

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.**

**Furthermore, the heading of this chapter
should be numbered “CLIX.”**

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>	

sons, and every such town shall proceed to the choice of other or others in the room of any person so refusing or neglecting, and so *toties quoties*.

SEC. 10. *Be it further enacted*, That in case any culler or surveyor, shall connive at, or allow of the breach of this Act, or shall be guilty of any fraud or deceit in surveying or culling of boards, staves, hoops, clapboards, or shingles, he shall forfeit and pay the sum of thirty dollars for each offence; and in case of his refusal to attend the aforesaid service, when he shall be thereto requested, he shall forfeit and pay the sum of three dollars; the forfeitures and penalties in such cases to be recovered and disposed of as aforesaid.

Penalty for surveyor or culler, &c. acting fraudulently in discharge of his duty.

SEC. 11. *Be it further enacted*, That the following fees shall be allowed to the officers aforesaid, viz. the buyer shall pay to the surveyor of boards, plank, timber and slitwork, eight cents per thousand feet for viewing only, and eight cents per thousand feet more for measuring and marking, and so in proportion for a lesser quantity. And the surveyor of shingles and clapboards shall be allowed by the buyer eight cents per thousand for surveying and telling, and the viewers and cullers of staves and hoops shall be allowed twenty five cents per thousand for barrel staves, thirty three cents per thousand for hogshead and butt staves, as well refuse as merchantable; the merchantable to be paid for by the buyer, the refuse by the seller, and the culler shall be allowed forty cents per thousand for hoops.

Fees allowed to surveyors, cullers, &c.

[Approved March 16, 1821.]

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CHAPTER CLXIX.

An Act relating to Hogshead Shooks.

SEC. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled*, That all white oak hogshead shooks shall be made of staves of at least forty one inches in length, and not less than half an inch thick, on the thinnest edge, and the head to be twenty nine inches across the same, and shall be three fourths of an inch thick when worked; and the staves and heading to be sound, and clear

Size and quality of hogshead shooks.

of sap, knots, and rents. All shooks of red oak, and other wood, shall be of the same dimensions and thickness as the white oak shooks, with heads of the same wood as the staves, or with good sound white pine heads not less than seven eighths of an inch thick; the materials to be well seasoned, and the shooks and heading to be made in a good and workmanlike manner; and in all cases each shook shall contain staves sufficient for a cask to contain at least one hundred gallons.

Shooks to be branded before sale, and how.

Penalty for counterfeiting brand.

Selectmen to appoint inspectors of shooks;

who shall be sworn and give bond.

Persons injured may sue on such bond; and how.

Duty of such inspectors.

SEC. 2. *Be it further enacted,* That all new shooks before being sold, shall be branded, with the first letter of the owner's or maker's christian name, and with his surname at large; and if any person shall brand any shook with any other than his own, or his employer's name, he shall for each shook so branded forfeit one dollar.

SEC. 3. *Be it further enacted,* That in each town where shooks are manufactured, or shipped, the Selectmen of such towns shall appoint one or more persons, not exceeding three in any one town to be inspectors of shooks, who shall severally be sworn to the faithful performance of their duty, and shall give bonds with sufficient sureties in the sum of five hundred dollars, conditioned for the true and faithful performance of his trust, to the Treasurer of the town where he is appointed, and the Selectmen, shall be judges of the sufficiency of the sureties; and any person who shall sustain any injury, by the malfeasance, or neglect of any inspector, shall be entitled to a copy of such bond, and to bring an action thereon, in the name of such Treasurer, or his successor in that office, to his own benefit, and judgment shall be rendered thereon and execution issue for such sum in damages as such person shall be entitled to recover, against such inspector and his sureties; which action may be brought before any Court of competent jurisdiction. It shall be the duty of the aforesaid inspectors to examine all shooks that may be offered for sale, or made in the towns where they severally reside, and shall stamp or brand all such shooks which shall be good and well made according to the provision of this Act, with the first letter of his christian name and his surname at large, with the letters Ins. and the name of the town for which he

is appointed. And such inspector in order fully to examine and satisfy himself of the quality of any shooks, is authorized to remove the hoops, or binders if he shall deem it necessary, but to be by him replaced if found good and merchantable.

SEC. 4. *Be it further enacted*, That if any person shall alter, or erase the mark of any inspector, or shall mark or brand any shook with the name of any inspector, he shall forfeit for each offence, two dollars, and if any person shall put on board any vessel for exportation, any shooks which shall not have been inspected and marked as is herein provided, he shall forfeit and pay one dollar for each shook to be paid by the owner of such shooks.

Penalty for altering or erasing brands or putting on board vessel any shooks not inspected and marked.

SEC. 5. *Be it further enacted*, That the fees to be paid to the inspector, shall be two cents for each shook, to be paid by the purchaser; and all fines and forfeitures accruing under this Act may be recovered to the use of any person who shall sue therefor, in an action of debt, before any Court proper to try the same: *Provided*, That this Act shall be in force from and after the first day of November next, and not before.

Inspector's fees.

Fines, how recovered.

Limitation.

[Approved March 20, 1821.]

CHAPTER CLX.

An Act to prevent fraud in Fire wood, Bark or Coal, exposed to sale.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in Legislature assembled*, That all cord wood exposed to sale, shall be four feet long, including half of the scarf; and the cord being well and close laid together, shall measure eight feet in length, four feet in width, and four feet in height.

Dimensions of cord wood.

SEC. 2. *Be it further enacted*, That in each town in this State, where the inhabitants, shall in town meeting legally assembled, judge and vote the same to be necessary; and wherein fire wood or bark is usually sold, the Selectmen shall annually, or as occasion may require, appoint one or more suitable persons, and conveniently situated in the town, to be measurers of wood and bark there exposed or brought in for sale, and shall give public notice thereof; which meas-

Selectmen to appoint measurers of wood and bark, where towns vote it necessary.