

MAINE STATE LEGISLATURE

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L A W S

OF THE

STATE OF MAINE;

TO WHICH ARE PREFIXED

THE

CONSTITUTION OF THE U. STATES

AND OF SAID STATE,

IN TWO VOLUMES,

WITH AN APPENDIX.

.....
VOL. I.
.....

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

BRUNSWICK.

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.....
1821.

faction thereof in average, in proportion to their respective losses and damages: and in every such case, it shall, and may be lawful to and for such freighters, or proprietors, or any of them, in behalf of himself and all other such freighters and proprietors, or to, or for the owners of such ship or vessel, in behalf of himself and all the other part owners of such ship; or vessel, to exhibit a bill in the Supreme Judicial Court for a discovery of the total amount of such losses and damages, and also of the value of such ship or vessel appurtenances and freight, and for an equal distribution and payment thereof, amongst such freighters and proprietors in proportion to their losses and damages, according to the rules of equity: and the said Supreme Judicial Court is hereby vested with full power and authority to entertain, hear, determine, and decree, in such cases, in the same manner as Courts of equity would have authority to do.

Bill for discovery may be filed in Sup. Jud. Court.

SEC. 10. *Be it further enacted*, That the charterer of any vessel (in case he shall navigate such vessel at his own expense) shall be considered the owner; within the meaning of this act; and, in case any loss or damage shall happen to any person or persons, by any of the causes or circumstances, mentioned in the eighth Section of this Act, and such loss or damage shall be compensated from the freight, or the proceeds of the sale of such vessel, or both, in manner as herein before provided; then the owner or owners of such vessel or vessels shall have a right to recover the value of such vessel or vessels, of the person, or persons, to whom such vessel or vessels shall have been chartered, as aforesaid.

Charterer to be considered as owner within the meaning of this Act, in case.

[Approved Feb. 27, 1821.]

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CHAPTER XV.

An Act to protect the Sepulchres of the Dead.

SEC. 1. *BE it enacted by the Senate and House of Representatives in Legislature assembled*, That if any person, not being authorized by the Board of health, or the Selectmen of any town in this State, shall knowingly and wilfully dig up, remove or carry away, or aid or assist in digging up, remov-

Punishment for digging up or removing dead bodies;

ing or carrying away any human body, or the remains thereof, such person or persons, so offending, shall, on conviction of such offence, in the Supreme Judicial Court of this State, be imprisoned not more than one year, or fined, not more than one thousand dollars, according to the nature and aggravation of the offence.

for concealing
any such body.

SEC. 2. *Be it further enacted*, That if any person or persons knowingly and wilfully receive, conceal, or dispose of any human body, or the remains thereof, which shall have been dug up, removed, or carried away in the manner described in the first Section of this Act, he or they shall be subject to the same forfeitures and penalties, as in said Section is provided, on conviction thereof in the Court aforesaid: *Provided however*, That nothing in this Act shall be so construed as to affect the power or authority in the Courts of the United States, or of this State, or of any person acting under the authority of the same, in removing or disposing of the bodies of persons executed pursuant to an y sentence of such Court.

Proviso.

Fines, how to
be appropriated.

SEC. 3. *Be it further enacted*, That all fines, accruing under this Act, shall enure, one half to the informer, and one half to the town in which the offence is committed.

[Approved February 14, 1821.]

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CHAPTER XVI.

An Act to prevent the arrest of Dead Bodies.

Punishment
for taking dead
bodies on
mesne process
or execution.

B*e it enacted by the Senate and House of Representatives, in Legislature assembled*, That if any Sheriff, Coroner or Constable, shall take the body of any deceased person, by virtue of any writ, on mesne process or execution, upon conviction of such offence, before the Supreme Judicial Court, or the Circuit Court of Common Pleas, within the County, in which such offence shall have been committed, he shall be fined not more than five hundred dollars, or imprisoned for a time not exceeding six months.

[Approved March 10, 1821.]