

MAINE STATE LEGISLATURE

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LAWS

OF THE

STATE OF MAINE,

PASSED BY THE LEGISLATURE,

AT ITS SESSION, WHICH COMMENCED ON WEDNESDAY, THE
THIRTY-FIRST DAY OF MAY, AND ENDED ON THE
TWENTY-EIGHTH DAY OF JUNE, A. D. 1820.

TO WHICH IS PREFIXED,

THE

CONSTITUTION OF THE STATE.

Published agreeably to a Resolution of June 23, 1820.

PORTLAND :

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1820.

succeeding the fourth Monday in April ; at Warren, on the Thursday succeeding the second Monday in January ; at Topsham, on the Thursday, succeeding the fourth Monday in August ; within and for the county of Hancock, at Castine, on the Thursday next succeeding the third Tuesday of March, and on the Thursday next succeeding the third Tuesday of November ; within and for the county of Washington, at Machias, on the first Tuesday in March, and on the first Tuesday in September ; within and for the county of Penobscot, at Bangor, on the first Tuesday of March, and on the first Tuesday of September.

Matters now pending.

SECT. 3. *Be it further enacted*, That all matters, taken for, returnable to, or are now pending in the several Courts of Sessions, shall be returnable to, have day, be proceeded in, and determined by the respective Courts of Sessions, within and for the same counties, at the term thereof next to be holden as by this Act provided. And the Clerks of the Circuit Court of Common Pleas, within the several counties shall be Clerks of the Court of Sessions.

Clerks.

Pay of Justices.

SECT. 4. *Be it further enacted*, That the Justices of the Court of Sessions, shall receive for their services three dollars for each day, during their attendance in said Court, and one dollar for every ten miles travel, to be paid out of the county Treasury.

Less than a quorum may adjourn.

SECT. 5. *Be it further enacted*, That whenever it shall happen, that there is not a majority of said Justices, assembled at the time for holding the said Court, any one or more of said Justices, shall have power to adjourn said Court, until a quorum shall be assembled.

Repeal of former laws.

SECT. 6. *Be it further enacted*, That all acts heretofore made respecting Courts of Sessions, and which are inconsistent with the provisions of this act, be, and the same are hereby repealed.

June 27, 1820—Approved,

WILLIAM KING.

CHAPTER XXX.

AN ACT respecting the Militia.

Persons exempted from military duty.

SECT. 1. *BE it enacted by the Senate and House of Representatives in Legislature assembled*, That in addition to the exemptions made by the laws of the United States, the Justices of the Supreme Judicial Court, all officers who have heretofore held, or may hereafter hold commissions in the Militia of this State, for the term of five years, or shall have

been superceded, and honorably discharged by the laws of this or any other of the United States, and all regularly ordained Ministers of the Gospel, of every denomination, while they shall ordinarily officiate as such, and continue in regular standing ; persons of the denomination of Quakers and Shakers, be, and they hereby are exempted from the performance of military duty.

SECT. 2. *Be it further enacted,* That each of the persons Persons exempted. hereinafter mentioned, may be exempted from the performance of military duty, notwithstanding their being of the age of eighteen years, and under the age of forty-five years, viz : the members of the Executive Council ; the Judges of all Courts of Common Pleas and their Clerks ; Judges of Probate ; Registers of Probate ; Registers of Deeds ; the Attorney General and County Attorneys ; the Secretary and Treasurer of the State and their Clerks ; Justices of the Peace, holding commissions and qualified to act as such ; Sheriffs and Deputy Sheriffs ; Coroners ; all officers and students of any College, Theological Seminary, or Academy, actually resident at the same ; all School-Masters, while actually employed as such ; all students of divinity, who shall produce a certificate from an ordained minister of their being such, and deliver the same to the commanding officer of the company within the bounds of which such student resides ; the first Clerk in the Adjutant General's office ; all Physicians and Surgeons ; all officers who have held or may hereafter hold commissions in the Militia of this State for a term less than five years, and have been discharged otherwise than in pursuance of any sentence of a Court-Martial ; and all officers who have held or may hereafter hold commissions in the Army or Navy of the United States, or in the Militia of any of the United States : *Provided,* That each person so exempted shall pay to the Treasurer of the town, district or plantation, within which such exempt resides, six dollars annually, and produce his receipt therefor to the commanding officer of the company, on or before the first Tuesday of May in each year. On paying six dollars to treasurers of towns.

SECT. 3. *Be it further enacted,* That all persons liable by law to the performance of military duty, who are or may be between the ages of forty and forty five years, be, and they hereby are exempted from all military duty, except that of being detached or called forth to execute the laws of the United States, or of this State, to suppress insurrections and repel invasions, and of keeping themselves constantly furnished with the arms and equipments required by the laws of the United States, and the duty of carrying or sending them on the first Tuesday of May annually, to the place of inspection or view of arms of the company within the bounds of which they may reside, and in which they may be enrolled ; and Persons exempted conditionally.

the duty of attending the election of company officers :
Provided, They shall each pay to the Treasurer of the town, district or plantation, within which they reside, the sum of one dollar annually, and produce his receipt therefor to the commanding officer of the company, on or before the first Tuesday of May in each year.

Treasurers to keep an account of monies.

Appropriation of money.

Students of Colleges.

Divisions how to be numbered.

Commission to name the division, &c.

Governor and Council to organize the militia.

Companies at large.

SECT. 4. *Be it further enacted*, That the said Treasurers shall severally keep a fair account of all monies by them received by virtue of this act, subject at all times to the inspection of any of the commanding officers of the company or companies in the towns, districts or plantations, to which they belong ; and shall annually, on or before the second Wednesday of January, transmit to the Treasurer of the State, a fair account of all monies so by them received ; and shall within thirty days thereafter pay the amount thereof into the Treasury of this State, and the same shall there constitute a fund to be appropriated and disposed of as the Legislature shall, from time to time direct, for the sole purpose of arming, equipping and uniforming the Militia.

SECT. 5. *Be it further enacted*, That all students of any College, Theological Seminary, or Academy, shall be enrolled and held to do duty only in the towns and plantations, wherein their residence is established according to law.

SECT. 6. *Be it further enacted*, That the several divisions of the militia of this State, shall be numbered in an ascending arithmetical series, so that the Division, now called the sixth, shall be the first, and all others shall retain their numerical relation thereto ; and every new Division shall be designated by the number, next higher than that of the division established next before it, and the Divisions shall take rank according to the numbers by which they are severally designated, the first being the highest in rank. And the commission of every officer shall designate the Division, Brigade, Regiment or Battalion and the Corps, in which he shall be commissioned, and all officers shall take rank from the day of their elections or appointments respectively, which shall be designated in their commissions.

SECT. 7. *Be it further enacted*, That the Governor and Commander in Chief be, and he hereby is authorised and empowered, by and with the advice of the Council, to organize and arrange the Militia of this State, conformably to the laws of the United States, and to make such alterations therein, as from time to time, may be deemed necessary. And that all applications or petitions for raising companies at large, and for alterations in the arrangement of the Militia, shall be made to the Governor, and he by and with the advice and consent of the Council, is hereby authorised to grant such petitions or applications as to him may appear proper : *Pro-*

vided, That the present organization and arrangement of the Militia, shall continue until the Governor, with advice of the Council, shall otherwise order.

SECT. 8. *Be it further enacted*, That every officer now commissioned in the Militia of this State, shall within sixty days from the passing of this act, take and subscribe the oaths required by the Constitution. And every officer hereafter to be commissioned in the Militia, under the authority of this State, shall, before he enter on the discharge of the duties of his office, take and subscribe the oaths required by the Constitution. And on the back of every military commission, the following form of certificate of qualification shall be printed.

“This may certify, that A. B. commissioned as within, on this — day of —, A. D. —, personally appeared, and took and subscribed the oaths required by the Constitution and laws of this State, and a law of the United States, to qualify him to discharge the duties of his office.

“Before me, — — —.”

SECT. 9. *Be it further enacted*, That it shall be the duty of all field or general officers, who have commissions in their hands, issued by the Governor of Massachusetts, intended for officers heretofore elected in the Militia of this State, forthwith to transmit the same to the Commander in Chief, who is hereby authorised to issue to each such officer a commission under the seal of this State.

June 28, 1820—Approved,

WILLIAM KING.

CHAPTER XXXI.

AN ACT to encourage Literature and the useful Arts and Sciences.

SECT. 1. *BE it enacted by the Senate and House of Representatives in Legislature assembled*, That there be and hereby is granted to the President and Trustees and Overseers of Bowdoin College, the sum of three thousand dollars annually from and after the fourteenth day of February which shall be in the year of our Lord eighteen hundred and twenty-four, until the term of seven years therefrom, shall be complete and ended, to be paid in semi-annual payments out of the Treasury of this State from monies arising from the tax on certain Banks not otherwise appropriated.

SECT. 2. *Be it further enacted*, That the sum of one thousand dollars annually, be, and hereby is granted to the Maine Literary and Theological Institution from and after

Officers commissioned to take and subscribe oaths.

Form of certificate.

Officers having commissions to transmit them to the Governor in certain cases.

Grant to Bowdoin College,

And to Maine Literary and Theological Institution.

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