

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

THIRD LEGISLATURE,

AT ITS SESSION, HELD IN JANUARY, 1823.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 20, 1820.

PORTLAND:

BY TODD AND SMITH.....PRINTERS TO THE STATE:

1823.

Return to be under oath of Directors & Cashier.

security held therefor, and the names of such agents; and when they return deposits in other Banks, shall designate the Banks by name, and state the amount deposited in each; which said return shall be signed by a majority of the Directors, and by the Cashier of the several Banks, who shall make oath or affirmation before some magistrate, qualified to administer oaths, and who shall have no interest in said corporate body, to the truth of said return, according to their best knowledge and belief.

Repeal of former provisions inconsistent, &c.

SECT. 2. *Be it further enacted*, That all such parts of the existing laws as relate to the mode and time of making returns of the state of the several incorporated Banks within the same, [State,] be, and they hereby are repealed.

Penalty for neglect of Directors,

SECT. 3. *Be it further enacted*, That in case the Directors of any incorporated Bank in this State, shall neglect or refuse to comply with the provisions of this act, the said corporation shall forfeit and pay the sum of five thousand dollars, for each neglect or refusal; to be sued for and recovered, in an action of debt, by the Attorney General, for the use of the State.

Now recovered.

[*This Act passed February 11, 1823.*]

CHAPTER CCXXXVII.

A ACT additional to an Act to secure to owners their property in Logs, Masts, Spars and other timber, in certain cases.

Forfeiture for taking logs, masts and other timber in certain cases.

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled*, That from and after the passing of this act, if any person or persons shall take, carry away, or otherwise convert to his or their use, contrary to the provisions of the act, to which this is additional, any log, mast, spar or other timber, mentioned in said act, he or they shall forfeit and pay a sum not exceeding twenty dollars, to the use of the owner, if known, or to the use of the State, if the owner be unknown; to be recovered on complaint, by any person, before any Justice of the Peace in the county where the offence

may be committed : or the Justice, before whom such complaint shall be made, may at his discretion bind over such offender, to take his trial at the next Court of Common Pleas, to be held for the same county.

SECT. 2. *Be it further enacted,* That where the word person is mentioned in the act to which this is additional, it shall be construed and understood to mean person or persons ; so that but one forfeiture or penalty shall be recovered, where more persons than one are found to be concerned in one offence against the provisions of said act.

Meaning of person in former act.

SECT. 3. *Be it further enacted,* That when any logs, masts, spars or other timber, shall be conveyed, by freshets, on unimprovable lands adjoining to any rivers, ponds, bays, streams or inlets in this State, and which may lie thereon ten years, shall be forfeited to the owners of said lands, and when conveyed as aforesaid, on to lands capable of improvement, and the owner or owners of said lands determining to cultivate or improve the same, shall give public notice to the owner or owners of such logs, masts, spars or other timber, at the expense of the latter, at least six months prior to his or their doing the same, in some paper printed in the county where such owner or owners may live, if any such there be, if not, in the paper printed for the State, that he or they wish or require the owner or owners of such timber to remove it from his or her land ; and if after such notice, the person or persons owning such timber, shall refuse or neglect to remove the same, it shall be forfeited to the owner of such lands : *Provided however,* That the person or persons, owners of said lands, who may give such notice, and it be neglected by the owner or owners of said timber, and the owner or owners of said lands, shall in consequence destroy, take or carry away, or otherwise convert to their own use such timber, and who immediately thereafter shall not improve or cultivate such lands, he, she or they shall pay to the owner or owners of said timber, the full value thereof, to be recovered by action of debt in any Court proper to try the same.

Proceedings when logs, &c. are conveyed on lands by freshets.

SECT. 4. *Be it further enacted*, That so much of the second and third sections of the act to which this is additional, as relates to the forfeiture of logs, masts, spars or other timber, lying upon unimproved lands, be, and the same is hereby repealed.

[*This Act passed February 11, 1823.*]

CHAPTER CCXXXVIII.

AN ACT in addition to an act entitled "An Act to regulate the manufacture and inspection of Stone Lime and Lime Casks."

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled*, That there shall be an inspector of stone lime and lime casks for the towns of Hope and Lincolnville, to reside within one of said towns, and to be appointed by the Governor, with advice and consent of the Council, and to be by them removable at pleasure; which inspector shall, before he enters upon the duties of his office, be sworn faithfully to perform the same, and shall give a bond, with sufficient sureties, to the Treasurer of the State, for the faithful performance thereof, in the sum of one thousand dollars; which bond shall be approved by the Court of Sessions in and for the county of Lincoln; and said inspector, when so qualified, shall have the same powers within said towns, as the several inspectors of stone lime and lime casks in and for the towns of Thomaston, Camden and Warren, now have, by law, within their respective towns; and he and his deputies shall do and perform the same duties within the said towns of Hope and Lincolnville, as the said several inspectors and their respective deputies are required to do and perform, in their respective towns, by virtue of the act, to which this is in addition; and shall be paid the same fees therefor; and that said inspector and his deputies, and his and their sureties respectively, shall be subject to all the requirements, liabilities and provisions of said act, in the same manner, and to the same extent, as the said several inspectors of Thomaston, Camden and Warren, and their respec-

Repealing
clause.

Inspector to be
appointed for
Hope and Lin-
colnville,

to be sworn and
give bond,

to have same
powers as in-
spectors in Tho-
maston,

fees of inspector
and deputies.