

# 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.

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.....  
1821.

one dollar, nor more than ten dollars according to the circumstance of the case; one moiety thereof to the use of the town, and the other moiety to the said sealer or to him or them who shall sue for the same, to be recovered in an action of debt, or on the case, with costs of suit, in any Court proper to try the same.

SEC. 12. *Be it further enacted*, That this Act shall take effect and be in force until such time as the Congress of the United States shall have fixed by law the standards of weights and measures. Limitations.

[Approved February 5, 1821.]

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## CHAPTER CXXXII.

An Act respecting Engine Men, Fire Engines and the Extinguishment of fire.

SEC. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled*, That the Selectmen of such towns in this State as are or may be provided with a fire engine, or engines, be and they are hereby empowered, if they judge it expedient, to nominate and appoint a number of suitable persons not exceeding twenty five to one engine, for engine men; who shall continue in said office during the pleasure of such Selectmen; which engine men shall be, and they are hereby authorized and empowered, to meet together some time in the month of May annually; at which meeting, they shall have authority to choose a master, or director, and Clerk of the said engine; and establish such rules and regulations, respecting their duty as engine men, as shall be approved of by the Selectmen, and to annex penalties to the same which may be recovered by the Clerk of said engine men, before any Justice of the Peace, in the same county: *Provided*, No penalty shall exceed six dollars and that such rules and regulations shall not be repugnant to the laws of this State.

Selectmen to  
appoint en-  
gine men,

who are to  
meet in May,  
choose officers  
and establish  
regulations,  
&c.

SEC. 2. *Be it further enacted*, That the respective companies of engine men who may be nominated and appointed in pursuance of this Act, shall be held and obliged to meet together once a month and oftener if necessary, for the purpose of examining the state of the engine to which they be-

Engine com-  
panies to meet  
monthly to ex-  
amine engines,  
&c.

and to be under the direction of fire wards, on duty.

long, and the appendages belonging to the same, and seeing that the said engine is in good repair, and ready to proceed on any emergency to the relief of any part of the community that may be invaded by the calamity of fire; and the said engine men appointed as aforesaid shall be held and obliged to go forward either by night or by day, under the direction of the fire wards in the same town, and to use their best endeavours to extinguish any fire that may happen in the same town, or the vicinity thereof, and shall come to their knowledge without delay. And whereas there may, in some towns, be an engine or engines the property of individuals who would incline, the same might be employed for the benefit of the said town, subject to the like regulations and privileges as though the said engine or engines appertained to the said town :

Selectmen may in same manner appoint engine men for private engines.

SEC. 3. *Be it further enacted*, That whenever the proprietor or proprietors of any engine or engines shall apply to the Selectmen of any town in which the said engine or engines may be, setting forth that they have such engine or engines which they are desirous should be employed for the benefit of the said town, the Selectmen of such town, upon application as aforesaid, may appoint engine men in the same manner, with the same privileges and subject to the same regulations as though the said engine or engines were the property of the said town.

Selectmen may discharge negligent engine men and appoint others.

SEC. 4. *Be it further enacted*, That if any person, being appointed in manner herein before directed shall, in the opinion of the said Selectmen be negligent and remiss in the duties required of him as an engine man, by this Act, it shall be the duty of the Selectmen in the same town, upon sufficient evidence thereof, to discharge him from said company, and proceed to appoint another engine man in his room, in the manner herein before directed.

Selectmen may select certain engine men for special service at fires, &c.

SEC. 5. *Be it further enacted*, That the said Selectmen, may in their discretion select from the engine men aforesaid, any number for each engine in their respective towns, whose duty it shall be, under the direction of the fire wards, to attend fires therein, with axes, fire hooks, fire sails and ladders, and who shall do such further duty as the said Selectmen shall from time to time prescribe, and shall be entitled to all the exemptions and privileges aforesaid.

SEC. 6. *Be it further enacted,* That each town in this State in their March or April meeting annually, wherein the qualified voters shall think it expedient to choose fire wards, shall hereafter have power to elect such number of suitable persons to be firewards therein, as shall be deemed necessary; and each person so elected shall be notified thereof within three days; and shall within three days after being so notified, enter his acceptance or refusal of the said office with the town Clerk. And if any person being so elected and notified, shall neglect to enter his acceptance or refusal as aforesaid, he shall forfeit and pay ten dollars, unless excused by the town; and the town shall have power to elect another in his place, in case of such neglect or refusal. And when any fire shall break out in any town wherein firewards shall be appointed, they shall immediately attend thereat, and carry with them a suitable staff or badge of their office.

Towns may choose firewards.

Penalty for refusing to serve.

Their duty at fires.

SEC. 7. *Be it further enacted,* That when any fire shall break out in any town, the fire wards thereof, who shall be present at the place in immediate danger, or any three of them, and where no fire wards shall be appointed, a major part of the Selectmen present; or in their absence two or three of the civil officers present; or in their absence two or three of the chief military officers of said town present, shall have power to direct the pulling down or demolishing any such house or building as they shall judge necessary to be pulled down or demolished, in order to prevent the further spreading of the fire. And during the continuance of any fire, the said fire wards or officers as the case may be, shall have power to require assistance for extinguishing the same, and for removing any furniture, goods, or merchandize from any building on fire, or in danger thereof, and to appoint guards to secure the same; and also assistance for pulling down or demolishing any house or building as the case may require; and further to suppress all tumults and disorders. And the said fire wards, Selectmen or officers as the case may be, shall have authority to direct and appoint the stations and operations of the engine men with their engines and of all other persons, for the purpose of extinguishing the fire, and preventing its increase; and if any

Duty and power of fire wards at fires;

and of certain other civil and military officers in their absence.

Power in such officers to require assistance.

Penalty for refusing to obey such orders, &c.

When a building is demolished to stop a fire, how the owner is to be indemnified.

Punishment for concealing, embezzling or plundering goods, &c. at fires.

person shall refuse or neglect to obey any order given by said fire wards or officers in the premises, the person so offending shall forfeit and pay for each offence ten dollars.

SEC. 8. *Be it further enacted*, That if the pulling down or demolishing of any house or building, by the directions aforesaid, shall be the means of stopping the said fire; or if the fire stop before it come to the same, then every owner of such house or building shall receive a reasonable compensation, and be paid for the same by the inhabitants of the town in which the fire shall happen. And it shall be the duty of the qualified voters in such town, to grant such sum or sums of money as shall be thought necessary and proper by the Selectmen of the same town, and of the Assessors to assess the same: *Provided always*, That when it shall be adjudged fit that the house or building where the fire shall first begin and break out should be pulled down or demolished to prevent the further spreading and increase of the same fire; then the owner of such house or building shall receive no compensation for the same: *Provided also*, That if any person shall find him or herself aggrieved by the doings of the town, Selectmen or Assessors thereof in estimating, voting or assessing such sum or sums, he or she shall have a right to appeal and complain to the next Court of Sessions to be holden in the county; and the said Court thereon shall have power, on a consideration of all the circumstances of the case, to confirm said doings of said town, Selectmen or Assessors, or to alter the same in such manner as the said Court shall judge proper; and in either case to award legal costs, as the justice of the case may require; and the Collectors to whom the said assessments shall be committed to collect, shall have the same powers and be subject to the same duties, as in the collection of other town taxes, as well in collecting an assessment so confirmed or altered, as in cases wherein there shall be no appeal.

SEC. 9. *Be it further enacted*, That if any person shall, in such case of fire, plunder, purloin, embezzle, convey away or conceal any furniture, goods or chattels, rights or credits, merchandize or effects of the inhabitants whose houses or buildings shall be on fire or endangered thereby; and said inhabitants shall be put upon removing the same, and shall

not restore or give notice thereof to the owner (if known) or to one of the fire wards of the town, or bring them into such public place as shall be assigned by the Selectmen of the town within two days after public notice shall be posted in some public place in the town by the Selectmen thereof, for that purpose, the person or persons so offending, and being thereof convicted, shall be deemed guilty of larceny, and punished accordingly.

SEC. 10. *Be it further enacted*, That if any person shall occupy or improve any tenement or building whatever in any part of any maritime town in this State, for the business or employment of a sail maker or rigger or keeper of a livery stable except only in such parts of the town as the Selectmen thereof or a major part of them, shall direct and determine, such sail maker or rigger, so offending, shall forfeit and pay for each offence ten dollars; and such keeper of a livery stable shall forfeit and pay for each offence fifty dollars, for every month so occupying the same, and so in proportion for a longer or shorter time.

Penalty for occupying any building as a sail loft or livery stable except in such places as may be approved by selectmen.

SEC. 11. *Be it further enacted*, That the several fines or forfeitures aforesaid, shall be, two third parts thereof to the use of the poor of the town where the offence shall be committed, and the other third thereof to him or them who shall inform and sue for the same; and shall be recoverable with costs of suit, in any Court proper to try the same.

Fines and penalties how re covered and appropriated.

SEC. 12. *Be it further enacted*, That all persons legally attached to any engine within this State, be and they hereby are excused from being chosen or drawn to serve as jurors in any Court within this State, in all cases where the town to which such engine men belong, shall at a legal meeting of its inhabitants, by vote declare the expediency of excusing such persons from serving as jurors.

Engine men excused from serving as jurors, in case their town so vote.

[Approved March 16, 1821.]

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CHAPTER CXXXIII.

An Act for the regulation of Innholders, Retailers, and common Victuallers.

SEC. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled*, That no person shall presume to be a common victualler, innholder, or seller of wine,

Innholders, &c. to be licensed.