

# MAINE STATE LEGISLATURE

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THE  
REVISED STATUTES

OF THE  
STATE OF MAINE,

PASSED JANUARY 25, 1871;

TO WHICH ARE PREFIXED

THE CONSTITUTIONS

OF THE

UNITED STATES AND OF THE STATE OF MAINE:

WITH AN APPENDIX.

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BY AUTHORITY OF THE LEGISLATURE.



PORTLAND:  
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## CHAPTER 25.

KEEPING WATCH AND WARD IN TOWNS, AND OF DISORDERS IN  
STREETS AND PUBLIC PLACES.

- SEC. 1. Who are liable to keep watch and ward.
2. Power of selectmen and justices to order watch and ward to be kept, and proceedings.
  3. Charge of constable and powers of watch.
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  5. Badges of constable and watch.
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  13. Fines, how recovered and appropriated.
  14. Masters and parents liable for minors.

Who are liable to keep watch and ward.  
R. S. c. 25, § 1.

SEC. 1. Every male person except ministers of the gospel, twenty-one years of age or upwards, who is able bodied or has estate sufficient to hire a substitute, when duly warned, shall be liable to watch and ward in his town, either in person or by a sufficient substitute; unless he resides more than two miles from the place where the watch or ward is kept.

Power of selectmen and justices to order watch and ward to be kept, and proceedings.  
R. S. c. 25, § 2.  
15 Mc. 155.

SEC. 2. The justices of the peace and municipal officers resident in any town have power, from time to time, to direct and order suitable watches to be kept nightly therein from such hour in the evening as they appoint until sun rises in the morning; and wards to be kept in the day time and evening, when they think such watches and wards necessary. They may designate the time, place, and number of persons to be so employed; and give written orders accordingly, signed by a majority of them, directed to any constable of the town, requiring him to warn such watch or ward, and to see that all persons so warned attend and perform their duty as required; and in the warning, to take care that some able householders, or other sufficient persons are joined in each watch or ward.

Charge of constable, and powers of watch.  
R. S. c. 25, § 3.

SEC. 3. Such constable shall charge the watch to see that all disturbances in the night are prevented or suppressed; and for that purpose the watch may examine all persons found walking abroad in the night after ten o'clock, and suspected of any unlawful intention, as to their business and where they are going; enter houses of ill-

fame for the purpose of suppressing any disturbance or riot therein; and arrest any person there found engaged in such riot or disturbance; and all suspicious persons thus abroad, who do not give a satisfactory account of themselves; and all persons so arrested shall be secured until morning, and then be carried before one of the nearest trial justices for trial. CHAP. 25.

SEC. 4. The watchmen shall walk in and about the streets, wharves, lanes, and principal inhabited parts of each town, to prevent fires, and see that good order is kept; and suitably observe the charge given them as aforesaid. Duties of watch.  
R. S. c. 25 § 4.

SEC. 5. Each constable, when attending watch or ward, shall carry with him the usual badge of his office; and the watchmen shall carry a suitable badge, provided by the municipal officers of their town. Badges of constable and watch.  
R. S. c. 25, § 5.

SEC. 6. When the inhabitants of a town determine to keep a watch in any other manner than is provided herein, the expense thereof shall be defrayed as other town charges. Expense of watch otherwise kept, how defrayed.  
R. S. c. 25, § 6.

SEC. 7. When a watch is established under the preceding section, the town shall determine the number and qualifications of the persons to be employed for that purpose, and the municipal officers shall appoint a suitable person to be captain of the watch. Every watchman shall be equipped as the municipal officers determine; and the powers and duties of the captain and watchmen shall be the same as before prescribed in the case of a constable's watch. Proceedings in such case.  
R. S. c. 25, § 7.

SEC. 8. If any person liable to watch and ward is duly warned by such captain or constable, or by any person appointed by either, and refuses or neglects to appear and perform his duty, by himself or a sufficient substitute, without a just and reasonable excuse, he shall forfeit, for each offence, not less than one, nor more than ten dollars to the use of the town. Penalty for neglect of duty by a watch.  
R. S. c. 25 § 8.

SEC. 9. If a constable or captain of the watch neglects or refuses to obey the orders given him, he shall forfeit not less than ten dollars to the use of the town. Penalty for neglect of officer.  
R. S. c. 25, § 9.

SEC. 10. When said justices of the peace and municipal officers think fit to walk by night to inspect the order of their town, or depute any portion of their number for the purpose, such constables and watchmen as are required shall attend them or said deputation, and obey their lawful commands. Constable and watchmen to attend justices when walking the rounds.  
R. S. c. 25, § 10.

SEC. 11. If any person rides in the highways with a naked scythe, sharpened and hung in a snath, or in any lanes, streets, or alleys; he shall forfeit two dollars for each offence. Penalty for riding with a naked scythe.  
R. S. c. 25, § 11.

SEC. 12. If three or more persons, between sunset and sunrise, assemble in any street or lane in a town and have any imagery or pageantry for a public show, whether armed or disguised, or requiring or receiving money, or other valuable things or not, on account Certain pageantry prohibited in streets in the night.

**CHAP. 25.** thereof; and whoever sets fire to a pile of combustible stuff, or is concerned in making or causing a bonfire in any street, lane or other part of the town within ten rods of any building, each shall forfeit eight dollars, or be imprisoned not more than one month for each offence.

Bonfires in streets and towns prohibited.  
R. S. c. 25, § 12.

**SEC. 13.** The fines provided for in this chapter shall be recovered with costs; the one-half of any fine for the use of the town where the offence shall have been committed, and the other half to the use of any person, who shall sue for the same.

Fines, how recovered and appropriated.  
R. S. c. 25, § 13.

**SEC. 14.** Masters shall be liable to pay the several fines mentioned in this chapter for the offences of their servants or apprentices, if legally bound to them, at the election of the prosecutor; and parents shall be liable at the like election for the offences of the minor children, unless such children are bound to other persons as servants or apprentices.

Masters and parents liable for minors.  
R. S. c. 25, § 14.

## CHAPTER 26.

### ENGINE MEN, FIRES, AND THE PREVENTION OF FIRES.

#### ENGINE MEN AND FIRES.

- SEC. 1.** Cities and towns may prescribe rules for care and management of fire engines and apparatus, for employment of men and appointment of officers.
2. Officers have power of fire wards. Towns liable for their acts and powers. Privileges and duties of men employed.
3. Engine men excused from serving as jurors; tenure of office; annual meeting to choose officers, make rules and regulations, and affix penalties.
4. Engine companies to meet once a month, and promptly endeavor to extinguish any fire that may occur in their town.
5. Discharge of negligent engine men, and selection of engine men for other duties at fires.
6. Election of fire wards, notice to same, and penalty for not entering acceptance or refusal of office in three days.
7. Duty of fire wards, and in the absence of other civil and military officers to direct proceedings at fires.
8. Powers of fire wards to require aid, appoint guards and suppress tumults; and penalty for refusing to obey them.
9. Officers appointed under special laws to have the same powers as fire wards; towns subject to same liability for damages; firemen to have same privileges and duty as other firemen, but their election not hereby controlled.
10. Compensation to owner of building demolished, whereby fire is stopped. Exception. Person dissatisfied may apply to county commissioners. Their powers.
11. Parties may appeal from decision of county commissioners to supreme judicial court on question of damages.