

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

THIRTEENTH LEGISLATURE,

At its Session, held in January, 1833.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

AUGUSTA :

I. BERRY & CO. PRINTERS TO THE STATE.

1833.

Chapter 89.

AN ADDITIONAL ACT regulating Elections.

Be it enacted by the Senate and House of Representatives, in Legislature assembled, That the Selectmen of the several towns in this State having more than three thousand inhabitants by the last census, shall have power to be in session for the purpose of receiving evidence of the qualifications of the electors of State officers in said town, and correcting the list thereof, for a time not exceeding two days, the last of which two days shall be at least two days previous to the twentieth day of August annually, the time and place of said session to be notified in the same manner, that town meetings are required to be notified in said town. And the Selectmen of such towns are required to be in session for the purpose of correcting the list of electors, on the Friday and Saturday next preceding the second Monday of September annually, and are also required to give notice of the time and place of such session in the warrant for summoning the meeting to be held for the choice of State officers on said second Monday of September: and the provisions of this Act shall extend and be applicable to the city of Portland.

[Approved by the Governor, March 4, 1833.]

Chapter 90.

AN ADDITIONAL 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 no Company of Infantry, Light Infantry, Cavalry, Artillery or Riflemen in this State shall be required to perform any military duty, except on the second Thursday of September annually, unless for the choice of officers, or for the purpose of

Selectmen of certain towns authorized to be in session two days to correct list of voters.

To be in session the Friday and Saturday next preceding second Monday in September.

No military duty to be performed, except on 2d Thursday of September.

repelling invasion, quelling insurrection or enforcing the laws. And the inspection returns of the men, arms and equipments of the several companies of the Militia, as existing on that day, shall be made in all respects as now required by law; and no other return thereof shall be required.

Inspection returns to be made as now required by law.

SECT. 2. *Be it further enacted,* That each and every commissioned officer in the several Brigades shall meet within the limits of their respective Brigades, on two successive days annually, between the fifteenth and the thirtieth days of September, for the purpose of military drill and instruction. And it shall be the duty of the Commandants of Divisions, by Division orders, transmitted through the proper orderly officers, to require the Commandants of Brigades to cause meetings of the commissioned officers, belonging to such Brigades, to be held at the time and for the purposes aforesaid. And said Commandants of Brigades shall cause such orders to be handed down, through proper orderly officers, to the Commandants of Regiments of Infantry and Battalions of Cavalry and Artillery, and to the commissioned officers of the several companies of Cavalry and Artillery not organized into Battalions. And said Commandants of Regiments and Battalions shall cause their respective Adjutants to notify the several field—staff and platoon officers of their respective Regiments and Battalions except Chaplains and Surgeons, to meet at the time and place and for the purposes specified in said Brigade Orders; which notice shall be given by delivering to each of said officers, or leaving at the place of his usual abode, a written or printed order, seven days at least previous to such meeting. And the meeting of said officers shall be held at nine o'clock in the forenoon of the first day, and at eight o'clock in the forenoon of the second day thereof. And it shall be the duty of the Commandant of the Brigade, or some person by him appointed, to instruct the officers, so assembled, in military tactics and

Meetings of commissioned officers to be held for military drill and instruction.

How notified.

Time of meeting.

Uniform
of officers.

discipline. And said officers shall attend said meeting with side arms, and while on parade, shall wear citizens' black hats and the uniform which by law they have been required to wear while on parade as heretofore on days of inspection and review.

Regimental
Bands to be
organized.

SECT. 3. *Be it further enacted,* That each Commandant of the Regiments of Infantry shall enlist eight suitable persons, who shall be denominated the Regimental Band, and shall appoint one of said number the Marshal of said Band, who shall receive a warrant therefor from said Commandant of the Regiment. And said Band, as aforesaid, shall meet with said officers and be under the orders of the commanding officer of the day, at the meeting of the Brigade officers for instruction as aforesaid. And the members of said Band shall not be required to perform any other military duty.

Not required to
perform any other
military duty.

Fifty dollars to
be paid Major
Generals for
purchase of
musical instru-
ments—

SECT. 4. *Be it further enacted,* That there shall be paid by the Adjutant General to the Major Generals of the several Divisions the sum of Fifty Dollars for the use of each Regiment of Infantry in his Division to be by the said Major Generals expended in procuring musical instruments for said Regimental Band, and said instruments so procured shall be considered the property of said Regiment, and delivered to the Adjutants thereof—And said Major Generals shall, on or before the first day of July next, make a return to the Adjutant General of the expenditure of said money, and of the number and kinds of instruments, by him procured as aforesaid. And the Governor and Council are hereby authorized to draw their warrant upon the Treasurer of the State, in favor of the Adjutant General, for such sum as may be necessary for the purpose aforesaid.

Major Generals
to account for
expenditure
thereof—

Governor and
Council to draw
their warrant
therefor.

Compensation
of members of
Regimental
Band.

SECT. 5. *Be it further enacted,* That each of the aforesaid commissioned officers of the Brigade, and each member of the Regimental Band, shall be entitled to receive the sum of one dollar, for each

day's service and drill aforesaid, actually performed, and also travelling fees, at the rate of five cents per mile, reckoning the distance from his house to the place of parade, and the same distance for his return. And the Inspector of each Brigade, and the Adjutant of each Regiment of Infantry and Battalion of Cavalry and Artillery, shall, before leaving the parade ground, make up the pay roll of the officers and musicians pertaining to said Brigade, Regiment and Battalions respectively; and give to each of said officers and musicians a certificate of the amount to which they are respectively entitled. And it shall be the duty of the Treasurers of the respective towns and plantations, and of the city of Portland, to pay the amount of said certificate to the said officers and musicians, who may reside in said towns, plantations and city respectively, whenever any such certificate may be presented therefor. And said Treasurers are hereby authorized to make up their accounts of such payments, and exhibit the same to the Legislature, accompanied by said certificates, for reimbursement.

Brigade Inspector to make up pay roll of officers and musicians—

Town Treasurers to pay the amount of said certificates—

and exhibit their accounts to the Legislature.

SECT. 6. *Be it further enacted,* That, if any officer aforesaid, after being duly warned as aforesaid to appear and do duty on said two successive days as above required, shall neglect or refuse to appear, armed and dressed as aforesaid; or if any musician, belonging to said Band, after being duly warned as aforesaid, seven days previous to the time of such meeting, shall neglect or refuse to appear at said meeting, and discharge for said two days, the duties which the Commandant of the day may require, the officer or musician so neglecting or refusing shall forfeit and pay—each officer the sum of five dollars, and each musician the sum of three dollars, to be recovered by an action of debt in the name of the orderly officer of the Brigade, or the Adjutant of the Regiment or Battalion to which such delinquent officer, or musician may belong, one half to the use of the State, and the other half to the use of

Penalty for neglect to appear—

How to be recovered—

Duty of orderly officer to prosecute therefor.

said orderly officer or Adjutant—and it is hereby made the duty of said orderly officer when the delinquent is an officer in his Brigade—and of said Adjutant when the delinquent is an officer or musician in his Regiment or Battalion, to prosecute therefor—*Provided*, however, that no action shall be sustained against any such officer or musician, when the commanding officer of the Brigade, Regiment or Battalion, to which said officer or musician belongs, shall certify to said orderly officer or Adjutant, that in his opinion, there was a sufficient and satisfactory reason for said neglect or refusal.

Proviso.

SECT. 7. *Be it further enacted*, That instead of the compensation heretofore allowed to the officers hereafter named, the following sums shall be allowed in full for the services required of them respectively: viz. to each Aid-de-Camp, acting as orderly officer to the Major General, each Division Inspector, each Brigade Inspector and Aid-de-Camp, each Adjutant of Cavalry or Artillery, ten dollars, and each Adjutant of Regiment fifteen dollars.

Compensation of Aids-de-camp, &c.

SECT. 8. *Be it further enacted*, That all acts and parts of acts, inconsistent with the provisions of this act, be and the same hereby are repealed.

Former Acts repealed.

[*Approved by the Governor, March 18, 1833.*]

STATE OF MAINE.

Secretary of State's Office, }
 Augusta, April 24, 1833. }

I HEREBY CERTIFY, That the LAWS contained in this Pamphlet have been compared with the originals deposited in this office; and that they appear to have been correctly printed.

ROSCOE G. GREENE, *Secretary of State.*