

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.

| <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> | 674 | 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> | | |

and five cents for a greater quantity; said fees to be paid by the purchaser.

Penalty for offering to sell onions in bunches, unless weighed and certified.

SEC. 13. *Be it further enacted*, That if any person or persons shall presume to expose for sale within this State, any onions in bunches, without first having them weighed as aforesaid, and having obtained a certificate of the same, according to the true intent and meaning of this Act, he shall forfeit the same; one moiety thereof to and for the use of the poor of the town where they may be exposed to sale, the other moiety to him or them who shall inform of the same; and the Selectmen of such town, or the major part of them, are hereby authorized and empowered to seize the same, and sell them at public auction, and to account with the Overseers of the poor of such towns for the net proceeds of one moiety thereof, and the other to said informant.

How recovered and applied.

[Approved February 24, 1821.]

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CHAPTER CLV.

An Act regulating the Exportation of Flax Seed.

Governor to appoint surveyors of flax seed.

SEC. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled*, That the Governor by and with the advice and consent of the Council, be and is hereby empowered to appoint, in such seaport towns within this State as there shall be occasion, one or more skilful and disinterested person or persons to be surveyors, for the surveying and proving flax seed, who shall be sworn to the due and impartial execution of their trust: and their duty shall be to inspect and survey all flax seed that shall be intended to be laden on board of any vessel for foreign exportation; and every such surveyor is hereby authorized to open the casks containing the said commodity, intended to be exported as aforesaid, and if need be, measure and shift the same into other casks so as thoroughly to examine the whole, and see that it be clear from mixture of wild or other seed or dirt, and of the measure hereafter mentioned. And every cask containing the said quantity which by such survey and examination shall according to the surveyor's best judgment appear to be cleansed as aforesaid he

Their duty and power.

shall mark or imprint with a burning iron, the following mark or letters, "Insp." with the name of the town where it shall be thus approved, the name of the said surveyor at large, and the letter S. at the end thereof, denoting that the same has been surveyed and approved.

How they are to mark casks.

SEC. 2. *Be it further enacted,* That no flax seed shall be shipped or exported out of this State, to any foreign port or place without the United States, but such as shall have been surveyed and found to be well cleansed, and in good order and in casks, each cask containing seven bushels and one peck, or in casks containing one half of the said quantity each.

No flax seed to be exported to foreign ports, before inspected.

SEC. 3. *Be it further enacted,* That no vessel on board of which any cask of flax seed is shipped for exportation, shall be cleared out by the Collector, until the master or owner thereof shall have produced a certificate or certificates from some person or persons duly appointed for the purpose of surveying the said articles, that the same have been surveyed as by this Act is required; which certificate or certificates shall be granted free from any expense.

No vessel to be cleared, before a certificate of inspection is produced.

SEC. 4. *Be it further enacted,* That if the owner of any flax seed or other person employed by him shall presume to lade or put on board any vessel any flax seed other than such as shall have been approved by a surveyor as in this Act provided; or if any master of a ship or other vessel or other officer or mariner shall receive on board any such, the offender or offenders shall incur the penalty of twenty dollars for each bushel so shipped; to be sued for and recovered in any Court of Record within this State proper to try the same; and all such flax seed, (laded or received on board as aforesaid) shall be forfeited.

Penalty on owner of flax seed for putting it on board vessel, &c. and on master for receiving it, unless inspected and approved.

And it shall be lawful for any Justice of the Peace, upon information given of any flax seed, put on board any such ship or other vessel as aforesaid, not marked as aforesaid, to issue his warrant, directed to the Sheriff or his deputy or Constable, requiring them respectively to make seizure of any such flax seed, shipped and not marked as aforesaid, and to secure the same in order for trial; and such

Such flax seed to be forfeited.

Justice may issue his warrant for seizing such flax seed, &c.

officers are hereby respectively empowered and required to execute the same.

Penalty for shifting contents of casks.

SEC. 5. *Be it further enacted,* That if, after any cask or other vessel containing flax seed shall have been approved and stamped with the surveyor's marks, stamps, or brands, any cooper or other person shall presume to shift the contents of such cask or other vessel, and to put therein any flax seed, that has not been duly surveyed and approved as aforesaid, such cooper or other person offending therein, shall forfeit and pay the sum of thirty dollars for every cask so shifted, to be recovered in manner as aforesaid.

Penalty on surveyor for neglect or fraud in surveying, marking, &c.

SEC. 6. *Be it further enacted,* That in case any surveyor or appointed and sworn as aforesaid, shall be guilty of any neglect or fraud in surveying any flax seed, contrary to the true intent and meaning of this Act, or shall mark with their respective brands, stamps or marks, any cask containing flax seed which they had not actually and thoroughly surveyed, and which may be intended for exportation out of this State, he or they shall forfeit and pay the sum of thirty dollars for every such neglect, or for every cask falsely marked, to be recovered as aforesaid.

Penalties how applied.

SEC. 7. *Be it further enacted,* That penalties and forfeitures arising by force and virtue of this Act, shall be one half to the use of the State and the other half to him or them who shall inform and sue for the same.

[Approved, March 8, 1821.]

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CHAPTER CLVI.

An Act to regulate the manufacture and inspection of Stone Lime and Lime Casks.

Quality of lime and size and quality of lime casks allowed to be sold or shipped.

SEC. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That no stone lime manufactured within this State, shall be sold or exposed to sale, or shipped on board of any vessel, in casks, but such only as is well burnt and pure, and contained in good and sufficient new casks, made of sound and thoroughly seasoned staves and heading; with at least twelve good and strong hoops on each cask, well driven and secured with nails or pins and