

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE.

1860.

SIEVENS & SAYWARD, PRINTERS TO THE STATE.

1860.

THIRTY-NINTH LEGISLATURE.

SENATE.

No. 23.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND SIXTY.

AN ACT additional to chapter ten of the revised statutes,
relating to the militia.

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

SECTION 1. The whole number of volunteers shall
2 not exceed two thousand men, and shall be apportioned
3 throughout the state as the governor and council may
4 determine.

SECT. 2. No arms, equipments or other articles of
2 military property shall hereafter be issued to any
3 company, except the town or city in which said com-
4 pany may be organized, shall have first made itself
5 legally responsible to the state for the safe keeping and

6 return of such arms or equipments when called for ;
7 ordinary wear and depreciation in value, from use, or
8 losses by fire excepted.

SECT. 3. The several towns and cities in this state,
2 are hereby authorized to render themselves responsible
3 in the manner provided in the preceding section, by a
4 formal vote to that effect, passed at a regular town
5 meeting, or by the municipal government of the several
6 cities ; a certified copy of such vote being forwarded
7 to the adjutant general's department, by the clerk of
8 such city or town.

SECT. 4. Each officer, including and below the rank
2 of captain, and soldier of the volunteer militia of this
3 state, shall, upon the performance of his duty as is
4 hereinafter provided, receive therefor the sum of fifty
5 cents for each of the three half days upon which he
6 is now required by law to do military duty ; and shall
7 receive for each of the two days of encampment now
8 required by law, the sum of one dollar and fifty cents :
9 *provided*, that no officer or soldier shall receive pay for
10 any of the days or half days mentioned in this section,
11 who shall not have been present and performed military
12 duty in an orderly and soldierlike manner, and shall
13 have strictly conformed to the requirements of the
14 militia law of this state, and the by-laws of the corps
15 of which he is a member : *and provided further*, that

16 no officer or private shall receive any pay during any
17 year in which he shall not have been present and per-
18 formed military duty upon at least two of the different
19 days referred to in this section.

SECT. 5. The officer commanding any volunteer com-
2 pany upon either of the days referred to in section four
3 of this act, shall, previous to dismissing his company,
4 and after the conclusion of the military exercises of
5 the day, cause the roll of the company to be called by
6 the clerk of such company, or in his absence, by some
7 non-commissioned officer of such company, and an
8 alphabetical list of those members of the company
9 present, who have performed military duty, to be made,
10 which said list shall be subscribed and sworn to by the
11 clerk or non-commissioned officer calling the roll, and
12 also by such commanding officer, before some justice
13 of the peace ; said list, thus certified, shall be trans-
14 mitted to the adjutant general within ten days there-
15 after.

SECT. 6. The adjutant general shall, annually in the
2 month of October, after receiving the lists made at the
3 encampment, transmit to the mayor and aldermen of
4 any city, and the selectmen of any town, in which the
5 company, armory, or place of assembling the company
6 is situated, a pay-roll made out from all of said lists,
7 in which shall appear the names of those members of

8 the company who are entitled by law to receive pay,
9 and the amount which each is to receive placed oppo-
10 site his name; and the mayor and aldermen, and
11 selectmen aforesaid, shall thereupon draw their war-
12 rants upon their respective treasurers, directing them
13 to pay the amount due to the persons named in said
14 roll; and shall, on or before the thirty-first day of
15 December, annually, under a penalty of thirty dollars
16 for neglect in so doing, remit said roll to the adjutant
17 general, with a certificate indorsed thereon, setting forth
18 that a warrant has by them been drawn on their re-
19 spective treasurers in favor of the several persons whose
20 names are recorded in said roll.

SECT. 7. The adjutant general shall, annually, on
2 or before the fifteenth day of January, ascertain from
3 the returns made to him, the amount of money which
4 will be necessary to re-imburse the several towns and
5 cities, and submit the same to the governor of the state,
6 who is hereby authorized to draw his warrant on the
7 treasurer of the state, for re-payment of the sum ad-
8 vanced.

SECT. 8. All acts or parts of acts inconsistent with
2 the provisions of this act, are hereby repealed.

SECT. 9. This act shall take effect on and after its
2 approval by the governor.

STATE OF MAINE.

IN SENATE, March 13, 1860.

This bill, reported from the Committee on the Militia, was read and 350 copies ordered to be printed for the use of the Legislature.

JAMES M. LINCOLN, *Secretary.*