

# 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:  
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1867.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1867.

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bailed in the same manner as if committed for not finding sureties to recognize for him.

SECT. 2. At any time after default made upon the recognizance, bail may surrender their principal, as provided in the first section of this act, and the court for the county in which the default upon the recognizance is recorded may, on application therefor, being satisfied that the default of the principal was not with the consent or connivance of the bail, remit the whole or any part of the penalty.

Bail may so surrender principal after default.

Approved February 27, 1867.

### Chapter 111.

An act in relation to the evidence of the enlistment and situation of soldiers during their service under the United States government.

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

SECT. 1. The certificate of the adjutant general of this state, from the records of his office, relating to the enlistment of any person into the United States service from this state, and of all facts pertaining to the situation of such person up to and including his discharge, as found upon the records in said office, shall be prima facie evidence of the facts so found upon the records and certified to any in any suit or proceeding in any of the courts and tribunals of this state.

Certificate of adjutant gen. relating to enlistments, &c., to be received as prima facie evidence.

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

Approved February 27, 1867.

### Chapter 112.

An act to amend section one hundred and thirty-six of chapter six of the revised statutes, relating to the collectors of taxes and treasurers of towns.

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

SECT. 1. Section one hundred and thirty-six of chapter six of the revised statutes is hereby amended by striking out the word "his," between "of" and "county," in second line, and inserting in lieu thereof, the word *any*, so that said section when amended shall read as follows:

R. S., chap. 136, amended.

SECT. 136. The treasurer of any town, who is also collector, may issue his warrant to the sheriff of any county, or to his deputy, or a constable of his town, directing him to distrain the per-

Town treasurer may issue his warrant, &c.

**CHAP. 113.** son or property of any person who is delinquent in paying his taxes after the expiration of the time fixed for payment by vote of the town ; which warrant shall be of the same tenor as that prescribed to be issued by municipal officers or assessors to collectors, changing such parts as ought to be changed, returnable to the treasurer in thirty days.

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

Approved February 28, 1867.

### Chapter 113.

An act to amend chapter thirty-four of the revised statutes, relating to auctions and auctioneers.

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

R. S., chap.  
34, sect. 3,  
amended.

SECT. 1. Section third of chapter thirty-four of the revised statutes is hereby amended in the third line, by striking out the words "to whom sold" and inserting the words *the prices for which the same were sold*, so that as amended that clause shall read, every person licensed shall keep a full and particular account of all goods and chattels by him sold, stating of whom received, and the prices for which the same were sold.

Account to be  
kept by persons  
licensed.

Sect. 5, same  
chap. amended.

SECT. 2. Section five of said chapter is hereby amended by striking out in the third line the words "of his own," so that as amended it shall read, *if any auctioneer receives any goods for sale at public auction of any servant or minor, knowing him to be such, or sells any goods before sunrise or after sunset at public auction, he shall forfeit a sum not less than fifty nor more than one hundred and seventy dollars for each offence.*

Forfeiture for  
receiving goods  
for sale of  
servants,  
minors, &c., or  
selling before  
sunrise or after  
sunset.

Municipal  
officers may  
grant licenses  
to sell after  
sunset.

SECT. 3. The municipal officers of any town may license any duly licensed auctioneer specially, to sell goods and chattels after sunset, and demand and receive therefor a sum not exceeding twenty dollars for each license so granted.

Approved February 28, 1867.

### Chapter 114.

An act relating to fees of sheriffs, their deputies, and constables.

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

Sheriffs,  
deputy sheriffs

SECT. 1. The fees of sheriffs, deputy sheriffs and constables, for the service of precepts hereinafter named, instead of the fees as