

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>		

SEC. 5. *Be it further enacted*, That if any servant or apprentice, bound as aforesaid, shall depart from the service of his or her master or mistress, it shall be lawful for any Justice of the Peace of the county where such servant or apprentice may be found, on complaint made to him by the master or mistress, or by any one in his or her behalf, on oath, to issue his warrant to the Sheriff, his deputy or any Constable within the county directing him to apprehend such servant or apprentice, and to bring him or her before the said Justice, who upon the hearing shall order the said servant or apprentice to be returned to the place of his or her duty; or to commit him or her to the common gaol of the county, there to remain for a term not exceeding twenty days, unless sooner discharged by his or her master or mistress: And the Justice's warrant for returning such servant or apprentice to the place of his or her duty, directed to any officer or other person by name, shall authorize him to convey any such servant or apprentice to such place, notwithstanding it may be in another county in the State; and the costs of the process and commitment by the said Justice, shall be paid by the master or mistress, to be recovered by him or her on the deed or covenant: and when recovered of the guardian, the same with all further costs he may be held to pay, shall be a proper article of charge in his guardianship account.

Justice of peace, on complaint, may cause absconding apprentices, &c. to be arrested,

and returned to the place of his duty or commit him to prison, &c.

Such warrant shall justify the officer in carrying the apprentice to his master though in another county.

Costs, how to be paid.

[Approved February 23, 1821.]

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CHAPTER CLXXI.

An Act against Hawkers, Pedlars and Petty Chapmen.

SEC. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled*, That from and after the first day of May next, every hawker, pedlar, petty chapman, or other person going from town to town, on foot, or with a horse or horses, carriage or carriages, or otherwise carrying to sell, or exposing to sale, any feathers, indigo, tin ware, books, medicines, nostrums, essences, or any goods, wares or other merchandize in this State, shall forfeit a sum

Penalty for carrying certain articles from town to town for the purpose of sale

Mode of recovery.

Proviso.

Certain persons may be licensed on payment of duty, to sell goods in the above manner personally.

Persons so licensed to have their carriages marked, &c.

not exceeding fifty dollars, nor less than twenty dollars, to be recovered by complaint, indictment, or information; also all such articles and goods, wares and merchandize, the one half to him or them who will prosecute therefor, the other half to the use of the town where the offence happens; and any Justice of the Peace, upon complaint to him made, of any such offence, may arrest and bring before him any person or persons complained against, and order him or them to recognize with sufficient surety or sureties to appear before the next Circuit Court of Common Pleas in the county where the offence is committed, and for want of such surety may commit such offender or offenders to gaol; also may secure and detain all such articles before named, and such goods, wares, and merchandize until the trial, and in case such offender is convicted, such Court shall decree all such articles and goods, wares and merchandize to be forfeited to the uses aforesaid: *Provided however,* That nothing herein shall be so construed, as to prevent any person from vending in any town or place in this State, any farming utensils, or wooden wares, or any articles of domestic manufacture the principal material of which is wood; or from selling or marketing fish, fruits, provisions, garden seeds, combs, leather, shoes or potter's earthen ware.

SEC. 2. *Be it further enacted,* That any person who is a citizen of this State, and who will procure a certificate from the Selectmen of the town where he resides, that he is of good moral character, may apply to the Court of Sessions of any county in this State for a license to sell tin ware for one year from the time of said application within this State; and said Court may grant said license, *provided* the applicant shall produce to said Court said certificate and also a receipt from the Treasurer of said county, that he has deposited ten dollars for the use of the State, on condition said license is granted; and the person obtaining such license may be permitted *personally* to vend any such tin ware before named as though this law had not been passed.

SEC. 3. *Be it further enacted,* That it shall be the duty of every person licensed as aforesaid, to have on every carriage employed by him for the conveyance of tin ware, in some conspicuous place on the same, his name printed in large let-

ters at least one inch wide, also the words and letters "licensed by C. S." and also the name of the county where such license was granted; and also shall exhibit to any Sheriff, deputy Sheriff, or Justice of the Peace of any county, Selectmen or Constable of any town, when thereto required, a certificate of such license, and in case he shall fail in either of those particulars he shall forfeit ten dollars, to any person who shall sue for the same.

[Approved February 10, 1821.]

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CHAPTER CLXXII.

An Act respecting Boats and Lighters employed in transporting Stones, Gravel or Sand, within this State.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in Legislature assembled, That every boat or lighter, employed in transporting stones, gravel or sand within this State, shall be marked at light water mark, and, at least, at five other places, with figures, four, twelve, sixteen, twenty four and thirty, legibly made on the stem and stern post thereof; which figures shall express the weight such boat or lighter is capable of carrying, when the lower part of the respective numbers shall touch the water, in which the said boat or lighter shall float; and the marks expressive of the weight such boats and lighters are capable of carrying, shall hereafter be inspected once every year; and whenever such mark shall be found to be illegible, the same shall be renewed: and every person who shall use or employ any boat or lighter, for the purpose of transporting stones, gravel or sand, as aforesaid, which shall not be marked as in this Act is provided, shall forfeit and pay the sum of fifty dollars, to be recovered by an action of the case, in any Court proper to try the same, by any person who will sue therefor. And any person who shall put or cause to be put, on any boat or lighter as aforesaid, any false marks as aforesaid, shall be subject to the like penalty, to be recovered in like manner.

Boats and lighters for sand, stones, &c. to be marked, and how.

Penalty if used unmarked;

and for marking falsely.

SEC. 2. *Be it further enacted,* That it shall be the duty of the Selectmen in any town, where boats and lighters are

Selectmen shall annually