

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.

ERRATA:

**The following leaf is
inserted because one or more pages
in this chapter have errors
noticed and corrected here.**

VOLUME THE SECOND.

Page.		Page.
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 <i>to</i>	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 <i>to</i>	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>	

cashier of said Bank as aforesaid; and during all the time they shall be out of said vaults, they shall be in the sole custody, and be used only in the presence of such president, director or cashier.

SEC. 3. *Be it further enacted*, That if any person shall have in his possession any plate or plates, used for making impressions of Bank bills or notes, contrary to the provisions of this Act; or having the same in custody under the authority of this Act, shall put the same out of his custody; or shall suffer the same to be used out of his presence; or shall not return the same to such vault every night, as herein before provided, and be thereof convicted upon indictment in any Court of competent jurisdiction, such person shall forfeit and pay to the use of the State a fine not exceeding ten thousand dollars, or be punished by imprisonment in the common gaol; or confinement to hard labour, for a term not exceeding ten years, at the discretion of the Court, before whom the conviction may be: *Provided however*, That it shall be lawful for Abraham Perkins, owner of the stereotype plate used for printing Bank bills, to keep possession of the said plate and use the same, in the same manner as by law he might do, if this Act had not been passed.

Penalty for having plates, &c. in possession contrary to this act.

Proviso in favour of Abraham Perkins.

[Approved March 13, 1821.]

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CHAPTER CXLIII.

An Act to enforce the payment of Bank Notes, and for other purposes.

SEC. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled*, That if any incorporated Bank within this State, shall refuse or neglect to pay on demand any bill or bills by such Bank issued, such Bank shall be liable to pay to the holder of such bill or bills, after the rate of two per cent. per month, on the amount thereof, from and after the time of such neglect or refusal; to be recovered as additional damages in any action against such Bank for the recovery of said bill or bills.

Penalty on banks for not paying their bills.

SEC. 2. *Be it further enacted*, That no incorporated Bank in this State, shall issue any bill, note, check or draft, payable at any place other than said Bank, unless the same shall

Bills must be payable where issued.

also, on the face thereof, be made payable at the Bank issuing the same; and no Bank shall issue any bill or note, redeemable at such Bank, in any other manner than by payment in specie.

Bills issued by any bank, made payable elsewhere, to be paid at the bank—

SEC. 3. *Be it further enacted,* That every incorporated Bank within this State, which has issued or shall issue any bill, note, check or draft, redeemable in any other manner than by payment in specie, or payable at any place other than the place where such bank is by law established and kept, shall be liable to pay the same in specie to the holder thereof, on demand at said Bank, without a previous demand at the Bank or place where the same is, on the face of such bill, note, check or draft, made payable. And if the Bank which issued the same shall neglect or refuse to pay on demand made as aforesaid, any bill, note, check or draft, such Bank shall be liable to pay to the holder thereof the same penalties as are provided in and by the first section of this Act: *Provided however,* That nothing herein contained, shall extend to any check or draft drawn by the president or cashier of any Bank within this State, or any other incorporated Bank, either within or without this State, for any sum exceeding one hundred dollars; but all such checks or drafts shall first be presented for payment at the Bank on which the same shall be drawn, and in default of payment, the holder shall be entitled to recover against the Bank which issued the same, the amount of such check or draft, with two per cent. per month on the amount thereof, from and after the time when such check or draft shall have been refused payment, as additional damages in any action against such Bank for the recovery of such check or draft.

on penalty.

Proviso, as to bills for more than 100 dollars.

No bills for less than 1 dollar to be issued.

SEC. 4. *Be it further enacted,* That no Bank or banking company whatever, within this State, shall, at any time, make or issue any bill or bills whatever, wherein a fractional part of a dollar is expressed, under a penalty of one hundred dollars for every bill so made and passed, to be recovered by action of debt in any Court proper to try the same, to the use of the person who shall sue therefor.

Banks may issue small bills to amount of 25 per cent. of capital.

SEC. 5. *Be it further enacted,* That the president and directors of all the Banks, which now are or may be hereafter incorporated in this State, shall have the power to issue

and emit bills of the denomination of one, two and three dollars, to the amount of twenty five per centum of their capital stock actually paid in, any thing in their respective acts of incorporation to the contrary notwithstanding.

[Approved January 27, 1821.]

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CHAPTER CXLIV.

An Act imposing a Tax on the Banks within this State.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in Legislature assembled, That the corporation of each and every Bank within this State which now is in operation, or which shall hereafter come into operation, shall, within ten days after the first Mondays of October and April annually, pay to the Treasurer of this State, for the use of the same, a tax of one half of one per cent. on the amount of such part of their original stock as shall have been actually paid in by the stockholders in the respective Banks: *Provided*, That when the amount of the capital stock actually paid in on the said days, should not have been paid in for the full term of six months then next preceding, said banking corporations are hereby required to pay such portion of said sum of one half of one per cent. on such proportion of capital stock as shall not have been paid in for the full term of six months next preceding; as the time from the payment of such portion of such capital stock to the day when such payment of such tax shall become due, may bear to the term of six months.

Tax on banks to be paid semi-annually.

Proviso.

SEC. 2. *Be it further enacted*, That it shall be the duty of the corporation of the several Banks aforesaid, which have not yet completed the payment of their several instalments, and of all such as shall hereafter be incorporated, to furnish the Treasurer of the State with an abstract of the amount of stock actually paid by the stockholders in the respective corporations, into their respective Banks, together with the time when the several instalments were paid, within ten days after such instalment shall have been paid in.

Banks to furnish State treasurer with abstract of stock paid, annually.

SEC. 3. *Be it further enacted*, That if any Bank shall neglect to pay the said tax for the space of thirty days, after

Mode of enforcing payment of tax.