

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.

appoint in-
spector.

owned, which may be employed in transporting stones, gravel or sand, as contemplated in this Act, to appoint annually in the months of April or May, some suitable person to ascertain the capacities of all such boats and lighters, and mark the same as is prescribed in this Act; who shall be under oath faithfully to perform the duty as herein prescribed.

Inspector to
examine and
mark anew,
when neces-
sary.

SEC. 3. *Be it further enacted*, That whenever the inspector shall be of opinion that the burden or capacity of any such boat or lighter shall have been diminished or increased by any repairs made on the same, or otherwise, it shall be his duty forthwith, to ascertain anew the capacities of such boats or lighters, and to mark the same accordingly.

Selectmen to
regulate fees
of inspector.

SEC. 4. *Be it further enacted*, That the Selectmen of towns in which boats or lighters used for the aforesaid purposes, are owned, be, and they are hereby empowered, and it shall be their duty to regulate the amount of fees which may be demanded by the inspector of boats and lighters, of the owners thereof, for the performance of the duties imposed upon him by this Act.

[Approved January 23, 1821.]

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CHAPTER CLXXIII.

An Act for the protection of Harbours and Shores.

Penalty for
throwing bal-
last overboard
into harbours,
&c.

SEC. 1. *BE it enacted by the Senate and House of Representatives in Legislature assembled*, That if any master of a ship or vessel or other person, shall unload, or throw overboard any ballast in any road, port or harbour within this State, he shall forfeit and pay, for each and every such offence, a fine not exceeding sixty dollars, to be recovered in an action of debt in any Court proper to try the same; one half thereof to the use of the town, in which such offence is committed, the other half to the use of any person who shall prosecute for the same.

How to be re-
covered.

Penalty for
taking ballast
from any is-
land, &c. with-
out leave.

SEC. 2. *Be it further enacted*, That if any master of a vessel or other person, shall take off any stone, or other ballast, from any island, beach, or other land without the consent of the owner or proprietor thereof, such person shall forfeit and pay a fine for each and every such offence, not exceeding

seven dollars; to be recovered in an action of debt before any Justice of the Peace within the county in which such offence shall be committed, the one half thereof to the use of the town, where such offence is committed, the other half to the use of any person, who shall prosecute for the same.

How to be recovered.

[Approved March 2, 1821.]

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CHAPTER CLXXIV.

An Act to prevent Damage by mischievous Dogs.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in Legislature assembled, That when any dog shall do any damage either to the person or the property of any person, the owner or keeper of any such dog, and also the parent, guardian, master or mistress of any minor or servant who shall own or keep any such dog, shall be liable to, and shall forfeit and pay to the person injured double the amount of the damage done by such dog, to be recovered by action of trespass, before any Court proper to try the same.

Owners of dogs, and parents, masters, &c. liable for double damages.

SEC. 2. *Be it further enacted,* That it shall and may be lawful, for any person or persons in this State, to kill any dog that shall suddenly assault them while they are quietly and peaceably walking or riding any where out of the enclosure of the owner or keeper of such dog; and it shall also be lawful for any person to kill any dog that shall be found out of the enclosure or immediate care of its owner or keeper, worrying, wounding or killing any neat cattle, sheep or lambs.

Person suddenly assaulted by a dog, may kill him,

and if wounding cattle, dog may be killed.

SEC. 3. *Be it further enacted,* That if any person shall be assaulted by any dog in manner as aforesaid, or if any dog shall hereafter be found strolling out of the enclosure or immediate care of its owner or keeper, by day or by night, and the person so finding such dog, shall, at any time within forty eight hours after such an assault, or the finding such dog strolling as aforesaid, make oath thereof before any Justice of the Peace for the county or Clerk of the town where the owner of such dog shall dwell (who are hereby empowered to administer said oath and to certify the same) and shall further swear, that he really suspects such dog to be a dan-

Penalty for not killing or confining a dog, on complaint upon oath, and notice, &c.