

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

FORTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE.

1862.

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

AUGUSTA:
STEVENS & SAYWARD, PRINTERS TO THE STATE.
1862.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1862.

When filed,
how approved.

SECT. 4. Such accounts shall be filed with the governor and council on or before the fifteenth day of January in each year, and shall be passed upon by them on or before the first day of March following. If approved, the amount allowed shall be passed to the credit of the city, town or plantation making the claim, on said first day of March, by the state treasurer, in a book kept for the purpose, and shall draw interest on and after that date. And on said first day of March the treasurer shall issue to such city, town or plantation, in his capacity of treasurer, his scrip for the amount found due to each, respectively, made payable to the order of the treasurer of such city, town or plantation, at the state treasurer's office, at the pleasure of the state, with annual interest.

Duty of
treasurer.

SECT. 5. No pauper disabilities shall be created by reason of receiving the aid provided for in this act.

No pauper
disabilities
created.

SECT. 6. The word plantation, where it occurs in this act, is intended to include plantations duly organized for election purposes.

Plantation
intended to
include.

SECT. 7. Section sixth of chapter sixty-three of the public laws of eighteen hundred and sixty-one is hereby repealed, and the provisions of the act passed April twenty-fifth, eighteen hundred and sixty-one, in relation to the relief of families of soldiers, sailors or marines, is hereby extended to all the regiments which have been or may be raised in this state.

Acts repealed
and extended.

SECT. 8. This act shall take effect from and after its approval by the governor, and the secretary of state shall furnish an attested copy of this act to the clerks of the several cities, towns and plantations of this state, within thirty days from its approval by the governor.

[Approved March 18, 1862.]

Chapter 128.

An act relating to the receipt and disbursement of funds of the Maine volunteers.

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

SECT. 1. The treasurer of state is authorized and required to receive and distribute all money which shall be remitted to him for the use of any person in this state by any of the Maine volunteers in the service of the United States under the provisions of an act of congress entitled "an act to provide for allotment certificates among the volunteer forces," or under any other system which now or hereafter may be duly established by law, and to receive and distribute all money which shall be remitted to him for the use

Money remit-
ted from Maine
volunteers.
Treasurer of
state author-
ized to receive.

—and distrib-
ute.

CHAP. 128.

—not subject to trustee process.

Treasurer to receive money from trustees.

Notice of receipt, how and to whom given.

Duty of city and town treasurers.

Money not taken.

—to be returned to state treasurer.

Recipient entitled to interest.

No money to be retained on account of assistance.

Non-residents, money for.

Notice to, how given.

Money remitted without designation.

—to draw interest.

Expenses, governor and council to audit and settle.

of any person in said state by any of said volunteers; but such money shall not be subject to attachment by trustee process.

SECT. 2. The treasurer of state is authorized and required to receive and distribute all money which shall be remitted to him by trustees named in allotment rolls, all allotments of monthly pay heretofore made to them by Maine volunteers.

SECT. 3. When the treasurer of state shall receive money under the provisions of this act, for the use of any person, he shall forthwith give notice in writing to the treasurer of the city or town in which such person resides, setting forth the amount thereof, the name of the volunteer by whom it was remitted, and the name of the person for whose use it is held; and every city or town treasurer, upon receipt of such notice, shall forthwith draw upon the treasurer of state therefor, give notice thereof in writing to the person for whose use it is held, and pay the same on demand to the person entitled thereto, taking a proper receipt or voucher therefor, and returning it to the treasurer of state.

SECT. 4. If any money to be received by any city or town treasurer, under the provisions of this act, shall not be taken within thirty days from such receipt, by the person entitled thereto as aforesaid, the said treasurer shall return the same to the treasurer of state, and the said money shall be held by him until it shall be called for by the person entitled thereto; and when it shall be so called for, the recipient thereof shall be entitled to interest thereon at the rate of five per centum per annum from the time the same shall have been last received by the treasurer of state, and no money so received by any city or town shall be retained by it on account of assistance rendered to the wife and family of the volunteer making the allotment.

SECT. 5. When the treasurer of state shall receive money under the provisions of this act for the use of any person not resident in any city or town, he shall forthwith give notice in writing to each person named in the allotment, setting forth the amount due and payable to his or her order at the office of the state treasurer, upon the presentation of a proper receipt or voucher therefor.

SECT. 6. When any volunteer aforesaid shall, under the provisions of this act remit money, without designating any person to whose use the same shall be held, it shall be received by the treasurer of state and held subject to the order of said volunteer, and shall draw interest at the rate of five per centum per annum.

SECT. 7. The governor and council are hereby authorized to audit and allow the commissioners and trustees all necessary expenses, including compensation to commissioners not exceeding two dollars per day while actually employed under the direction of the governor, incurred in carrying out the provisions of this act;

and the governor with the advice of the council is hereby authorized to draw his warrant upon the treasury for the same.

CHAP. 129.

SECT. 8. This act shall take effect when approved by the governor.

[Approved March 18, 1862.]

Chapter 129.

An act to amend section eight of chapter ninety of the revised statutes, relating to mortgages.

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

SECT. 1. Section eight of chapter ninety of the revised statutes is hereby amended by striking out the first sentence thereof and inserting the following in its stead: The conditional judgment shall be that if the mortgageor, his heirs, executor or administrator pay the sum the court shall adjudge to be due and payable with interest within two months from the time of entering up judgment, and such further sum or sums, if any, as the court may adjudge to become due and payable at any future time or times within two months from the time such further sum or sums shall become due and payable, no writ of possession shall issue and the mortgage shall be void, otherwise a writ of possession in due form of law shall issue.

Chap. 90, Sec.
8, R. S.,
amended.

Form of condi-
tional judg-
ment, &c.

SECT. 2. This act shall take effect when approved by the governor.

[Approved March 19, 1862.]

Chapter 130.

An act to regulate the agencies for and to prevent imposition in the sale of intoxicating liquors.

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

SECT. 1. The governor by the advice and consent of the council is hereby authorized to appoint a commissioner to furnish the mayor and aldermen of the several cities, the selectmen of the several towns and the assessors of the several plantations with pure undiluted intoxicating liquors to be kept and sold for medicinal, mechanical and manufacturing purposes, according to the laws of this state. Said commissioner shall hold his office during the

Commissioner,
how appointed.

—term of office
of.