

# MAINE STATE LEGISLATURE

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# PUBLIC ACTS

OF THE

# STATE OF MAINE,

PASSED BY THE

## SIXTEENTH LEGISLATURE,

JANUARY SESSION, 1836.

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PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 23, 1820.

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AUGUSTA:

SMITH & ROBINSON.....PRINTERS TO THE STATE.

1836.

one year from the time of their appointment, and to be under oath for the faithful discharge of their duty; who shall be entitled to receive such fees, as said Aldermen or Selectmen shall from time to time establish, to be paid by the purchaser.

—to be sworn.

—fees to be fixed by Aldermen of cities or Selectmen of towns.

SECT. 2. *Be it further enacted*, That whenever either the seller, or purchaser of salt, corn, or grain, in Cities or Towns where measurers are so appointed and sworn, shall request it, all salt, corn, and grain, sold in this State, shall be measured by such sworn measurers.

To be sold by measure when either party requires it.

[Approved by the Governor, March 4, 1836.]

## Chapter 209.

AN ACT additional to an Act to organize, govern and discipline the Militia of this State.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled*, That the Mayor and Aldermen of each City, the Selectmen of each Town, and the Assessors of each Plantation shall ascertain and define the limits of every Company of Infantry, in their respective Cities, Towns and Plantations, conforming as nearly as may be to such lines as have usually been considered the limits of such Companies, and make return thereof, to the Clerks of their respective Cities, Towns and Plantations, and also to the office of the Adjutant General, on or before the first day of May next.

Limits of Infantry Companies to be defined, & return thereof to be made to Clerks of towns and to Adjutant General on or before the first of May next.

SECT. 2. *Be it further enacted*, That the Clerk of every City Town and Plantation shall duly record the limits of each Company of Infantry in his City, Town or Plantation, with the records of such City, Town or Plantation, when returned to him by the Mayor and Aldermen, Selectmen or Assessors, pursuant to the provisions of the first

To be recorded and a certified copy of the record to be furnished to commanding officers of companies.

section of this Act; and shall furnish the Commanding Officer, of each such Company with a certified copy of such record.

**SECT. 3.** *Be it further enacted,* That in all prosecutions for nonperformance of Military duty, an authenticated copy of the doings of the Mayor and Aldermen, Selectmen and Assessors as directed in the first section of this Act, shall be conclusive evidence as to the lines of such Companies.

Copy of such record to be conclusive evidence as to the lines of such companies.

Compensation to be allowed for this service.

**SECT. 4.** *Be it further enacted,* That the Mayor and Aldermen, Selectmen, Assessors and Clerks shall receive a suitable compensation for services required by this Act, from their respective Cities, Towns and Plantations; and if any such officers shall neglect or refuse to perform such service, they shall severally forfeit and pay the sum of not less than twenty-five, nor more than two hundred dollars, to be sued for and recovered before any Court of competent jurisdiction, one half thereof to the complainant and the other half to the use of the State.

A forfeiture of not less than 25 nor more than 200 dollars to be paid by the officers who shall neglect to perform this service.

**SECT. 5.** *Be it further enacted,* That the Commanding Officer of each regiment or battalion shall cause his Adjutant to transmit a copy of the record of the abstract returns, made to him by Clerks of Companies, pursuant to the provisions of section twenty seven of the Act to which this is additional, to the office of the Adjutant General on or before the first day of August annually, instead of making such return to the commanding officer of the brigade as required by said section, and the Commanding Officer of each Company of Artillery and Cavalry, not attached to any regiment or battalion shall cause the Clerk of his Company to make an abstract return of the state of his Company on the day of annual inspection, to the Office of the Adjutant General, on or before the first day of July annually. And the returns herein named shall be conveyed by mail; and the certificate of the Post-

Copy of abstract of company return to be made to Adj. General, and be conveyed by mail.

master of the office where the same is deposited, that the Adjutant or Clerk aforesaid did deposit, for transmission to the office of the Adjutant General, copies of returns as aforesaid shall be conclusive evidence of his performing the duties required of him by this section.

SECT. 6. *Be it further enacted*, That each Company of Artillery shall be provided by the Quarter Master General with two good brass, or iron field pieces, of such calibre as the commander in chief may direct, with carriages and apparatus complete.

Two field pieces to be furnished each company of artillery.

SECT. 7. *Be it further enacted*, That the fifth section of the Act to which this is additional, be and the same is hereby repealed.

Fifth section of former act repealed.

SECT. 8. *Be it further enacted*, That the twenty-eighth section of the Act to which this is additional be and hereby is so altered and amended, that all Officers and musicians, actually doing Military duty on the day of the inspection and review shall receive from the Mayor and Aldermen, Selectmen, and Assessors of the respective Cities, Towns, or Plantations, in which they reside the sum of fifty cents each, in lieu of rations.

Officers and musicians to be allowed 50 cents in lieu of rations.

SECT. 9. *Be it further enacted*, That nothing in this Act, shall be construed so as to affect the power and duties of the Governor and Council, granted to them by the sixth section of the Act, to which this is additional.

SECT. 10. *Be it further enacted*, That it shall be the duty of the Secretary of State forthwith to cause a sufficient number of copies of this Act to be printed; and to forward as soon as may be one copy of the same to each Board of Aldermen, Selectmen and Assessors of the several Cities, Towns and Plantations in this State.

Sec'y of State to forward copies of this Act to aldermen, selectmen and assessors.

SECT. 11. *Be it further enacted*, That if any person having held an office in the Militia, shall, after his discharge or removal from office, neglect or re-

Penalty for officers not delivering over property to successor.

fuse, after demand made upon him by his successor in office, to deliver over to his said successor any property in his possession belonging to the State, said person shall forfeit and pay a sum not less than twenty dollars, nor more than one hundred dollars, to the use of the State, to be recovered by indictment before the Court of Common Pleas.

**SECT. 12.** *Be it further enacted,* That this Act shall take effect from and after its approval by the Governor.

Inconsistent provisions repealed.

**SECT. 13.** *Be it further enacted,* That all Acts and parts of Acts, inconsistent with the provisions of this Act be and the same are hereby repealed.

[*Approved by the Governor, March 5, 1836.*]

### Chapter 210.

AN ACT to extend the powers of Justices of the Peace in certain cases and further to regulate the process for maintenance of bastard children.

Justice Executions ag<sup>t</sup> debtors and trustees that shall remove or be out of county, to be directed to officers in the county where they shall be found.

**SECT. 1.** *Be it enacted by the Senate and House of Representatives in Legislature assembled,* That in all cases where the debtor or debtors or trustee or trustees in any judgment recovered before a Justice of the Peace or Judge of any Municipal Court in any County in this State shall remove or be out of the County in which said judgment shall be recovered the Justice or Judge before whom such judgment has been or shall be recovered is hereby authorized to issue execution against said debtor or debtors or trustee or trustees directed to any proper officer in any other County of the State where the debtor or debtors or trustee or trustees are supposed to be in same manner and under the same restrictions as he is by law authorized to issue execution in his own County. *Provided,* that in all such cases, except where the