

MAINE STATE LEGISLATURE

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PRIVATE AND SPECIAL

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.

CHAPTER 499.

AN ACT to provide for the use of Broad Rimmed Wheels in the town of Ellsworth.

Approved March 10, 1834.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That from and after the first day of May next, no wheels, drawn by more than one yoke of oxen, or two horses, and carrying more than ten hundred weight shall be used on any county, or town road within the town of Ellsworth, for the transportation of bricks, lime, sand, stones, timber, boards, shingles, staves, clapboards, wood, bark, or other lumber, the felloes of which shall not be at least five inches wide, and tired of the same width—*Provided always,* That the provisions of this Act, shall not operate against any one, not an inhabitant of Ellsworth, who may be using wheels of less width of tire, in passing through, going into, or returning from the aforesaid town, but shall be restricted to the inhabitants of the town, or to persons carrying on wheeling within the limits of the town.

Width of wheels to be used in transportation of lumber.

Proviso.

SECT. 2. *Be it further enacted,* That the owner of any narrow tired wheels, which may be altered, or made or brought within the limits of said town, and in actual use within the same, any time within the term of two years from the first of May next shall be entitled to receive from the town treasurer of said town, the sum of Eight Dollars, for every pair of wheels which may have been altered, or Five Dollars for every pair of wheels which may have been made or brought within, and are in use within the limits of said town, the felloes and tires of which, are of the width required by this Act, on producing satisfactory evidence of such wheels, having been so altered, or made, or brought in as aforesaid, and giving security, that such wheels shall not be sold out of the town for the term of two years after the receipt of the sum aforesaid, to which the owner of said wheels may be entitled as herein pro-

Persons procuring such wheels within two years entitled to bounty:

—on producing evidence and giving security.

vided ; and upon the production of such evidence, and the giving of the security as aforesaid, the treasurer of said town, is hereby authorized and directed, to pay the owner of such wheels the sum as aforesaid—*Provided always*, That the same has not been before paid on the same wheels.

Proviso.

Penalty for violating provisions of this act.

SECT. 3. *Be it further enacted*, That if any person or persons, contrary to the provisions of the first section of this Act, shall use on any county or town road in said town of Ellsworth, any wheels the felloes and tire of which shall be of less width than the width specified in said first section, for the purposes therein specified, such person or persons, for each and every such offence against the provisions of the first section of this Act, as aforesaid, shall forfeit and pay the sum of Three Dollars to be recovered on complaint, in behalf of said town, before any Justice of the Peace residing in the town.

Duty of selectmen and surveyors to prosecute.

SECT. 4. *Be it further enacted*, That it shall be the duty of the Selectmen of Ellsworth, and of each and every one of the Surveyors of highways, and town ways, to make complaint as aforesaid, and to prosecute to final judgment all persons who shall violate the provisions of this Act.

Fines and forfeitures—how appropriated.

SECT. 5. *Be it further enacted*, That all fines and forfeitures, for any violation of the provisions of this Act, shall be for the use of the town of Ellsworth, and shall be paid over to the treasurer thereof, by the Justice who shall have received the same.

Provisions of this act not to be binding till accepted.

SECT. 6. *Be it further enacted*, That it shall be the duty of the Selectmen of Ellsworth to insert an article in their warrant for the next annual town meeting, notifying the legal voters in said town of this Act ; and the provisions of this Act shall not be binding on the inhabitants of Ellsworth until it shall have been accepted by a majority of the legal voters in said meeting assembled.