

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

EXTRA SESSION OF THE THIRTY-SECOND LEGISLATURE, 1853,

AND THE

# THIRTY-THIRD LEGISLATURE

OF THE

# STATE OF MAINE,

# 1854.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
Feb. 26, 1840, and March 16, 1842.  
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Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1854.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1854.

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CHAP. 97.

to exceed the total number stated in the sixth section of this act, for all the divisions, inclusive of companies now raised and organized.

Officers,  
election of.

SECT. 9. Whenever forty-eight men shall have been enlisted according to the provisions of this act, an election of officers may be ordered upon notification being given by one or more of the petitioners, attested by the mayor of any city, the selectmen of any town, or the assessors of any plantation within the state, to the commander-in-chief; and in case there be no officer of the volunteer corps conveniently located to preside at such election, the major-general, or other officer, whose duty it shall be to cause an election to take place, may authorize the members enlisted as above to choose some suitable person to preside at said election, and to make return thereof to the major general, or other officer commanding the division."

Quartermaster  
general, com-  
pensation for  
services.

SECT. 8. For his services in issuing arms, equipments, and other military property, under the provisions of this act, the acting quarter-master-general shall be annually allowed and paid, in quarterly payments, the sum of one hundred dollars.

SECT. 9. This act shall take effect from and after its approval by the governor; and all acts, or parts of acts, inconsistent with the provisions of this act, are hereby repealed.

[Approved April 19, 1854.]

## Chapter 97.

An act relating to petitions for partition.

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

Petitions for  
partition shall  
not abate by  
death of parties.

SECT. 1. In all cases of petitions for partition, which may hereafter be commenced in any court of competent jurisdiction to try the same, the death of any party thereto shall not abate the same; but the court may, if they shall think proper so to do, cite in the heirs at law, or the executor or administrator of such deceased party, and cause such notice to be served upon the person or persons, so cited, as may be deemed proper; and such person or persons shall thereupon be made parties to said process, and the court shall have power to render such judgment in any such case as the law and facts may require, and such judgment as to costs as they shall think just and proper.

[Approved April 19, 1854.]