

# 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.

son, and be thereof convicted, shall forfeit a sum not exceeding three hundred dollars, nor less than fifty dollars, at the discretion of the Court which shall have cognisance of the same; and if such offender be in any such office, he shall on the conviction, be disabled from holding the same, and be forever after incapable of sustaining any office or place of trust within this State; and for the more easy conviction of such offenders:

Either offending party informing and prosecuting the other, shall be freed from the penalty.

SEC. 3. *Be it further enacted,* That if either the parties offending as aforesaid, shall give information upon oath, against the other offending party, and shall duly prosecute said information; such informer shall be freed from every of the penalties aforesaid. And all offences against this Act shall be heard, tried and determined before the Supreme Judicial Court; and all pecuniary penalties accruing thereby, shall be one third thereof to the informer, and the other two thirds to the State.

Appropriation of penalties.

[Approved March 15, 1821.]

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## CHAPTER XXII.

An Act for the protection of the Personal Liberty of the Citizens, and for other purposes.

Punishment for transporting any inhabitant from one part of this State to another, except, &c.

SEC. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That if any person shall transport or carry, or cause to be transported or carried, any subject of this State, or other person lawfully residing and inhabiting therein, to any part or place without the limits of the same, by land or water, without his consent or voluntary agreement; or in order to remove such person from one part of the State to another part of the same, except for the purpose of defending the same in time of war, agreeable to the Constitution, or except such person be sent by due course of law, to answer for some criminal offence committed in some other of the United States of America; every person so offending, and every person aiding and abetting the same, being duly convicted thereof before the Supreme Judicial Court, shall be punished by fine not exceeding two thousand dollars, and imprisonment not exceeding two

years, or by solitary imprisonment for a term not exceeding three months, and confinement to hard labour for a term not exceeding five years; or any one or more of those punishments, at the discretion of the said Court, and be further liable to the action of the party grieved.

SEC. 2. *Be it further enacted,* That every master or commander of any outward bound ship or vessel, that shall hereafter carry or transport out of this State any person under the age of twenty-one years, or any apprentice, or any indented servant, to any parts beyond sea, without the consent of his parents, master, or guardian, shall forfeit and pay the sum of two hundred dollars; one moiety to the use of this State, and the other moiety to him or them that shall sue for the same; and be further liable for the damages sustained by the parent, master or guardian, in a special action of the case.

No master of vessel may transport minors, &c. out of State, without consent of parents, &c.

SEC. 3. *Be it further enacted,* That if any person within this State shall hereafter enlist or cause to be enlisted, into the army of the United States, any minor under the age of twenty-one years, knowing him to be such minor, without the consent in writing of his parent, guardian and master, and such minor shall within six months after his enlistment be removed out of this State, so that he cannot be had before the Judicial Tribunals of this State, by virtue of a writ of *habeas corpus*, the person so enlisting such minor, or so causing him to be enlisted, on conviction thereof, before the Supreme Judicial Court, shall forfeit and pay a fine not exceeding five hundred dollars, or be imprisoned for a term not exceeding one year.

Punishment for enlisting minors without consent of parents, &c. in writing, into U. S. army, knowing them to be minors and sending them out of the State.

SEC. 4. *Be it further enacted,* That if any person, knowing any one to be a minor under the age of twenty-one years, shall persuade him to depart from this State, with intent to enlist into the army of the United States, without the consent of his parent, guardian and master, on the conviction thereof, before the Supreme Judicial Court, shall forfeit and pay a fine not exceeding five hundred dollars, or be imprisoned for a term not exceeding one year.

Punishment for persuading a minor, knowing him to be such, to depart from State with intent so to enlist him.

SEC. 5. *Be it further enacted,* That all fines and forfeitures, incurred by virtue of the third and fourth sections of this Act, shall be recovered by indictment, or information, in

Fines, &c. how recovered and may be appropriated.

Persons concerned may have the benefit of habeas corpus act.

the Supreme Judicial Court, to the use of the State; *Provided*, That the said Court, in which any such fine or forfeiture shall be recovered, may award to the parent, guardian or master of such minor, such part of such fine or forfeiture, so recovered, not exceeding the one moiety thereof, as they in their discretion, shall think proper; *Provided also*, That all persons concerned shall be entitled to all the privileges and subject to all the penalties and requisitions, given and incurred in an Act, entitled "An Act directing the process in habeas corpus," where the same do not contravene the provisions of this Act.

Punishment for knowingly bringing into the State by sea, any persons convicted of infamous crimes, or of infamous character, &c.

SEC. 6. *Be it further enacted*, That if any master or other person, having charge of any vessel, shall therein bring into, and land, or suffer to be landed in any place within this State any person, before that time convicted in any other State, or in any foreign country, of any infamous crime, or any for which he hath been sentenced to transportation, knowing of such conviction, or having reason to suspect it, or any person of a notoriously dissolute, infamous, and abandoned life and character, knowing him or her to be such, shall, for every such offence, forfeit the sum of four hundred dollars, one half thereof to the use of the State, and the other half to the use of any person, being a citizen of, and residing in this State, who shall prosecute and sue for the same by action of debt as aforesaid.

Appropriation of penalty.

[Approved February 24, 1821.]

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## CHAPTER XXIII.

An Act against selling unwholesome Provisions.

Punishment for selling unwholesome provisions.

**BE** it enacted by the Senate and House of Representatives in Legislature assembled, That if any person shall sell any diseased, corrupted, contagious or unwholesome provisions, whether for meat or drink, knowing the same, without making it known to the buyer, and being thereof convicted before the Circuit Court of Common Pleas, in the County where such offence shall be committed, or the Justices of the Supreme Judicial Court, he shall be punished by

Conviction in S. J. Court, or C. C. C. Pleas.