

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-SECOND LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1853.

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

Augusta:
WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1853.

PUBLIC LAWS
OF THE
STATE OF MAINE.

1853.

CHAP. 28.

Certain
Indians not
liable to
penalties of
this act.

SECT. 5. Nothing in this act is intended to prohibit any Indian of the Penobscot or of the Passamaquoddy tribes from hunting moose and deer on their own account and for their own use; and no such Indian shall be liable to any of the penalties of this act, unless he shall be hunting in company with or in the employment of persons forbidden so to hunt by this act.

Liability for
having in
possession the
hide or carcass
of moose.

SECT. 6. If any person shall have in his possession the carcass or hide of any moose between the fifteenth day of April and the first day of October succeeding in any year, or of any deer between the fifteenth day of January and the first day of September succeeding in any year, he shall be deemed to have hunted and killed the same contrary to the provisions of this act; and shall be liable to the aforesaid penalties, to be recovered in manner aforesaid by a county moose warden or his deputy, or a town moose warden; *provided, however*, that no such process shall be commenced for the recovery of such penalty against him, until he has had reasonable opportunity given him by such moose warden to produce to him reasonable proof to show that the said moose or deer was killed in some manner allowed by this act, and has neglected or refused to produce such proof; but he shall not be precluded from producing such proof upon trial.

Proviso.

Certain acts
repealed.

SECT. 7. Chapter forty-one of the revised statutes, chapter thirty-eight of the laws approved June fourteenth, eighteen hundred and forty-eight, and chapter two hundred and ninety-four of the laws approved April twenty-sixth, eighteen hundred and fifty-two, and all other acts and parts of acts inconsistent with this act are hereby repealed, saving all rights acquired and actions pending under the same.

SECT. 8. This act shall take effect and be in force from and after its approval by the governor.

[Approved March 29, 1853.]

Chapter 28.

An act prescribing the time when notice shall be given upon petitions for special legislation.

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

Petitions for
special legisla-
tion, notice of,
how given.

SECT. 1. Petitions or propositions for any act of incorporation, or for the repeal, alterations, amendment or change of, or

act additional to any act of incorporation, shall be published three weeks successively, in some paper printed in the county where such corporation is proposed to be, or if existing, is located, in the month of December next preceding the session of the legislature to which the same is directed; and if no paper is published in such county, or if such corporation extends, or is to extend its operations into several counties, then such petition shall be also published as aforesaid, in the paper published by the printer to the state; and this section shall also apply to persons making application to be set off from one town to another, and to the division of towns and counties—and all petitions for private legislation shall be served upon the persons directly interested therein adversely to the petitioners by giving such persons in hand or leaving at their last and usual place of abode, a true and attested copy of such petition, on or before the twentieth day of December aforesaid, and the same shall be served as aforesaid by any officer authorized to serve writs in civil actions. The affidavit of the printer on the back of such petitions, and the return of the officer shall be *prima facie* evidence of the facts therein stated.

Orders of notice, time of service.

Evidence of.

SECT. 2. Any petition or proposition aforesaid presented in the senate or house of representatives, and not having thereon the evidence of notice prescribed in the first section of this act, shall be referred to the legislature holding its session next after that to which it is presented, and shall not be otherwise acted upon—and all orders of notice upon applications for private or special legislation, other than those mentioned as aforesaid, shall be made returnable to said next legislature.

Petitions, &c., without evidence of notice, how disposed of.

SECT. 3. Chapter thirteen of the revised statutes entitled "of notices of petitions to the legislature" is hereby repealed.

Prior statute repealed.

SECT. 4. This act shall be in force from and after its approval by the governor.

[Approved March 29, 1853.]

Chapter 29.

An act additional to an act, in relation to lands reserved for public uses.

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

The act entitled "an act to amend an act entitled an act in relation to lands reserved for public uses," approved April

Act of April, 1852, not to defeat suits then pending.