

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. 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>	672 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>	

be the duty of the several county attornies to file an information against each and every person, who, without being duly licensed shall presume to be a common victualler, innholder, or retailer, upon his obtaining evidence thereof, or he may lay the same before the Grand Jury of the county for their consideration.

[Approved March 20, 1821.]

CHAPTER CXXXIV.

An Act to regulate the sale of Goods at public Vendue.

SEC. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That no person unless he be licensed by the major part of the Selectmen of the town to which he belongs, shall sell at public vendue or outcry, any goods or chattels whatsoever: and if any person, without such license, shall sell any goods or chattels at public vendue or outcry, he shall forfeit and pay a sum not exceeding six hundred dollars for each offence; and the Selectmen or the major part of them, at a meeting had for that purpose, are hereby empowered, by a writing, under their hands, to license for the term of one year, any suitable person or persons to make sale of goods or chattels, in manner aforesaid; and the Selectmen are hereby directed to record every license, they may so grant, in a book to be by them kept for that purpose.

No auctioneer to sell without license.

Penalty:

Selectmen may license for one year.

If selectmen, unreasonably refuse, Court of Sessions may grant license.

SEC. 2. *Be it further enacted,* That on application in writing of any person to the Selectmen of any town in this State, to be licensed to sell goods or chattels at public vendue, if the Selectmen shall unreasonably neglect or refuse, after such application, to license such person or persons, applying as aforesaid, it shall and may be lawful for such applicant or applicants, first giving ten days notice to the Selectmen, so neglecting, or refusing as aforesaid, to apply to the Court of Sessions for the county where such applicant or applicants reside; which Court or a major part thereof, are hereby authorized and empowered, on hearing the parties, to license said applicant or applicants, if they shall adjudge the same just and reasonable: *Provided,* Such appli-

Proviso.

cant give bonds to the Selectmen to pay all costs arising by the case being brought before the Court of Sessions.

SEC. 3. *Be it further enacted,* That if any person or persons, thus licensed, shall receive any goods for sale at public vendue or outcry, of any servant or minor, knowing such person to be a servant or minor, or shall sell any of his own goods before sunrise, or after sunset at public vendue or outcry, he shall forfeit and pay a sum not less than fifty dollars, nor more than one hundred and seventy dollars, for each offence: and every person thus licensed, shall keep a fair and particular account of all goods and chattels sold by him, as aforesaid, of whom the same were received and of the names of the persons to whom the same shall have been sold: *Provided,* That nothing in this Act shall extend to sales made by Sheriffs, deputy Sheriffs, Coroners, Constables, Collectors of taxes, executors or administrators, or any other person who already is, or hereafter may be authorized or required by law to sell goods, chattels or lands at vendue or outcry.

Penalty for receiving goods for sale, from a minor or servant.

Sheriffs, coroners, &c. not embraced in this act.

SEC. 4. *Be it further enacted,* That the tenants or occupants of any house or store, having the actual possession and controul of the same, who shall knowingly permit or allow any person or persons, not being licensed as in the said Act prescribed, to sell any goods or chattels at public vendue or outcry, in his said house or store or in any apartment or yard appurtenant to the same, shall forfeit and pay a sum not exceeding six hundred dollars, nor less than one hundred dollars.

Occupants of a house liable to fine for permitting sales therein by unlicensed auctioneers.

SEC. 5. *Be it further enacted,* That any penalty, incurred as aforesaid, may be recovered in action of debt, or by indictment or information, in any Court of Record competent to try the same; and to be appropriated to the use of the complainant.

Penalties how recovered.

[Approved January 23, 1821.]