

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

## FORTY-SECOND LEGISLATURE

OF THE

## STATE OF MAINE.

1863.

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

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AUGUSTA:  
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1863.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1863.

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An act to provide support for families of volunteers.

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

Aid to families  
of volunteers.  
—to whom  
applied.

SECT. 1. The cities, towns and plantations in this state shall raise money by taxation or otherwise, to be applied to aid in the support of the wife or dependent mother, father, brother or sister and minor children being inhabitants of such city, town or plantation of any soldier, sailor or marine who may be actually engaged in the military or naval service of the United States or of this state in any recognized company, battalion or regiment of this state or on board of any armed vessel of the United States during the present rebellion ; the money so raised to be expended under the direction of the municipal authorities of said cities, towns and plantations as the exigencies of the persons for whose benefit it was intended may severally require ; and such aid may at the discretion of any city, town or plantation be given to the family of any such soldier, sailor or marine killed in battle or by the casualties of war or dying from injuries received or disease contracted in the service or who may be discharged from service in consequence of any disability resulting from the casualties of war and not from his own fault for a period not exceeding one year after such death or discharge ; *provided* in case of discharge he shall not sooner recover from such disability.

Money raised,  
by whom  
expended.

Discretionary  
powers.

Proviso.

Reimburse-  
ment.

Limitation of.

Proviso.

SECT. 2. Of the money so applied by any city, town or plantation as authorized in section one, there shall be reimbursed from the state treasury to such city, town or plantation an amount not exceeding seventy-five cents per week for a wife or dependent mother, father, brother or sister, and fifty cents for each child being inhabitants as aforesaid, who at the time of such soldier, sailor or marine being called into the service were and who still continue to be dependent on him for their support ; *provided however*, that the sum so reimbursed shall not in any case exceed eleven dollars per month for all the persons thus dependent upon one soldier, sailor or marine.

Accounts for  
aid.

—to be filed  
with governor  
and council.

How made.

SECT. 3. No such reimbursement shall be made in any case until an account of the expenditures duly certified and sworn to by a majority of the proper municipal authorities shall be filed with the governor and council, which account shall set forth the name of the soldier for whose family expense has been incurred, also the name and age of each person who received aid and the sum paid for each of said persons and that the same was necessary. Accounts thus made out and filed within the time hereinafter prescribed, shall be examined by the governor and council, and if found correct and duly vouched shall be approved.

Examination  
of.

- SECT. 4. Such accounts shall be made up to January first, and shall be filed with the governor and council on or before the first day of February in each year and shall be passed upon by them on or before the first day of April following. If approved, the amount allowed shall be paid or passed to the credit of the city, town or plantation making the claim; on said first of April the treasurer shall issue to such city, town or plantation in his capacity of treasurer his scrip for any balance which may then be 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.
- SECT. 5. No pauper disabilities shall be created by reason of receiving the aid provided for in this act.
- SECT. 6. The word plantation where it occurs in this act is intended to include plantations duly organized for election purposes. The wife or dependent mother, father, brother or sister or minor children of any soldier, sailor or marine who reside in any unorganized plantation in this state shall receive aid provided for in this act in the nearest duly organized city or town in this state.
- SECT. 7. Section six 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 and including all soldiers that may be raised in this state under the recent conscription act of congress.
- SECT. 8. This act shall not authorize reimbursing money applied for the aid of any wife, child or parent aforesaid of any commissioned officer in said volunteer service.
- SECT. 9. The governor and council shall have power to send for persons and papers in order to ascertain the amount due to each city, town and plantation for aid furnished under this act.
- SECT. 10. If any city, town or plantation shall neglect or refuse to comply with the requirements and provisions of this act according to its true intent and interpretation and to the satisfaction of the governor and council, it shall forfeit the sum of one hundred dollars, to be recovered by indictment before any court proper to try the same.
- SECT. 11. It shall be the duty of the adjutant general to notify the several cities, towns and plantations in this state of all desertions that may take place in the army; also to give notice as aforesaid when any non-commissioned officer or private shall be promoted to the rank of commissioned officer as often as he can get information.
- SECT. 12. All acts or parts of acts inconsistent with this act are hereby repealed.

When to be made and filed.

When and how paid.

No pauper disability created.

Families in unorganized places, by whom aided.

Sec. 6, chap. 63, laws 1861, repealed.

Provisions act passed April 25, 1861, extended.

Families of officers not entitled to aid.

Governor and council, powers of.

Neglect or refusal to comply.

Penalty in case of.

Adjutant general, duty of.

Takes effect.

## CHAP. 206.

Secretary state  
to furnish  
copy.

SECT. 13. This act shall take effect on the first day of April, eighteen hundred and sixty-three, 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 25, 1863.

### Chapter 206.

An act additional to chapter forty-seven of the revised statutes, relating to receivers of banks.

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

Bond of  
receivers,  
sureties of.

—may be  
discharged.

New bond  
required.

Any surety in a bond given by receivers of a bank as provided by chapter forty-seven, section sixty-one of the revised statutes, after such notice as the supreme judicial court may order in the county where said receivers were appointed, may be discharged, the co-sureties consenting thereto, from all liability for all subsequent, but not from any prior breaches thereof, and the court may at its discretion require a new bond with sufficient sureties to be given, to be approved by the court.

Approved March 25, 1863.

### Chapter 207.

An act to amend chapter eighteen of the revised statutes, relating to ways.

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

Chap. 18, sec.  
61, R. S.,  
relating to  
ways,  
amended.

Section sixty-one of chapter eighteen of the revised statutes is hereby amended by adding to said section the following: at the trial of any such action the court may on motion of either party, order a view of the premises, to wit, the highway, townway, causeway or bridge, where the defect or want of repair is alleged to have existed whenever it appears that such view may materially aid in a clear understanding of the case.

Approved March 25, 1863.