

# 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>		

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-

lished at any ferry ; and the keeper or keepers of each ferry, for every neglect of such attendance, shall forfeit and pay one dollar ; and for every neglect in keeping such a boat twenty dollars ; one moiety thereof in each case, to the use of the State, and the other moiety to him or them who shall inform and sue for the same ; and be further liable to pay in an action on the case all such special damages as any person shall sustain by such neglect.

Penalty for neglect,

and liability to pay damages.

SEC. 3. *Be it further enacted,* That if any person or persons shall keep a ferry or transport passengers over, or across any stated ferry, so as to demand or receive pay, having no right or authority so to do, he shall forfeit and pay for every such offence four dollars, one moiety thereof to the State, and the other to him or them who shall inform and sue for the same ; and be further liable in a special action on the case, to pay such damages as may or shall accrue to the person or persons assigned and authorized to keep any such stated ferry or ferries.

Penalty for keeping ferry and demanding pay without authority.

SEC. 4. *Be it further enacted,* That whenever the Court of Sessions of any county in this State, shall judge it necessary to set up a ferry for the convenience of passing any river or waters, and no person shall appear to keep the same for the stated profits thereof, the town wherein such ferry may be, shall take effectual care to provide suitable person or persons to keep and attend the same at such place, and in such times of the year, as the said Court shall judge necessary ; which person or persons shall be licensed by such Court as aforesaid. And the said Court shall take bonds with sureties of such persons for the faithful performance of the duties and services of their places ; and state the fare or ferriage to be demanded and received at such ferry, having regard to the breadth and to the situation of, and the more or less passing at the same. And the person or persons so appointed ferry-men at any ferry so set up, shall keep a good boat or boats in good repair, suitable to the waters they are to ferry over ; and on failure at any time so to do, shall forfeit and pay twenty dollars for each neglect ; and shall also give ready and due attendance on all passengers ; and for each neglect so to do, shall forfeit and pay one dollar, one moiety thereof in each case to the town wherein such ferry may be, and the other

When Court of Sessions set up a ferry, the town in which it may be, must provide a ferryman, &c.

who is to be licensed by the Court, and give bond.

Court to fix the fare.

Penalty for such ferryman's neglect.

moiety to him or them who shall inform and sue for the same.

Towns on opposite sides of a river, to provide a ferryman jointly or alternately.

SEC. 5. *Be it further enacted*, That if any such ferry so judged necessary, shall be over any river or water when one town joins thereto on one side, and another town on the other side; in such case the said towns shall either jointly or alternately, provide such person or persons to keep such ferry as the said Court shall order.

Penalty on towns for neglect of duty.

SEC. 6. *Be it further enacted*, That any town neglecting to provide suitable persons to keep ferries as aforesaid shall forfeit and pay forty dollars for each month's neglect, one moiety thereof to the use of the State, and the other moiety to him or them who shall inform and sue for the same; and all the forfeitures aforesaid which may be incurred, shall be recoverable in an action of debt, with costs of suit, before a Justice of the Peace or Circuit Court of Common Pleas of the county wherein the ferry may be, according to the amount of the forfeitures to be recovered.

[Approved February 24, 1821.]

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## CHAPTER CLXXVII.

An Act for regulating Pilotage in the several ports in this State.

Governor and Council on application of ship owners and masters to appoint pilots,

SEC. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled*, That the Governor with advice of Council, be, and he hereby is empowered to appoint and commission one or more pilots for such port or ports in this State as may apply for the same, such application to be signed by a majority of the ship owners and ship masters then in the port recommending such suitable person or persons, and give to each of the said pilots branches or warrants for the due execution of the duties of their respective offices.

and grant them warrants.

Each pilot to be sworn.

SEC. 2. *Be it further enacted*, That every pilot appointed as aforesaid shall before he enter upon the business of his office, take the following oath or affirmation before some Justice of the Peace, viz.

Form of the oath.

You, A. B. do swear, (or affirm as the case may be) that you will from time to time, truly and faithfully perform the