

# 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>	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>		

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.

Measurers to be sworn.

Selectmen to appoint their fees.

Wood or bark if offered for sale before the same is measured and a ticket given, to be forfeited.

Appropriation of penalty.

Cord wood brought by water to be measured and a ticket given, after being piled on the wharf.

No fire wood to be carried from the wharf before it is measured, except, &c.

Penalty and appropriation thereof.

Persons carting wood from wharf to be

urer or measurers shall be sworn to the faithful and diligent discharge of their office; and shall receive such fees or allowance for their service as the Selectmen shall appoint, to be paid by the driver of the wood or bark, and repaid by the buyer, where brought in by land, and by the wharfinger where brought in by water, and the measurer shall be entitled to his action therefor accordingly.

SEC. 3. *Be it further enacted,* That if any fire wood or bark brought by land into any town for sale, wherein such measurers shall be so appointed, shall be offered for sale before the same shall be measured by such measurer, and a ticket signed by him and delivered to the driver, certifying the quantity of wood the load contains, the name of the driver and the town in which he resides, such wood or bark shall be forfeited; two thirds to the use of the poor of the town, where offered for sale, and the other third part thereof to the measurer or any other person who shall prosecute for the same.

SEC. 4. *Be it further enacted,* That all cord wood brought in by water into any town for sale, shall be measured by a measurer duly appointed and sworn as aforesaid; and in order thereto, the wood so brought in, shall be corded and piled by itself upon the wharf or land whereon the same shall be landed, in ranges, making up in height what shall be wanting in length; at which time it shall be so measured, and a ticket given to the purchaser, who shall be obliged to pay the stated fees or allowance for such service as appointed by the Selectmen.

SEC. 5. *Be it further enacted,* That if any wharfinger or carter shall cart or carry away any fire wood from any wharf or landing place in any town (except for the use and consumption of such wharfinger or carter) before the same shall have been measured by some measurer appointed as aforesaid, he shall forfeit and pay one dollar for every load of wood so carried off; one moiety thereof to the use of the poor of the town, where the offence shall be committed, and the other moiety to any person who shall prosecute for the same.

SEC. 6. *Be it further enacted,* That every wharfinger, carter or driver, that shall cart or carry any fire wood from

any wharf or landing place in any town, shall be furnished by the owner or seller of such wood, with a ticket, certifying the quantity the load contains and the name of the driver. And if any fire wood shall be carted or carried as aforesaid, without such ticket accompanying the same; or if any driver shall refuse to produce and shew such ticket, on demand, to any measurer, duly sworn as aforesaid, or his consent to have the same measured; or if such ticket shall certify a greater quantity of wood than the load contains, in the opinion of the measurer aforesaid, after measuring the same, such wood shall be forfeited and seized; two thirds to the use of the poor of the town, where offered for sale, and the other one third to the measurer or whoever shall prosecute for the same; to be recovered as the other forfeitures in this Act are directed to be recovered: *Provided nevertheless*, That nothing herein contained shall be construed to extend to any person or persons, who shall transport or cart or cause to be transported or carted from any wharf or landing place, to his or their own dwelling houses or stores, any cord wood which he or they shall have purchased on such wharf or landing place, or shall have landed thereon upon his or their own account.

furnished with a ticket.

Ticket to be shewn to a wood measurer, on demand.

Wood to be forfeited if not truly certified.

Appropriation of forfeiture.

Proviso in favour of those who cart their own wood from the wharf or landing to their dwellings.

SEC. 7. *Be it further enacted*, That all baskets used in measuring charcoal brought into any town for sale, shall contain two bushels, and be of the following dimensions, to wit: nineteen inches in breadth in every part thereof, and seventeen inches and a half deep, measuring from the top of the basket to the highest part of the bottom; and that the basket be well heaped, and also be sealed by the sealer of the town where the person so using the same, shall usually inhabit or reside; and every person who shall measure the charcoal offered for sale in any basket of less dimensions, or not sealed as aforesaid, shall forfeit and pay for each offence, fifty cents, to the uses mentioned in the fifth section of this Act; and such basket shall be destroyed.

Dimensions of charcoal baskets.

To be sealed.

Penalty for measuring coal in baskets too small or unsealed.

SEC. 8. *Be it further enacted*, That the Selectmen of any town, where coal is usually sold, shall have power to appoint, as occasion may require, some suitable person to seize and secure all baskets improved for measuring coal, that shall not be of the dimensions aforesaid, and sealed as afore-

Selectmen may appoint some person to seize such baskets.

said, and to prosecute such person or persons as shall be guilty of a breach of this Act.

Forfeitures,  
how recover-  
ed.

SEC. 9. *Be it further enacted,* That all the forfeitures aforesaid, may be recovered, with costs of suit, by action of debt before any Court proper to try the same.

[Approved March 8, 1821.]

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CHAPTER CLXI.

An Act to prevent the exportation of unmanufactured Calf Skins, and to encourage the manufacture of Leather Boots and Shoes.

Calf skins un-  
manufactured,  
not to be ex-  
ported,

SEC. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That no unmanufactured calf skins shall be exported from this State by land or water; and if the owner or owners of any green or unmanufactured calf skins, or other person or persons employed by him or them, shall lade, or put on board of any vessel or float, bound out of this State, any green or unmanufactured calf skins; or if any master of any ship or vessel, or other officer or mariner shall receive on board any unmanufactured calf skins as aforesaid, the person or persons so offending, shall incur the penalty of two dollars for each and every unmanufactured calf skin, so shipped or attempted to be shipped; to be sued for; and recovered in any Court within this State, proper to try the same, to any person who will prosecute therefor.

under penalty  
of, &c.

Leather boots,  
shoes, &c.  
may be stamp-  
ed by the mak-  
er, which  
shall be a war-  
ranty of the  
goodness of  
such articles.

SEC. 2. *Be it further enacted,* That each manufacturer of leather, or of boots, half boots, shoes, pumps, sandals, slippers, or galo shoes, shall have the exclusive right of stamping said articles, by him or her manufactured, with the initial letter of his or her christian name, and his or her surname at large; and such stamping shall be considered as a warranty, that the article stamped, is merchantable, being made of good materials and well manufactured.

Penalty for  
counterfeiting  
the stamp.

SEC. 3. *Be it further enacted,* That any person who shall fraudulently stamp, or aid and abet in fraudulently stamping, either of the articles aforesaid, with the name or stamp of any other person, on due conviction thereof, shall be punished as guilty of a fraud, either by fine not exceed-