

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-THIRD LEGISLATURE

OF THE

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

A. D. 1843.

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.

1843.

PUBLIC LAWS

OF THE

STATE OF MAINE,

1843.

CHAP. 26. and apply to any portion of said Penobscot river, or its tributaries, below Orphan's island.

SECT. 16. All acts or parts of acts inconsistent with this act, are hereby repealed.

[Approved March 23, 1843.]

Chapter 26.

AN ACT additional to an act to prevent obstructions in the navigation of Union river.

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

Penalty,

SECT. 1. If any person or persons shall be guilty of any of the offences specified in the act to which this is additional, he or they shall forfeit and pay for each offence, a sum not exceeding twenty dollars, nor less than five dollars, to any person who may prosecute for the same, to be recovered upon conviction thereof before any justice of the peace, within the county in which such offence shall have been committed, and shall also be liable to pay all damages which any individual may suffer by reason of such obstructions, in an action of the case in any court competent to try the same.

How recover-
able,

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 All acts and parts of acts inconsistent with the provisions of this act, are hereby repealed.

[Approved March 23, 1843.]

Chapter 27.

AN ACT relating to hawkers and pedlers.

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

Allens not allow-
ed to act as
hawkers, &c.

SECT. 1. Every hawker, pedler or petty chapman, or other person, not a citizen of the United States, going from town to town on foot, or with a horse, carriage or otherwise, carrying to sell, or exposing to sale, any goods, wares or merchandise, shall forfeit a sum, not exceeding fifty dollars, nor less than twenty dollars, to be recovered by complaint or indictment; and all articles and merchandise aforesaid; one half to the town where the offence is committed, and the other half to the prosecutor.

Penalty,

Disposition of
fine,

CHAP. 27.

SECT. 2. Any justice, on complaint made to him, may cause the arrest of the party accused, and the seizure of such goods, and detain the same until trial; and in case of conviction of the offender, the same shall be decreed forfeited to the uses aforesaid, and sold in the same manner, as goods seized on execution for debt.

Power of justices of the peace.

Goods forfeited, how sold.

SECT. 3. Every citizen of the United States, who shall hereafter travel from town to town or place to place, in this state, for the purpose of vending any goods or merchandise not manufactured in this state, shall first obtain a license therefor from the board of county commissioners of some one of the counties in this state, and pay therefor a certain sum for the use of the state, to wit: every person who shall travel on foot for the purpose aforesaid, shall pay the sum of ten dollars; every person who shall travel with any carriage drawn by one animal, for the purpose aforesaid, shall pay the sum of fifteen dollars; and if drawn by two horses or other animals, twenty dollars. Any person who shall transport or convey any goods or merchandise 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 ten dollars, for the use of the state, and all licenses granted as aforesaid, shall expire in one year from the time of granting the same. *Provided*, that every person who shall travel as aforesaid, for the purpose of vending any jewelry or playing cards, shall be subject to all the penalties and liabilities provided in the first and second sections of this act.

Citizens of U. S. may be licensed.

Amount to be paid for license.

License to expire in one year. *Provido.*

SECT. 4. No person shall receive license under the provisions of this act, until he shall have made oath, before the clerk of the county commissioners of the county where he shall apply for such license, that he is a citizen of the United States, or shall have produced a certificate of his naturalization.

To make oath to right of citizenship.

SECT. 5. Any person who shall transgress any of the provisions of the third section of this act, 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 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.

Penalty.

How recoverable.

To enure to the county.

SECT. 6. Any person who shall travel for the purposes aforesaid, shall exhibit his license, at any and all times, when required to do so by any justice of the peace, or any constable of any city, town or plantation, and a refusal to exhibit such license, when required

To exhibit license.

Consequence of refusal.

CHAP. 28.

Proviso.

Where license is not exhibited, property to be seized.

Certificate of moral character required.

Act to amend 75th chap. R. S. repealed.

as aforesaid, shall be deemed as evidence of not having such license, and if prosecuted after such refusal to show 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 fifth 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. 7. The carriages, goods, wares and merchandise of any such person, as is described in the third section of this act, 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. 8. 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 good moral character, signed by the selectmen of the town where he has his residence, which shall be attached to the license granted.

SECT. 9. An act to amend the seventy fifth chapter of the revised statutes, relating to hawkers and pedlers, approved March eighteenth, eighteen hundred and forty two, and all other acts and parts of acts inconsistent with the provisions of this act, are hereby repealed.

[Approved March 23, 1843.]

Chapter 28.

AN ACT to equalize the salaries of judges of probate.

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

Salaries of the judges of probate in Hancock, Waldo and Piscataquis altered.

SECT. 1. The judges of probate in the counties hereinafter mentioned, shall be entitled to receive salaries in quarterly payments, on the first day of January, April, July and October of each year, at the following annual rates, instead of the sums now allowed, that is to say: to the judge of probate in the county of Piscataquis, seventy five dollars; to the judge of probate in the county of Hancock, two hundred dollars; to the judge of probate in the county of Waldo, two hundred dollars.

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

[Approved March 24, 1843.]