

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

THIRTEENTH LEGISLATURE,

At its Session, held in January, 1833.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

AUGUSTA :

I. BERRY & CO. PRINTERS TO THE STATE.

1833.

Chapter 66.

AN ACT to prevent obstructions to Ferries.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That it shall not be lawful hereafter for any person to anchor, moor or deposit any vessel, boat, raft or water craft in any river in this State where there may be a horse boat ferry or any other ferry established by law, in such manner as to obstruct the passage of the ferry-boat, passing in the ordinary route of ferrying between the ferry-ways on each side.

Ferry boats shall not be obstructed.

SECT. 2. *Be it further enacted,* That if any person shall inadvertently anchor, moor or deposit any such vessel, boat, raft or water craft between such ferry-ways in the ordinary course or route of the ferry-boats, and shall neglect or refuse to remove the same within thirty minutes after notice shall be given him that such vessel, boat, raft or water craft is thus improperly placed, every such person, so offending, shall forfeit and pay the sum of Twenty Dollars, to be recovered by any person, who shall sue for the same, in a special action of the case, one half thereof to the use of the person who shall sue therefor, and the other half to the use of the proprietors of said ferry: *Provided,* That no vessel or boat anchoring for the purpose of hauling in, to any wharf, pier or landing; nor rafts anchoring for the purpose of hauling into any dock, shall be considered as coming within the purview of this Act, or be liable to the pains and penalties of the same, unless, such vessel, boat or raft shall be unreasonably delayed by the master or owner of such vessel, boat or raft, from hauling in, as aforesaid.

Forfeiture for neglecting to remove obstruction after notice.

How to be recovered.

Proviso.

SECT. 3. *Be it further enacted,* That, to enable the proprietors of any horse boat ferry, or any other ferry more safely and expeditiously to conduct their boat or boats to and from the ferry-ways on either side of the river, in times of high winds and freshets,

Proprietors of
Ferries may
sink piers above
and below the
same.

Proviso.

it shall be lawful for said proprietors to sink one or more piers, above or below the ferry-ways, or above or below the ordinary passage ways of said ferry, for the purpose of steadying and guiding said boats; *Provided*, That said piers shall not be of greater length or breadth than twelve feet, nor so sunk as to injure the proprietor or proprietors of any wharf, pier or landing at which vessels have heretofore usually taken in or discharged their freights.

Vessels in dis-
tress not includ-
ed, provided &c.

SECT. 4. *Be it further enacted*, That this Act shall not be so construed to make it unlawful for vessels to moor in the range of any such ferry, when driven thither by stress of weather or in the night time; *Provided*, That such vessel shall be removed therefrom, as soon as it could be done with safety.

[*Approved by the Governor, February 27, 1833.*]

Chapter 67.

AN ACT additional to an Act defining the duties and powers of Justices of the Peace, respecting actions of replevin.

Be it enacted by the Senate and House of Representatives, in Legislature assembled, That, in all actions of replevin, commenced before any Justice of the Peace or before the Judge of the Municipal Court of the City of Portland, it shall be lawful for the original writ, the execution, the writ of restitution and all other processes, pertaining to or growing out of said action, to be directed to the officers of any adjoining County. And said officers are hereby authorized and directed to serve and execute said precepts, and make return thereof to the Court from which they issued.

Processes per-
taining to ac-
tions of replevin
may be directed
to officers in ad-
joining Coun-
ties.

[*Approved by the Governor, February 28, 1833.*]