

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.

CHAPTER CXXIX.

An Act extending the powers of towns to restrain Cattle running at large.

BE it enacted by the Senate and House of Representatives, in Legislature assembled, That the inhabitants of any town in this State, may at any legal town meeting, order and direct that any particular description of neat cattle or other commonable beasts, shall not go at large within certain particular parts of such town, without a keeper, under the penalties now provided by law in similar cases, and to be recovered in the same manner.

Towns may order that commonable cattle shall not go at large.

[Approved June 27, 1820.]



CHAPTER CXXX.

An Act respecting lost Goods and stray Beasts.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in Legislature assembled, That whoever shall find any money or goods lost of the value of one dollar and upwards, whereof the owner is unknown, the finder shall, within ten days next following, give notice thereof in writing, unto the Clerk of the town in which they are found. And the finder shall also cause a notification thereof to be posted up in some public place within the same town, and also shall cause the same to be publicly cried therein, on three several days: *Provided*, There shall be any public crier in said town: And if the money or goods so found be of the value of ten dollars or upwards, then to be cried as aforesaid, and notice thereof posted up in like manner in the same, and the two next adjoining towns, within one month next after such finding.

Finder of money or goods to give notice to town clerk.

SEC. 2. *Be it further enacted*, That every person who shall find and take up any stray beast shall cause the same to be entered with the colour and marks, natural and artificial, and also to be posted up and cried in manner and time as aforesaid; and likewise within ten days put and keep a withe about the neck of such stray beast, (sheep only excepted.) And such finder of losts goods or stray beast shall

Persons finding stray beasts to give notice to town clerk.

Appraisers to be appointed by Justice, or town clerk to value goods, &c. found.

also within two months, and before any use thereof is made to its disadvantage, procure from the town Clerk, or a Justice of the Peace, a warrant directed to two such disinterested judicious persons as the Clerk or Justice shall appoint, returnable into the town Clerk's office in seven days from the date, to appraise and value the goods or stray beast, upon oath, at the true value thereof in money, according to their best judgment.

If no owner appears in a year, what proceedings to be had.

SEC. 3. *Be it further enacted*, That if the owner of any such lost money, goods, or stray beast, appear within one year and a day next after such notice of the finding given to the town Clerk as aforesaid, and make out his right and title thereunto, he shall have restitution of the same, or the full value thereof allowing and paying all necessary charges, to be liquidated and adjusted by some Justice of the Peace of the same county, in case of disagreement between the owner and the finder. And if no owner appear within one year and a day as aforesaid, then such strays, lost money or goods, shall be and remain to the finder, he paying one half of the value thereof, (all necessary charges being first deducted,) according to appraisement, unto the Treasurer of such town; who is authorized to sue for the same in an action of the case.

Stray horses may be sold after 2 months, in case.

SEC. 4. *Provided however: Be it further enacted*, Than any person who shall find or take up any horse or horse kind, as a stray, and shall procure the same to be appraised, agreeably to the provisions of this Act, in case the same shall be appraised at a sum not exceeding twenty dollars, shall, at the expiration of two months after such appraisal, proceed to sell the same at public vendue, having given four days previous notice of the time and place of sale, and shall pay over the money for which such horse may be sold to the Treasurer of the town in which he lives, after deducting therefrom the expenses of taking up, posting and appraising such horse, as provided for in this Act, with one dollar for his fee in selling such horse.

Mode of proceeding.

Owner entitled to money, if he apply within one year, otherwise, &c.

SEC. 5. *Be it further enacted*, That the owner of such horse, so taken up and sold, shall be entitled to receive the money so deposited with the town Treasurer: *Provided*, He shall apply for the same within the space of one year after

the same shall have been paid to the Treasurer aforesaid; and in case the owner of such horse shall neglect to apply for such money for the term of one year, the same shall be appropriated as is provided by this Act.

SEC. 6. *Be it further enacted,* That if any finder of any lost goods, money or stray beast, of the value of one dollar or upwards, shall neglect to cause the same to be entered, cried and posted up in manner and time as before directed, or to withe such stray beast, he shall forfeit and pay the full value of such goods, money or stray beast, one half to the use of the town, and the other half to him or them that will prosecute and sue for the same. And if the owner of any stray beast or other person, shall take off the withe from the same, or take away such stray beast, before all the necessary charges arisen for entering, crying, notifying keeping and appraising thereof be defrayed, such person so offending, shall forfeit and pay unto the finder of such stray beast the full value of the same.

Penalty for neglect.

SEC. 7. *Be it further enacted,* That no person from the fifteenth day of April, to the first day of November, shall take up any horse, gelding, mare or other beast for a stray, unless such beast be taken damage feasant in some inclosure, and impounded for that or some other sufficient cause.

Horses, &c. not to be taken up as strays between April 15 and Nov. 1, unless, &c.

[Approved January 27, 1821.]

CHAPTER CXXXI.

An Act for the due regulation of Weights and Measures.

SEC. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That the brass and copper weights and measures heretofore adopted, used and allowed as standards, be and remain the public allowed standards throughout this State, by which all weights and measures shall be tried, proved and sealed, in manner as is hereinafter provided. And it shall be the duty of the Treasurer of this State, at the expense thereof, to cause to be had and preserved as public standards, and which shall be used only as such, the following beams, weights and measures, to wit:

Former standards continued.

State treasurer to procure public standards of weights and measures