to the amount of one hundred dollars or more, on any of the shores or waters within his county, shall repair to the place where the said property may be found, and, in case the same shall not be in the custody of any owner or agent, he shall take charge thereof, and shall secure and preserve the same for the owner.

General duties and powers. 1821, 14, § 6.

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Same subject.
1821, 14, § 6.

SECT. 4. The commissioner in such case may employ as many persons, as he shall think necessary, to assist in preserving the property; and he may appoint guards to receive the same; and may suppress all tumults and disorders: and if any person shall disobey any lawful order of the commissioner, he shall forfeit, for every such offence, a sum not exceeding ten dollars, to be recovered in an action on the case, in the name of the commissioner, to the use of the town.

Inventory to be taken.
1821, 14, § 6.

SECT. 5. The commissioner shall, on every such occasion, take an inventory of all the property, that shall come to his possession; and, when required by the owner of the property or his agent, or by any person interested, he shall make oath to the truth of such inventory; and shall deliver a copy thereof, if required, together with all the said property, to the owner or agent, or other person lawfully authorized to receive it: provided there shall be first paid, or secured to be paid, to the commissioner, a reasonable compensation for his services, and such custom house duties and other charges, if any, as he shall have paid, or become liable to pay, on account of the property in question.

Compensation.

Compensation of other persons in certain cases.
1821, 14, § 6.

SECT. 6. No person interested in any such property shall be held to pay to any person, other than a commissioner, any compensation for services or expenses in taking or securing the property, unless it be for property taken or secured before the arrival of the commissioner: in which case the commissioner shall, upon due hearing of all parties interested, determine the amount of compensation, by his award in writing; which shall be final, unless the sum awarded to any party shall exceed fifty dollars.

Adjustment of compensation.
1821, 14, § 6.

SECT. 7. If the commissioner and the party interested disagree, respecting the charges of the commissioner, or if the award, made pursuant to the preceding section, exceed the sum of fifty dollars, and shall be unsatisfactory to any party, the person aggrieved may appeal to the judge of the district court for the county, where the property is situated; who shall, either in vacation or term time, decide the case in a summary manner, on due notice, and may order the clerk, under the seal of the court, to issue such process, as may be necessary, to carry his order into effect.

Penalty for unauthorized intermeddling.
1821, 14, § 6.

SECT. 8. If any person shall, after the arrival of a commissioner, take, detain or intermeddle with any property, shipwrecked or found as aforesaid, except under the direction of the commissioner, or of some person interested, he shall forfeit a sum not exceeding one thousand dollars for each offence; to be recovered in an action of debt, which may be brought by the commissioner, or any person interested, to his own use.

Public information of the wreck, &c. to be given.
1821, 14, § 7.

SECT. 9. The commissioner, as soon as may be after his arrival at the place, where such property shall be found, shall publish the particulars of the shipwreck, and of the goods found, with such other material facts as he shall ascertain, in such manner, as he shall deem best for the information of all parties interested: in case of neglect, he shall forfeit fifty dollars to the use of any party interested, who shall first sue therefor in an action of debt.

In what cases the property may be sold.
1821, 14, § 7.

SECT. 10. The commissioner may dispose of so much of the property, by public auction, within thirty days after taking the same

into his custody, as shall be necessary to pay the duties thereon to the custom house.

SECT. 11. He may sell by auction, to the best advantage, such of the property as may be of a perishable nature, whenever necessity may require it, giving reasonable public notice, and, if practicable, in a public newspaper.

Same subject.
1821, 14, § 7.

SECT. 12. If no person interested shall appear, within one year after such property shall have been taken into the custody of the commissioner, and establish his claim thereto, the commissioner shall present, under oath, to the treasurer of the state, an inventory of the property; and if sold, an account of the sales; with an account of all moneys, paid by him as duties and expenses on the same: and he shall pay and deliver to the treasurer the balance of such accounts, with all the property remaining in his hands, for the use of the state.

Property to be accounted for to the state treasurer, after one year.
1821, 14, § 7.

SECT. 13. The treasurer may make to the commissioner such compensation, for his services and expenses, as shall be just; to be ascertained, in case of disagreement between the treasurer and commissioner, in the manner provided in the cases mentioned in the seventh section.

Treasurer to allow the commissioner, pay.
1821, 14, § 7.

SECT. 14. If any commissioner shall, for the space of sixty days after the expiration of the year, herein before limited for his accounting with the treasurer, neglect to comply with the provisions of the twelfth section, the treasurer shall cause a suit to be commenced therefor, for the use of the state, and shall prosecute the same to final judgment and execution.

Proceedings, when the commissioner neglects to account, &c.
1821, 14, § 7.

SECT. 15. All commissioners, heretofore appointed, shall remain in office, subject to its previous limitations.

Former commissioners retained in office.

CHAPTER 50.

OF THE INSPECTION OF BEEF AND PORK.

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| <p>SECT. 1. Appointment of inspector general.</p> <p>2. His oath and bond.</p> <p>3. His deputies.</p> <p>4. Deputies remain, pending a vacancy in the office of inspector general.</p> <p>5. Of the deputies' bonds and oath.</p> <p>6. Inspector or his deputy to act within twenty four hours, after request.</p> <p>7. Inspection to be in a suitable place, under the control of the inspector.</p> <p>8. Inspection charges to be paid in advance, or secured.</p> <p>9. Beef and pork to be packed in barrels, or half barrels.</p> <p>10. Of the age of beef cattle. How to be cut up.</p> | <p>SECT. 11. How to be assorted and branded, in general. Mess beef. Number one. Prime cargo. Hearts and cheeks.</p> <p>12. May be inspected and packed by request, as extra mess and navy mess.</p> <p>13. Mode of salting beef.</p> <p>14. The round may be reserved for smoking, jerking, &c. Neck and chins.</p> <p>15. Of the various brands of pork. Extra clear and clear pork, hone middlings, navy mess, number one, prime, cargo.</p> <p>16. Pork heads or feet.</p> <p>17. Mess pork.</p> |
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