

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

EIGHTEENTH LEGISLATURE,

JANUARY SESSION, 1838.

Published agreeably to the Resolve of June 28, 1820.

AUGUSTA:
LUTHER SEVERANCE, PRINTER.
1838.

SECT. 4. *Be it further enacted*, That every bale of hay pressed or screwed as aforesaid, may bear well seasoned boards upon them, not exceeding four in number, and said boards shall not exceed four inches in width, nor one inch in thickness; upon one of which or upon one of the bands shall be legibly marked the weight of the bale to which they are attached.

Each bale may bear a certain number of boards—their dimensions, weight, how marked.

[Approved by the Governor March 8, 1838.]

Chapter 321.

AN ADDITIONAL ACT regulating judicial process.

Be it enacted by the Senate and House of Representatives in Legislature assembled, That for the service of a subpoena, either in a civil or criminal case, the officer serving the same shall be allowed the fee provided in the second section of an act entitled “An Act in addition to an Act regulating judicial process,” passed the twenty-fifth day of March in the year of our Lord one thousand eight hundred and thirty-six.

Fees for service of subpoenas in civil or criminal cases.

[Approved by the Governor March 8, 1838.]

Chapter 322.

AN ADDITIONAL ACT to regulate the jurisdiction and proceedings of the Courts of Probate.

Be it enacted by the Senate and House of Representatives in Legislature assembled, That when administration shall be granted on the estate of any deceased person and the amount of it shall be absorbed, or used up in paying the bills of last sickness of such deceased person and the funeral expenses, and the allowance made to the widow by the Judge of Probate, it shall not be necessary to represent such estate insolvent; and, if the estate shall be thus settled, the administrator shall be wholly discharged from all claims,

Estate of deceased persons not to be represented insolvent in certain cases.

Administrator discharged from all claims.

which creditors of the deceased might otherwise have had against such estate—any law or usage to the contrary notwithstanding.

[Approved by the Governor March 15, 1838.]

Chapter 323.

AN ACT against kidnapping or selling for a slave.

SECTION 1. *Be it enacted by the Senate and House of Representatives in Legislature assembled,* That every person, who, without lawful authority, shall forcibly or secretly confine or imprison any other person, within this State, against his will, or shall forcibly carry or send such person out of this State, or shall forcibly seize and confine, or shall inveigle or kidnap any other person with intent either to cause such person to be secretly confined or imprisoned in this State against his will, or to cause such person to be sent out of the State against his will, or to be sold as a slave, or in any way held to service against his will; and every person, who shall sell, or in any manner transfer, for any term, the service or labor of any negro, mulatto, or other person of color, who shall have been unlawfully seized, taken, inveigled or kidnapped from this State to any other State, place or country, shall be punished by imprisonment in the State Prison not more than five years, or by fine not exceeding one thousand dollars, and imprisonment in the county jail not more than one year.

Penalty for confining, imprisoning, transferring or selling any person with intent to make him or her a slave.

Offence, where tried.

Consent of such person not to be a defence unless obtained without fraud, &c.

SECT. 2. *Be it further enacted,* That every offence mentioned in this statute may be tried, either in the county in which the same may have been committed, or in any county, in or to which the person so seized, taken, inveigled, kidnapped or sold, or whose services shall be so sold or transferred shall have been taken, confined, held, carried or brought; and on the trial for any such offence, the consent thereto of the person so taken, inveigled, kidnapped or confined, shall not be a defence, unless it shall be made satis-