

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

FORTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1864.

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.
1864.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1864.

CHAP. 225. **SECT. 2.** This act shall take effect when approved by the governor.

Approved February 12, 1864.

Chapter 225.

An act to amend chapter sixty-three of the revised statutes relating to the powers and duties of judges of probate.

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

Judge may
revoke war-
rant, &c.

SECT. 1. The judge of any probate court that has issued any warrant or commission for the appraisement of an estate, for examining the claims on insolvent estates, for the partition of real estate, for the assignment of dower, or for the settling or determining other interests in real or personal estate, may revoke such warrant or commission for sufficient cause; and he may thereupon issue a new commission or proceed otherwise as the circumstances of the case shall require.

—may issue
new commis-
sion.

SECT. 2. This act shall take effect from and after its approval by the governor.

Approved February 17, 1864.

Chapter 226.

An act to legalize the doings of cities, towns and plantations in raising bounties to be paid to volunteers, drafted men and their substitutes, since February twenty-first, eighteen hundred and sixty-three.

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

Doings of
cities, &c.,
made valid.

SECT. 1. The acts and doings of cities, towns and plantations since February twenty-first, eighteen hundred and sixty-three, in paying or agreeing to pay bounties to volunteers, drafted men or their substitutes, where such volunteers, drafted men or substitutes have been, or shall hereafter be actually mustered into the military service of the United States, are hereby made valid.

Votes of cities,
&c., made
valid.

SECT. 2. All votes passed by any city, town or plantation, at a meeting called for the purpose of raising such bounties, and all contracts for that purpose made, or authorized to be made at such meeting, are hereby made valid.

—contract
made valid.

SECT. 3. All contracts by the municipal officers of any city, town or plantation, that has voted to raise bounties made with any

such volunteer, drafted man or substitute, for the payment of his bounty, and not exceeding the amount voted, are hereby made valid.

SECT. 4. All contracts made by said officers with third persons or corporations for the purpose of raising money to pay such bounties, under any previous vote of the town, are hereby made valid.

Same.

SECT. 5. All contracts made by such municipal officers, or by third persons in behalf of any city, town or plantation, but without previous authority therefor, to pay bounties to volunteers, drafted men or their substitutes, or to raise money to pay such bounties where such volunteers, drafted men or substitutes have been, or shall hereafter be actually mustered into the military service of the United States may be ratified and confirmed by said city, town or plantation.

—or by third persons made valid.

SECT. 6. All votes of cities, towns or plantations, to pay expenses of recruiting for their several quotas, and all contracts made in pursuance of such votes, where expenses have been, or shall hereafter be incurred upon the strength thereof, are hereby made valid.

—to pay expenses, made valid.

SECT. 7. Any city, town or plantation having voted, or that shall so vote, may fund the debt incurred in raising money to pay the bounties and expenses authorized by this act, and also those authorized by the act of February twenty-first, eighteen hundred and sixty-three, and may issue bonds therefor, with coupons attached, bearing interest not exceeding six per cent. payable semi-annually, and redeemable at such time as they may vote, not however exceeding twenty years.

May fund debt.

SECT. 8. Such bonds, when issued by cities, shall be signed by the mayor and treasurer; when issued by towns, they shall be signed by the selectmen or a majority thereof, and also by the treasurer; when issued by plantations they shall be signed by the assessors and treasurer. But in all cases the signature of the treasurer to the coupons shall be sufficient.

Bonds, by whom signed.

SECT. 9. Nothing in this act shall be construed as making valid so much of any contract herein named as by the existing law of the state is usurious.

Contract if usurious, made valid.

SECT. 10. All taxes that have been assessed to pay bounties, or to fulfil contracts for the objects named in this act are hereby ratified, confirmed and made valid.

Taxes assessed, made valid.

SECT. 11. Authority is hereby conferred upon cities, towns and plantations to assess and collect in the usual manner, all taxes necessary for the payment of such bounties, contracts and expenses authorized by this act, as remain unpaid.

Authority to assess, &c., taxes.

SECT. 12. This act shall not be understood or construed as making valid the vote of any city, town or plantation to raise money to be paid by way of commutation to relieve or discharge any person drafted or liable to be drafted into the military service

Votes to raise money to pay commutation, &c.

CHAP. 227. of the United States, under or by authority of any act of congress when such person has neither been mustered into said service nor furnished a substitute. But all such votes and all contracts for such purpose by any city, town or plantation, or by any officer or other person in behalf thereof are hereby declared absolutely void.

—to be void.

SECT. 13. This act shall take effect when approved by the governor.

Approved February 20, 1864.

Chapter 227.

An act providing bounties for soldiers.

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

Bounties, to whom paid.

SECT. 1. There shall be paid from the treasury of the state to each person, who shall enlist and be mustered into the service of the United States on the quota of this state, a bounty of three hundred dollars subject to the following limitations :

First—This bounty shall not be paid for enlistments from any town beyond the quota required of such town to meet the call of February first, eighteen hundred sixty-four, unless that town shall have previously filled the quota assigned to it under the call of October seventeenth, eighteen hundred and sixty-three; and no person residing in this state, enlisting since February second, eighteen hundred sixty-four, shall be credited to any city, town or plantation other than that in which he has his residence, until the October and February quotas of his town are filled. And any city, town or plantation having furnished its proportion of men under the said calls of October and February may continue to enlist men from any source open to it under this limitation, who shall be credited to it for its benefit under any call that may hereafter be made.

Second—This act shall not apply to enlistments for coast and frontier defence, unless persons enlisting in that branch of the service shall be ordered for duty beyond the limits of the state, in which case they shall be paid two hundred dollars, in addition to the bounty now established by law.

SECT. 2. Soldiers already in the service, and reënlisting, shall be paid such bounty under the same regulations and conditions, as those enlisting for the first time.

SECT. 3. No person shall be entitled to receive from this state, or any town in it, any sum in addition to the bounty provided for in this act.