

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

4628

PASSED BY THE

TWENTY-SECOND LEGISLATURE

OF THE

S T A T E O F M A I N E ,

A . D . 1 8 4 2 .

Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840, and
March 16, 1842.

AUGUSTA:

Wm. R. SMITH & Co., PRINTERS TO THE STATE.

1842.

PUBLIC LAWS

OF THE

STATE OF MAINE,

1842.

county of Piscataquis, *provided however*, that if the legal voters of the several towns and plantations, within the said county, shall, at a legal meeting of the inhabitants to be holden for that purpose, on the second Monday of September, in the year of our Lord one thousand eight hundred and forty two, by a majority of votes, designate any other than the town of Dover as the shire town of said county, the legislature at its next session after such designation shall have been made, may establish such town, so designated, to be the shire town of said county; and the votes shall be taken at such town and plantation meetings by ballot, upon which ballot shall be written the name of the town to be designated, and nothing more. And it shall be the duty of the selectmen of the towns, and assessors of plantations, within said county of Piscataquis, seasonably to issue their warrants for the purpose; which warrants shall be posted up for the same time, and in the same manner, as for other town and plantation meetings; and the votes of the several towns and plantations as aforesaid, shall be received, sorted, counted and declared, in open town and plantation meetings, by the selectmen of each town and assessors of each plantation, and perfect lists thereof shall be made and signed by the selectmen and assessors aforesaid, and attested by the town and plantation clerks, and transmitted by them to the office of the secretary of state, on or before the first Wednesday of January in the year of our Lord one thousand eight hundred and forty three, and by him laid before the legislature; and if it shall appear, that a majority of the votes designate any other than Dover for its shire town, then the legislature shall establish such town, as the shire town of said county; otherwise the said shire shall remain in said Dover until otherwise directed by the legislature.

CHAP. 28.

ty to be designated by ballot at the annual meeting for the election of state officers.

How votes shall be taken.

Selectmen to issue warrants.

Same proceedings to be had as at election of state officers.

Returns of votes to be transmitted to the secretary of state and by him laid before the legislature.

Town designated to be established as the shire of said county.

SECT. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Acts, &c. inconsistent, repealed

[Approved March 17, 1842.]

Chapter 29.

AN ACT to amend the seventy fifth chapter of the revised statutes.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. Every person who shall hereafter travel from town to town or place to place in this State for the purpose of vending any goods or merchandize, shall first obtain a license therefor from the

Hawkers and peddlers to obtain license from county commissioners.

CHAP. 29.

board of county commissioners of some one of the counties in this State, and pay therefor a certain sum for the use of the county in which such license may be granted, to wit:—Every person who shall travel on foot as aforesaid for the purpose aforesaid, shall pay the sum of three dollars. Every person who shall travel with any carriage, drawn by one animal for the purpose aforesaid, shall pay the sum of seven dollars, and if drawn by two animals, ten dollars. Any person who shall transport or convey any goods or merchandize by water in any boat or other water craft, for the purpose of vending the same as aforesaid, shall first obtain a license therefor as above required, and shall pay the sum of seven dollars for the use of the county as aforesaid. And all licenses granted as aforesaid shall expire in one year from the time of granting the same.

Fees for such licenses.

Licenses to continue but one year.

Penalty for neglect to procure license.

Fines and forfeitures, how recovered.

Licenses to be exhibited to certain officers, when required.

Penalty for refusal.

Proviso.

Carriages and merchandize may be seized by warrant, &c. on refusal of owner to exhibit license.

Applications for license to be accompanied by certificate of moral character.

SECT. 2. Any person who shall transgress any of the provisions or requirements of the foregoing section, shall forfeit and pay a sum not exceeding double the amount required to be paid for such license as he is bound to obtain by the provisions of said preceding section; and all fines and forfeitures for the transgression of any of the foregoing provisions or requirements shall be recovered in an action of debt before a justice of the peace in any county where the offence may be committed, by any person who may prosecute for the same, for the use of the county where such offence shall be committed.

SECT. 3. Any person who shall hereafter travel as aforesaid for the purposes aforesaid, shall exhibit his license at any and all times, when required so to do by any justice of the peace, or any constable of any city, town or plantation—and a refusal to exhibit such license when required as aforesaid, shall be deemed as evidence of not having such license, and if prosecuted after such refusal to produce his license, the production of his license at the time of trial, shall not avail him in the defence of such prosecution, and the person so refusing shall be dealt with as is provided in the second section of this act. *Provided however*, that the provisions or prohibitions of this act shall not apply to any articles or goods manufactured in this State.

SECT. 4. The carriages, goods, wares and merchandize of any such person as is described in the first section, who refuses to exhibit his license as provided in this act, may be seized by warrant from any justice of the peace, and detained until such justice shall decide whether such person is liable to any fine imposed by this act, and until such fine, if any, shall be paid.

SECT. 5. Every person who shall apply to the county commissioners for the purpose of obtaining a license as aforesaid, shall present to said commissioners a certificate of his moral character,

signed by the selectmen of the town where he has his residence, which certificate shall be attached to the license granted.

SECT. 6. All acts and parts of acts, inconsistent with the provisions of this act, are hereby repealed.

Acts, &c. inconsistent, repealed.

[Approved March 18, 1842.]

Chapter 30.

AN ACT additional to an act establishing the county of Franklin.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

All officers within and for the county of Franklin, having authority to commit any prisoner or debtor to jail, are hereby authorized and required, for the term of five years from and after the passage of this act to commit such prisoner or debtor to the jail in the county of Somerset; and the keeper of said jail is hereby authorized and required to receive and detain in his custody all such prisoners and debtors; and all persons so committed from the county of Franklin, shall be entitled to the same rights and privileges as though they lived and had their homes in the said county of Somerset; and it is hereby required and made the duty of all magistrates and civil officers of the county of Somerset, to perform all acts and duties relating to such prisoners and debtors as they are authorized and required by law to do and perform for other prisoners or debtors arrested or committed within the county of Somerset. *Provided,* that the county of Franklin shall be liable to pay to the county of Somerset all expense or damage which may arise or accrue from such commitments; and that the right so to commit prisoners and debtors to the jail in the county of Somerset shall cease, whenever a jail shall be erected and made ready for the reception of prisoners and debtors, by the county commissioners of the county of Franklin.

Officers of the county of Franklin, authorized to commit prisoners or debtors to the jail in the county of Somerset for five years.

Rights and privileges of persons so committed.

Duties of magistrates and civil officers of the county of Somerset, in the premises.

Proviso.

When right to cease.

[Approved March 18, 1842.]

Chapter 31.

AN ADDITIONAL ACT to amend the revised statutes.

Be it enacted by the Senate and House of Representatives in Legislature assembled, That the act passed on the twenty second day of October, in the year one thousand eight hundred and forty,