

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.

Beef, . . .					
Hide, . . .					
Tallow, . .					
Total, . . .					

A. B., *Sworn weigher.*"

SECT. 47. Any person, who shall purchase beef cattle, for marketing or exportation, not weighed pursuant to the foregoing provisions, other than live cattle, and excepting, when the weight or mode of weighing shall be agreed upon expressly by the buyer and seller, shall forfeit thirty dollars for each offence; to be recovered, and to be appropriated, as provided in the forty first section.

Penalty for purchasing without weighing, unless agreed. 1821, 148, § 24.

SECT. 48. The inspector general and his deputies, either by themselves, or by other persons by them appointed, and who shall be duly sworn, shall weigh all hides taken from cattle, slaughtered for barreling, making reasonable deductions for tare and drainage; and they shall give a certificate, specifying the gross weight and the deductions, made as aforesaid.

Hides to be weighed and certified. 1832, 18, § 4.

SECT. 49. The inspector general and his deputies shall continue to hold their offices, and exercise the duties thereof, notwithstanding the provisions of this chapter, during the term fixed for their respective appointments, or until removed.

Inspector and deputies to continue in office.

CHAPTER 51.

OF LIME AND LIME CASKS.

- SECT. 1. Inspectors to continue in office.
- 2. Future appointments.
- 3. Qualifications and term of office.
- 4. Oath and bond.
- 5. Amount of bonds in different towns.
- 6. Of deputy inspectors.
- 7. Inspector's duties.
- 8. Penalties for his misconduct.
- 9. Quality of lime for sale, or exportation. Kind of casks.

- SECT. 10. Casks to be branded with the maker's name.
- 11. Penalty for selling, or buying, illegal casks. Lien.
- 12. For selling, &c. lime in casks, not legally made, marked and branded.
- 13. For fraudulently shifting contents of casks.
- 14. How penalties recovered.
- 15. Remedy on inspector's bond.

SECTION 1. The several inspectors of lime and lime casks, now in office in this state, shall continue in office, according to the tenor of their respective appointments.

Inspectors to continue in office. 1839, 403, § 3.

SECT. 2. Whenever any vacancy shall occur in the office of inspector in any town, it shall be the duty of the governor, with advice of the council, to supply such vacancy; and there shall be but one inspector in any town.

Future appointments. 1839, 403, § 3.

SECT. 3. Each inspector shall be a citizen of, and resident in, the town, in which he is inspector; and shall hold his office for the term of four years, unless sooner removed by the governor and council.

Qualifications and term of office. 1839, 403, § 3.

CHAP. 51.

Oath and bond.
1839, 403, § 3.

SECT. 4. Each inspector, before entering on the duties of his office, shall be duly sworn; and give bond with sufficient sureties, to the treasurer of the county, in which he resides, for the faithful performance of his duty, in the respective sums mentioned in the following section.

Amount of
bonds in differ-
ent towns.
1839, 403, § 3.

SECT. 5. The inspector in, and for, the town of Thomaston, in the sum of ten thousand dollars. The inspectors in, and for, the towns of Warren and Camden, in the sum of five thousand dollars each; and the inspectors of each other town, in the sum of two thousand dollars; each of which bonds shall be approved by the county commissioners, in and for the county, in which the town is situated.

Of deputy in-
spectors.
1839, 403, § 3.

SECT. 6. Each inspector, so qualified, shall have power to appoint, in the town where he resides, as many deputy inspectors, as may be necessary, for whose fidelity he shall be answerable; and he shall take from each of them a bond to himself, with sufficient sureties in the sum of one thousand dollars; and each of them shall also be duly sworn.

Inspector's du-
ties.
1839, 403, § 4.

SECT. 7. It shall be the duty of each inspector by himself or his deputy, to inspect all lime manufactured in the town, where he resides, at the time, the same shall be filled into casks, at the kiln, where it is burnt; and to inspect the casks, into which the same shall be put, and to see that the lime and casks do, in all respects, conform to the provisions of this chapter; and that the casks are well filled with such lime, and to brand each cask, when so filled, [and] on one of the heads thereof, with the name of the [town], where the lime was burnt, and the first letter of the christian name, and the surname at length of the inspector or deputy, with the word, *inspected*.

Penalties for his
misconduct.
1839, 403, § 4.

SECT. 8. If any such inspector, or deputy inspector, shall so brand any lime cask, the contents of which he has not inspected, or shall brand any such cask, which, or the contents of which, do not, in all respects, conform to the provisions of this chapter, or shall permit any other person to use his brands in violation, or evasion thereof, every such inspector, or deputy inspector, shall forfeit and pay the sum of one dollar for every cask, so illegally branded by him or with his brands; and shall also be liable to pay to any person, injured by such neglect or misdoings, such damages as he may have sustained thereby: and the action for the recovery of such damages, when the misdoings were on the part of the deputy, may be brought against him, or the inspector, who appointed him.

Quality of lime
for sale, or ex-
portation.
Kind of casks.
1839, 403, § 1.

SECT. 9. No lime, manufactured in this state, shall be sold, exposed to sale, or shipped on board any vessel, in casks, but such only as shall be well burnt and pure, and contained in good and sufficient casks, made of sound and seasoned staves and heading, with at least ten good and strong hoops on each cask well driven, and secured with nails, and duly inspected; the staves of said casks to be made of sawed or rift timber, and not less than thirty inches in length, and not less than one half an inch thick on the thinnest edge; and each of the heads to be not less than three fourths of an inch thick, and well crozed in; and each hoop to be not less than one inch wide, in the narrowest part; and each cask to be

not less than twenty six and a half inches in length between the heads, and seventeen inches in width between the chimes, and not less than twenty inches in the clear on the inside at the bilge, at the time of inspection; and made in a workmanlike manner to hold lime.

SECT. 10. Each lime cask shall be branded, on the outside of the bilge, with the first letter of the christian name, and the whole of the surname, of the manufacturer thereof.

SECT. 11. If any person shall sell, or expose to sale, or shall purchase any lime casks, not conformable to the provisions aforesaid, he shall incur a penalty of twenty cents for each cask so sold, exposed to sale, or purchased, to the use of the person who may sue for the same; and a lien is hereby created on such lime casks, for the payment of such penalty and costs, and shall continue good against all prior attachments, or a sale by the owner of such casks; provided the same shall be attached in the suit brought to recover such penalty, within three months after the same shall be incurred: and such casks may be sold on the execution in such action, as in common cases of sale of goods on execution.

SECT. 12. If any person shall sell, or expose to sale, or ship, or receive on board of any vessel, in casks, any lime, other than such as is contained in casks made, marked and branded according to the provisions of this chapter, he shall forfeit one dollar for each cask so sold, exposed to sale, or shipped, or received on board any vessel.

SECT. 13. If, after any cask containing lime has been branded as aforesaid, any person shall shift the contents thereof, and put therein other lime, with design to sell the same, he shall forfeit ten dollars for each cask of lime, so shifted.

SECT. 14. All the penalties before mentioned may be recovered by, and to the use of, any person, who shall sue for the same.

SECT. 15. When any judgment has been recovered against any inspector, or deputy inspector, for penalties or damages, on account of any misdoings in his office, and the execution issued on such judgment has been returned unsatisfied, the judgment creditor may avail himself of the benefit of the inspector's bond to the county treasurer, who shall give the creditors a copy thereof on request, in the like manner, as a judgment creditor of a sheriff or coroner may, of the official bond of such officer given to the state treasurer; and such proceedings shall be had, prior to, and in the conduct of the suit, as are prescribed in chapter one hundred and four.

Casks to be branded with the maker's name.

1839, 403, § 2.

Penalty for selling, or buying, illegal casks.

1839, 403, § 2.

Lien.

For selling, &c.

lime in casks, not legally made, marked and branded.

1839, 403, § 6.

For fraudulent-

ly shifting contents of casks.

1839, 403, § 7.

How penalties recovered.

1839, 403, § 7.

Remedy on inspector's bond.

1839, 403, § 9.