

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.

Page.		Page.
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>in</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>	

gerous or mischievous dog, and shall give notice thereof to such owner or keeper, by delivering him a certificate of such oath, signed by such Justice or Clerk, it shall be the duty of the owner or keeper of such dog forthwith to kill or confine the same; and if he shall neglect so to do for the space of twenty four hours after notice given as aforesaid, he shall forfeit and pay the sum of five dollars to any person that shall sue for the same, to be recovered with costs, by action of debt before any Justice of the Peace in the county in which such owner or keeper dwells.

After such complaint and notice such dog if at large, may be killed.

SEC. 4. *Be it further enacted*, That if after such notice, such dog shall not be killed or confined, but shall again be found strolling out of the enclosure or immediate care of its owner or keeper, it shall and may be lawful for any person to kill such dog; and if sued therefor (or for killing a dog, as in and by the first enacting clause of this Act, is provided) to plead the general issue, and give this Act and the special matter in evidence under it.

Treble damages may be recovered for injuries done after such notice.

SEC. 5. *Be it further enacted*, That if any dog, after notice is given as aforesaid, shall by any sudden assault in manner as aforesaid, wound or cause to be wounded, any person, or shall worry, wound or kill any neat cattle, sheep or lambs, or do any other mischief, the owner or keeper shall be liable to pay to the person injured thereby treble damages, to be recovered with costs, by action of debt before a Justice of the Peace in the county where such owner dwells, if such treble damage doth not exceed twenty dollars, but if it doth exceed that sum, then before the Circuit Court of Common Pleas in such county.

[Approved March 2, 1821.]

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CHAPTER CLXXV.

An Act for the regulation of the Penobscot and Passamaquoddy tribes of Indians.

Governor to appoint agents for Penobscot Indians.

SEC. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled*, That the Governor, by and with the advice of the Council, be, and he hereby is authorized and empowered to appoint, during pleasure, one or more, not

exceeding three persons, to be agents for the Penobscot tribe of Indians.

SEC. 2. *Be it further enacted*, That the Governor, be, and he hereby is authorized to appoint, as aforesaid, one or more, not exceeding three persons, to be agents for the Passamaquoddy tribe of Indians.

Also for Passamaquoddy Indians.

SEC. 3. *Be it further enacted*, That the agent or agents, appointed as aforesaid, for the Penobscot tribe of Indians, shall provide, furnish, pay and deliver to the said Indians, for and on account of this State, all such articles, goods, provisions and monies as shall from time to time become due them by virtue of any treaty or agreement now existing, or that may hereafter exist between them and this State.

Penobscot agent to provide and deliver an account of the State the goods, monies, &c. as they become due.

SEC. 4. *Be it further enacted*, That the persons appointed agents for either of said tribes, as aforesaid, shall be sworn or affirmed to, and shall give bonds, to the State, with sufficient surety or sureties, to the satisfaction of the Governor and Council, for the faithful discharge of the trust reposed in them by this Act, and shall have the care and management of their property, for the use and benefit of said Indians.

Such agents to be sworn and give bond.

And all contracts and bargains of every kind, relative to the sale or disposal of trees, timber or grass growing, or being on said Indians' land, and all leases or other contracts relative to the improvement of lands, which any person may obtain from said Indians, shall be void and of no effect, unless the same shall be examined and approved by the person or persons acting as agents as aforesaid. And no lease of land or contract for trees, timber or grass, shall have effect for a longer term than one year. Nor shall the agents for either of said tribes sell or dispose of the trees or timber of said Indians, to an amount exceeding five hundred dollars in any one year.

Their duty.

Contracts, &c. respecting lands of Indians, void unless approved by agents.

No lease good for more than one year.

Agents not to sell timber, &c. more than 500 dollars value, annually.

SEC. 5. *Be it further enacted*, That the agent or agents for either of said tribes, in his or their own names, and in said capacity, may maintain any proper action, or actions for any sum due any Indian or Indians of their respective tribes, or for any injury done to them or their property, and all property or money received or recovered by said agents in their said capacity shall be by them distributed among the Indians of the tribe for which they are agents, according

Agents may maintain actions in their own names for debts due Indians, &c.

to their usages, rights and interests ; or otherwise vested in such articles as shall be most useful to said Indians.

Agents to keep record of their proceedings.

SEC. 6. *Be it further enacted,* That the person or persons appointed agents as aforesaid, shall keep a true record of their proceedings relative to the trust reposed in them by this Act, and correct accounts of all receipts and expenditures of all monies and other property that shall come to their hands, as such agents, and shall lay the same before the Governor and Council for inspection and settlement at least once in every year, and oftener if required, who are hereby authorized to adjust and settle the same.

[Approved March 5, 1821.]

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CHAPTER CLXXVI.

An Act for regulating Ferries.

No person to keep a ferry unless licensed by Court of Sessions ;

SEC. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That no person or persons whatever, shall keep a ferry within this State, so as to demand or receive pay, without a special license first had and obtained from the Court of Sessions of the county wherein such ferry may be ; and the said Court is hereby empowered to grant such licenses to such person or persons as shall be judged suitable for such service by the same Court ; and to state the fare or ferriage at each ferry for passengers, horses and other creatures, carriages, waggons, carts, teams and other things there transported, always having regard to the breadth and situation of, and the more or less passing at any ferry ; in all cases taking bond with sufficient sureties, of each ferryman for the faithful performance of the duties and services of his place ; excepting however, all such ferries as are already stated and settled by the Court or town to whom they appertain.

who are to grant such license and establish rate of ferriage.

Ferryman to give bond, &c.

Ferryman to keep good boats,

and give due attendance, &c.

SEC. 2. *Be it further enacted,* That all ferrymen at the several ferries in this State, as well as those stated and settled as aforesaid, as others, shall keep a good boat or boats in good repair, suitable to the water they are to ferry over, and give ready and due attendance on passengers on all occasions, for the times and according to the regulations estab-