

# MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

EIGHTEENTH LEGISLATURE,

JANUARY SESSION, 1838.

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Published agreeably to the Resolve of June 28, 1820.

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penalties when recovered shall go to the use of said town, city or plantation, within which such, Aldermen, Selectmen, or Assessors shall reside. —how appropriated.

SECT. 4. *Be it further enacted,* That it shall be the duty of said Aldermen, Selectmen, and Assessors to provide suitable ballot boxes at the expense of said cities, towns and plantations, for the use thereof. Ballot boxes to be provided.

[Approved by the Governor March 23, 1838.]

### Chapter 349.

AN ACT additional to the several Acts now in force, to organize, govern and discipline the Militia of this State.

SECTION 1. *Be it enacted by the Senate and House of Representatives in Legislature assembled,* That whenever the Commander-in-Chief shall deem it proper to assemble any General Court Martial, it shall be lawful for him to appoint the President and members thereof, from any Division or Divisions of the Militia, which the circumstances of the case and the ends of justice may, in his opinion, require. Commander in Chief authorized to appoint President and members of Courts from any Division.

SECT. 2. *Be it further enacted,* That all company officers, non-commissioned officers, musicians and privates, between the ages of twenty-one and thirty-five years, who shall have equipped themselves, and shall have been constantly equipped, with the arms of their several corps, and shall have regularly attended all regimental and company musters of their companies, and shall have performed all military duty required by law, sickness and unavoidable accident excepted, shall, on presenting to the Assessors of the city, town or plantation where they are assessed, a certificate thereof from the commanding officer of such companies where said military duty was performed, be entitled to an abatement of all State, county and town poll taxes, except for highways, for the year during which the aforesaid duty shall have been performed. Company officers &c. exempt from Poll taxes on certain conditions.

SECT. 3. *Be it further enacted,* That the com-

manding officer of any company who shall refuse a certificate to any non-commissioned officer, musician or private, of the performance of the duty mentioned in the second section of this Act, when it shall have been performed, shall forfeit to the person injured thereby, twice the amount of the tax to be abated, which shall be recovered by an action of debt before any Judge or Justice of competent jurisdiction to try the same.

Penalty for commanding officer refusing to certify &c.

SECT. 4. *Be it further enacted,* That the fine or forfeiture for the non-appearance of any non-commissioned officer, musician or private, at the May inspection, or any battalion, regimental or brigade review, shall be five dollars, instead of the sum now fixed by law; and for non-appearance at any company training four dollars, instead of the sum now fixed by law; and for non-appearance at election of officers two dollars, instead of the sum now fixed by law.

Fine for neglect to appear on 1st Tuesday of May, or battalion, regimental, or brigade review.

for non-appearance at company training.

—at election of officers.

SECT. 5. *Be it further enacted,* That if any non-commissioned officer, musician or private in any military company in this State, shall, on any day of parade, appear with such company in a fantastic or improper dress, or with any article attached to his dress, arms or accoutrements, calculated or intended to excite ridicule, such non-commissioned officer, musician or private shall forfeit a sum not less than ten nor more than twenty dollars for each offence.

Fine for appearing in fantastic dress.

SECT. 6. *Be it further enacted,* That the proviso contained in the thirteenth section of an Act to which this is additional, passed March twenty-eight, one thousand eight hundred and thirty-seven, be, and the same is hereby repealed.

Proviso in former Act repealed.

SECT. 7. *Be it further enacted,* That in all Courts Martial for the trial of officers of and under the rank of Captain, the Major General ordering the Court, shall regularly detail the members thereof, from the roster of his Division, according to rank: *Provided however,* that it shall be lawful for, and the duty of, each Major General to pass such officer or officers as, in his opinion, may be interested or implicated in the

Major General ordering Courts Martial to detail members according to rank.

Proviso.

result of the trial. And all officers so detailed shall, while in the same office, be ineligible to serve on such Court Martial a second time, until all other officers in the Division, who are not legally disqualified, shall have been detailed as aforesaid.

Officers so detailed when ineligible.

[Approved by the Governor March 23, 1838.]

NOTE. The second and third sections of this Act are repealed, as will appear by the last Act printed in this pamphlet.

Note.

## Chapter 350.

AN ACT additional to an Act entitled an additional Act concerning the assessment and collection of taxes.

SECTION 1. *Be it enacted by the Senate and House of Representatives in Legislature assembled,* That when any real estate shall hereafter be sold according to the provision of the first section of an Act to which this is additional, the owner or proprietor of such real estate or his heirs or assigns shall have the right of redeeming the same at any time within two years from the time of such sale, by paying as is required in the Act to which this is additional and not afterwards: *Provided*, that when the owner of such real estate shall at the time of such sale be within the age of twenty-one years, feme-covert, non compos, or without the limits of the United States he or she may redeem such real estate at any time within four years from the time of such sale.

Real Estate sold for taxes redeemable within two years, on certain conditions.

Proviso.

SECT. 2. *Be it further enacted,* That all Acts and parts of Acts inconsistent herewith be and are hereby repealed.

Former Acts repealed.

[Approved by the Governor March 23, 1838.]