

# MAINE STATE LEGISLATURE

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**L A W S**

OF THE

**S T A T E O F M A I N E ;**

TO WHICH ARE PREFIXED

THE

**C O N S T I T U T I O N O F T H E U . S T A T E S**

AND OF SAID STATE,

IN TWO VOLUMES,

**W I T H A N A P P E N D I X .**

.....  
VOL. II.  
.....

Published according to a resolve of the State, passed  
March 8, 1821.

BRUNSWICK.

Printed by J. Griffin, for the State.

.....  
1821.

**ERRATA:**

**The following leaf is  
inserted because one or more pages  
in this chapter have errors  
noticed and corrected here.**

VOLUME THE SECOND.

<i>Page.</i>		<i>Page.</i>	
463	Line 7 of page, dele the word <i>whole</i>	663	S. 2 L. 6 of S. dele <i>of</i>
464	Sec. 8 L. 12 of Sec. for <i>towns</i> read <i>town</i>	666	5 2 after the word <i>Governor</i> insert, and <i>Council</i>
484	27 6 at the end of the line insert the word <i>that</i>	666	5 last for <i>his</i> read <i>the</i>
492	43 11 after the word <i>owing</i> insert to	667	L. 3 of the page, dele <i>who</i>
496	47 25 for <i>duty</i> read <i>body</i>	668	S. 10 L. 1 of S. for <i>where</i> read <i>when</i>
500	54 3 at the end of the line dele <i>the</i>	669	L. 3 of p. for <i>effect</i> read <i>affect</i>
506	7 6 after the word or dele to	670	S. 5 L. 7 of S. for <i>the</i> read <i>such</i>
515	L. 28 of p. for <i>highway</i> read <i>highways</i>	671	L. 2 of p. for <i>in</i> read <i>on</i>
517	S. 16 L. 11 of S. after the word <i>be</i> insert <i>the</i>	672	S. 9 L. 3 of S. for <i>make</i> read <i>mark</i>
518	18 9 for <i>of</i> read <i>or</i>	672	11 2 for <i>and</i> read <i>or</i>
520	23 11 before the word <i>proprietors</i> insert <i>the</i>	674	11 8 before the word <i>each</i> insert <i>for</i>
523	L. 6 of p. after the word <i>person</i> insert <i>of</i>	674	2 7 before the word <i>drying</i> insert <i>the</i>
523	last for <i>cannot</i> read <i>can</i>	676	L. 5 of p. for <i>not</i> read <i>none</i>
526	9 for <i>laws</i> read <i>law</i>	677	4 for <i>quality</i> read <i>quantity</i>
533	16 for <i>assessments</i> read <i>assessment</i>	681	Sec. 4 last line of Sec. after the word <i>owner</i> insert <i>or owners</i>
534	13 for <i>appears</i> read <i>appear</i>	682	Sec. 5 L. 2 of Sec. dele <i>away</i>
535	4 at the end of the line insert <i>of</i>	684	2 3 for <i>galo</i> read <i>golo</i>
535	3 from bottom of p. for <i>causes</i> read <i>cause</i>	686	4 2 for <i>on</i> read <i>or</i>
537	S. 12 L. 2 of S. for <i>in</i> read <i>of</i>	687	3 6 before the word <i>stamped</i> insert <i>not</i>
539	L. 11 of p. between the words <i>the</i> and <i>day</i> should be a '—'	688	L. 24 of p. before the word <i>arms</i> at the beginning of the line insert <i>the</i>
539	15 for <i>where</i> read <i>wherein</i>	694	L. 15 of p. after the word <i>shall</i> insert <i>also</i>
543	S. 18 L. 13 of S. dele <i>the</i> before the word <i>said</i>	694	16 after the word <i>of</i> insert <i>the</i>
545	21 7 for <i>and</i> read <i>or</i>	695	12 for <i>usage</i> read <i>usages</i>
546	1 6 for <i>this</i> read <i>thus</i>	716	8 for <i>fixed</i> read <i>affixed</i>
547	2 7 for <i>this</i> read <i>thus</i>	723	6 from bottom of p. dele <i>in</i>
547	2 11 for <i>in capacity</i> read <i>incapacity</i>	734	Sec. 51 L. 4 of Sec. before the word <i>auditing</i> insert <i>the</i>
553	L. 2 of p. at the end of the line insert <i>such</i>	742	L. 4 of p. after the word <i>orders</i> insert <i>to be</i>
556	S. 1 L. 18 of p. for <i>master</i> read <i>masters</i>	744	L. 3 from bottom of p. before the word <i>refuse</i> insert <i>shall</i>
557	L. 16 of p. for <i>in</i> read <i>of</i>	745	Sec. 1 L. 6 of Sec. before the word <i>good</i> insert <i>six</i>
560	S. 7 L. 4 of S. for <i>Court of Sessions</i> read <i>Courts of Sessions</i>	746	2 15 before the word <i>advice</i> dele <i>the</i>
566	1 7 for <i>every</i> read <i>any</i>	751	5 11 for <i>owners</i> read <i>owner</i>
570	9 5 after the word <i>them</i> insert <i>as</i>	751	5 15 for <i>taking</i> read <i>taken</i>
572	12 5 after the word <i>fine</i> insert <i>of</i>	751	5 25 for <i>owners</i> read <i>owner</i>
573	1 3 for <i>and</i> read <i>or</i>	753	8 23 for <i>spurs</i> read <i>spar</i>
576	L. 18 of p. for <i>pounds</i> read <i>ounces</i>	754	10 3 after the word <i>or</i> insert <i>any</i>
576	last line of the page dele <i>and</i>	758	L. 2 of p. for <i>sales</i> read <i>sale</i>
591	S. 5 L. 2 of S. before the word <i>action</i> insert <i>an</i>	759	24 for <i>minor</i> read <i>minors</i>
592	3 3 for <i>time</i> read <i>times</i>	761	19 for <i>another</i> read <i>any other</i>
601	L. 11 of p. at the end of the line insert <i>drawn</i>	761	last dele <i>other</i>
	After p. 604 read p. '605' instead of '506'	762	22 before the word <i>fish</i> insert <i>any</i>
604	S. 12 L. 2 of S. after the word <i>passing</i> insert <i>on</i>	766	6 after the word <i>notice</i> insert <i>is</i>
606	for Sec. 14 read Sec. 16	766	Sec. 5 L. 6 of Sec. for <i>damages</i> read <i>damage</i>
608	S. 22 L. 5 of S. for <i>monies</i> read <i>money</i>	769	4 14 dele <i>to the</i>
610	3 18 dele <i>any</i>	772	first word of the p. for <i>damage</i> read <i>damages</i>
614	4 4 for <i>funnel</i> read <i>fund</i>	774	Sec. 2 L. 7 of Sec. for <i>and</i> read <i>or</i>
617	L. 5 of the page dele <i>a</i>	774	2 14 for <i>any</i> read <i>every</i>
617	S. 1 L. 6 of S. for <i>purpose</i> read <i>purposes</i>	775	1 3 for <i>paasing</i> read <i>passing</i>
621	1 9 for <i>such</i> read <i>said</i>	777	L. 17 of p. for <i>these</i> read <i>their</i>
622	3 16 for <i>or</i> read <i>on</i>	780	14 for <i>ninth</i> read <i>twenty ninth</i>
624	2 12 after the word <i>returns</i> insert <i>as</i>	780	35 for <i>sixteenth</i> read <i>seventeenth</i>
626	3 6 before the word <i>Cashier</i> insert <i>the</i>	788	25 for <i>eight</i> read <i>eighth</i>
631	4 3 before the end of the S. for <i>course</i> read <i>course</i>	790	28 after the word <i>Act</i> insert <i>providing</i>
634	16 5 of S. for <i>inspected</i> read <i>uninspected</i>	791	13 after the word <i>for</i> dele <i>the</i>
635	17 last for <i>and</i> read <i>or</i>	791	14 after the word <i>idle</i> dele <i>and</i>
638	L. 9 of p. for <i>and</i> read <i>or</i>	793	5 for <i>galo</i> read <i>golo</i>
642	7 dele <i>who</i>	793	27 after the word <i>Act</i> dele <i>for</i>
643	S. 4 L. 6 of S. dele <i>are</i> after <i>and</i>	797	4 at the end of the line for <i>eight</i> read <i>eighth</i>
650	4 14 before the word <i>also</i> insert <i>as</i>	808	34 for <i>from</i> read <i>upon</i>
656	12 3 for <i>on</i> read <i>or</i>		
658	in the title, after the word <i>Act</i> insert <i>for</i>		

the officers of justice in apprehending such person or persons, such officer or officers, so offending, shall be cashiered.

SEC 55. *Be it further enacted*, That all laws in force in this State, inconsistent with the provisions of this Act, be and the same hereby are repealed. Former laws repealed.

[Approved March 21, 1821.]

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## CHAPTER CLXV.

An Act providing for the security of the Treasury of this State.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in Legislature assembled*, That every person, chosen to the office of Treasurer of this State, shall give the bond, which by the Constitution is required, to the State of Maine, in the penal sum of not less than seventy five thousand dollars, with at least good and sufficient sureties residing within this State. Treasurer to give bond. The condition of which bond among other things, shall be for the faithful performance and discharge of all the duties of his said office, and for the fidelity of all persons by him employed and entrusted with any of the concerns of such office, and that during his continuance in office, he will not engage in any business of trade or commerce, or as a broker, nor as an agent or factor for any merchant or trader, and that he, or his executors or administrators, or sureties, or their respective executors or administrators shall, and will render a just and true account of all his and his agents' and servants' doings and transactions in said office to the Legislature, or such committee as they shall appoint, on the first Wednesday of January annually, and previous to a new Treasurer's being chosen, and at any other time that shall be required by the Legislature, or the Governor and Council; and that he will settle and adjust said account, and faithfully and without delay deliver over to his successor in office, or such person or persons as by the Legislature shall be appointed for that purpose, all and singular the monies, books, property and appurtenances of said office being and remaining in his hands, or in the hands of his agents or servants, and truly and without delay to pay over all such balances that shall appear due upon the adjustment of the

Condition.

accounts of his said office; which bond when executed and approved, as by said Constitution is provided, shall be lodged in the Secretary's office. And the Attorney General, upon order of the Governor and Council, or of the Senate and House of Representatives shall and may, in behalf and for the use of said State, commence any action or actions on such bond and the same pursue to final judgment, execution and satisfaction.

Governor and Council to declare a vacancy in certain cases,

SEC. 2. *Be it further enacted,* That the Governor, with the advice of Council, upon the complaint or suggestion, made under oath, of any surety of a Treasurer in any bond to be taken as aforesaid, that such officer is insane, or manifestly insolvent, or hath absconded and concealed himself for fear of his just creditors, or is absent from this State, or the duties of his said office, to the imminent hazard of the said State in respect to the trust in such officer reposed, and the truth of such complaint or suggestion appearing upon due examination thereof had, shall have the authority, and it shall be their duty, to discontinue such Treasurer and declare such office vacant. And in case of vacancy in the office of Treasurer by death, resignation or otherwise, or said Treasurer shall become manifestly insolvent in the recess of the Legislature, the Governor, with the advice and consent of the Council, shall appoint some suitable person a commissioner to transact the duties of said office during the remainder of the political year, for which such officer was chosen, unless the Legislature shall be sooner in session. And before such person so appointed shall proceed to discharge the duties of said office, he shall take and subscribe the oaths and give bonds with the same conditions required of the Treasurer elected by the Legislature, to the acceptance of the Governor and Council.

and appoint a commissioner of the treasury.

And two persons to take an account of monies, &c. in the treasury.

SEC. 3. *Be it further enacted,* That whenever it shall become necessary that a Commissioner should be appointed under the second section of this Act to transact the duties of Treasurer, it shall be the duty of the Secretary of State and the Attorney General, or two discreet and impartial citizens to be appointed by warrant under the hand and seal of the Governor as soon as practicable, after either of the events shall happen mentioned in the second section aforesaid, ren-

dering it necessary for the appointment of a Commissioner, having first given notice to the sureties, or any two of them, or the late Treasurer, or Treasurer thus to be superseded, shall take a true and accurate inventory of all monies, notes, bonds, books of account and other property belonging to the State, which was in the possession of such Treasurer, or in the hands of any of his agents or servants, wherever to be found; all which shall be delivered over by them to such person, as may be appointed to discharge the duties of Treasurer as aforesaid, he giving a receipt therefor on the back of said inventory, which shall be lodged in the Secretary's office: a copy of which may be given to any person interested therein.

SEC. 4. *Be it further enacted,* That if any Clerk, or other person employed by the Treasurer shall commit any fraud or embezzlement therein, and shall be duly convicted thereof before the Supreme Judicial Court, he shall be punished by fine not exceeding two thousand dollars, or by confinement to hard labor for a term of years, or for life, according to the nature and aggravation of the offence and the judgment of said Court thereupon.

Punishment of fraud in clerks.

[Approved June 13, 1820.]

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CHAPTER CLXVI.

An Act directing the manner in which notices upon Petitions to be presented to the Legislature may be given.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That when any individuals or corporations or their agents may have signed a petition to be presented to any future Legislature of this State, and when the granting the prayer of such petition may effect the rights or interests of any other individuals or corporations, the petitioners may cause the individuals or corporations whose rights or interests may be thus effected, if known, to be served with a true and attested copy of the petition sixty days at least before the commencement of the session of said Legislature, by any Sheriff, deputy Sheriff, Constable or Coroner, who shall make due return thereof: And when all

Petitioners to the legislature may notify interested persons, if known, by serving them with copy of their petition sixty days before next session.