

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

FOURTEENTH LEGISLATURE,

At its Session, held in January, 1834.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

AUGUSTA :

I. BERRY & CO., PRINTERS TO THE STATE.

1834.

ruary twenty first one thousand eight hundred and thirty three, so far as it respects smoked alewives, be and the same hereby is repealed.

[Approved by the Governor, February 12, 1834.]

Chapter 101.

AN ACT in addition to an act, regulating Judicial Process.

Be it enacted by the Senate and House of Representatives, in Legislature assembled, That whenever any civil process shall have been served, returnable before any Justice of the Peace within this State, and at the time appointed for the trial, said Justice, by reason of sickness or other cause, shall be unable to attend, at the place appointed for the holding of the Court, any Justice of the Peace, for the same county, who could legally try a cause between the parties, may, at the time and place of trial, continue such cause to some time, when, in his opinion, the Justice of the Peace who signed the writ will be able to attend. *Provided always,* that the same pleas may be pleaded and the same proceedings had, after continuance of said cause as above provided, as if said cause had not been continued. *And provided also,* that said cause shall not be continued by such Justice more than once, nor for a longer period of time than thirty days. And such Justice, at the time of such continuance, shall enter on the files, the reasons therefor under his official signature.

[Approved by the Governor, February 15, 1834.]

Chapter 102.

AN ACT additional to an Act for the prevention of damage by fire, and the safe keeping of Gunpowder.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled, That* it shall not be lawful for any person or

When Justice of the Peace is unable to attend at the time and place of trial of a cause, any Justice of the Peace may continue such cause.

Proviso.

Not to be continued more than thirty days, and reasons to be entered on the files.

persons to sell any gunpowder, which may at any time, be within the village of **Hallowell**, in any quantity, by wholesale or retail, without having first obtained from the **Selectmen** of the town of said **Hallowell**, a license to sell **Gunpowder**; and every such license shall be written or printed, and signed by said **Selectmen**, or a major part of them, upon which shall be written or printed a copy of the **Rules and Regulations**, established relative to keeping, selling and transporting **Gunpowder** within the said village of **Hallowell**; and every such license shall be in force for one year, from the date thereof, unless annulled by the **Selectmen**, and no longer; but such license may, prior to its expiration, be renewed by an endorsement thereon by the said **Selectmen**, for the further term of one year, and so from year to year—*Provided always*, that the **Selectmen** may rescind and annul any such license, if, in their opinion, the person or persons licensed have disobeyed the law, or infringed any rule or regulation established by the **Selectmen**.

SECT. 2. *Be it further enacted*, That every person who shall receive a license to sell **Gunpowder** as aforesaid, shall pay for the same to the **Treasurer** of said town of **Hallowell**, the sum of five dollars, and every person on having a license renewed, shall pay to said **Treasurer**, the sum of one dollar. And any person or persons, licensed to keep and sell **Gunpowder** as aforesaid, shall place and constantly keep in a conspicuous place over or at the side of the front door of the building, in which powder is kept for sale, a sign, on which shall be inscribed, in plain, legible letters, the words following—viz. Licensed to keep and sell **Gunpowder**.

SECT. 3. *Be it further enacted*, That the **Selectmen** of the town of **Hallowell** are hereby authorized to make and establish **Rules and Regulations**, from time to time, relative to the times and places, at which gunpowder may be brought to, or carried from,

No person to sell **Gunpowder** in town of **Hallowell** without license.

License to be signed by **Selectmen**, &c.

To be in force for one year unless, &c.

May be renewed.

May be rescinded in case, &c.

Person licensed to pay five dollars therefor—

and place sign over front door of the building, &c.

Selectmen authorized to make rules for transportation of **Gunpowder**.

said town, by land or water, and the time and manner in which the same may be transported through said town, and prescribe the kind of carriage, boat or other vehicle, in which the same may be brought to, transported through, or carried from said town.

Provide.

Provided however, that such **R**ules and **R**egulations shall not be applied to any person or persons, excepting inhabitants of the town of **H**allowell, until personal notice shall have been given of the existence of said **R**ules and **R**egulations.

Penalty for violating provisions of this Act.

SECT. 4. *Be it further enacted,* That if any gunpowder shall be kept contrary to the provisions of this Act, or contrary to the terms and conditions of any such license, or to any **R**ules and **R**egulations, established, or to be established by the **S**electmen of said town of **H**allowell, every person so offending shall forfeit and pay for each and every such offence the sum of five dollars to be recovered by complaint or action of debt before any **C**ourt competent to try the same. And if any gunpowder kept or transported contrary to the provisions aforesaid, shall explode in any shop, store, dwelling house, warehouse or other building, or in any other place in said town, the tenant, occupant or owner, of said shop, store, dwelling house, warehouse or other building or place shall pay a fine, not less than fifty nor more than three hundred dollars.

Penalty in case of explosion of gunpowder.

SECT. 5. *Be it further enacted,* That all fines accruing under the provisions of this Act shall accrue one moiety to the person who shall prosecute therefor and the other moiety to the use of the town.

Fines under this Act—how disposed of.

[Approved by the Governor, February 15, 1834.]