

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

## FORTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE.

1867.

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

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AUGUSTA:  
STEVENS & SAYWARD, PRINTERS TO THE STATE.  
1867.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1867.

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**CHAP. 104.**

state names of  
assessors, &c.

When such  
return is not  
required.

Copy of this  
act to be sent  
to clerks of  
plantations.

several plantations, and that the same have been duly sworn, and whenever any such return shall not be made by any organized plantation, the secretary of state shall not furnish such plantation with blanks for election returns, and no votes purporting to be cast by any plantation neglecting to comply with the provisions of this act shall be counted or allowed by the governor and council.

SECT. 2. This act shall not in any way be taken as interfering with the rights of any plantation actually and legally organized for election purposes after the first day of May during the year that such organization is effected.

SECT. 3. The secretary of state shall forthwith send to the clerks of each plantation from which returns of votes were received at the annual election in September, eighteen hundred and sixty-six, a copy of this act.

SECT. 4. This act shall take effect when approved by the governor.

Approved February 25, 1867.

**Chapter 104.**

An act relating to constructing aqueducts.

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

Any person by  
consent of  
municipal  
officers may  
dig up and  
open street in  
constructing  
aqueducts.

With the written consent of the municipal officers of a town, any person may, within such town, dig up and open any street or way for the purpose of placing pipes necessary in constructing an aqueduct in which to convey pure water, or for repairing or extending it, if it is done so as not to prevent the convenient passing of teams and carriages.

Approved February 25, 1867.

**Chapter 105.**

An act to amend section eleven of chapter six of the revised statutes, relating to taxation.

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

R. S., chap.  
6, sect. 11,  
amended.  
Goods, wares,  
merchandise  
and lumber,  
where to be  
taxed.

SECT. 1. The first division of section eleven of chapter six of the revised statutes is hereby amended so as to read as follows:—*All goods, wares and merchandise, all logs, timber, boards and other lumber, and all stock in trade, including stock employed in the business of any of the mechanic arts, in any town within this state, other than where the owners reside, shall be taxed in such town, if the own-*

*ers, their tenants, or any person contracting under them for the building of any house, shop, store or vessel, occupy any store, shop, mill, wharf or shipyard therein, for the purposes of such tenancy or contract, and shall not be taxable where the owner or owners reside.* CHAP. 106.

SECT. 2. This act shall take effect when approved by the governor.

Approved February 26, 1867.

### Chapter 106.

An act to amend section thirty-six of chapter thirty-eight of the revised statutes, relating to pressed hay.

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

Section thirty-six of chapter thirty-eight of the revised statutes of this state is hereby amended in the fourth line, by inserting after the word "weight" the words *and tare*, so that said section, as amended, shall read as follows :—Every bale of screwed or pressed hay may have four pieces of seasoned board, not more than four inches wide or one inch thick, to keep the hay in place, one of which, or on one of the bands, shall be marked the weight and tare of the bale, and no sworn weigher of hay shall purchase any hay but what is necessary for his own use.

R. S., chap. 38, sect. 36, amended.

Bales of hay, how secured and marked.

Approved February 26, 1867.

### Chapter 107.

An act to amend section thirty-six of chapter forty of the revised statutes.

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

The thirty-sixth section of chapter forty of revised statutes is hereby amended by striking out in the fourth and fifth lines of said section, the words, "one-half to the use of the county, and the other half to the use of the town where the offence is committed," and inserting instead thereof the words, *to the use of the prosecutor*, so that said section as amended, shall read as follows :

R. S., chap. 40, sect. 36, amended.

SECT. 36. All the penalties aforesaid, not exceeding twenty dollars, shall be recovered by complaint before a justice of the peace, and all exceeding that sum shall be recovered by indictment, to the use of the prosecutor, when not otherwise provided.

Penalty, how recovered and appropriated.

Approved February 26, 1867.