

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.

Chapter 252.

CHAP. 252.

An act additional to chapter seventy-seven of the revised statutes, relating to the supreme judicial court.

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

SECT. 1. The price per volume of the Maine Reports to be furnished to the state and for use in the state, shall be fixed by the governor and council, having regard to the increased cost of printing and materials.

Maine Reports, price of, how fixed.

SECT. 2. This act shall take effect when approved.

Approved March 23, 1863.

Chapter 253.

An act to protect parties against the effects of perjury.

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

SECT. 1. When a judgment has been obtained against a party plaintiff or defendant in the trial of an action in court, by the perjury of witnesses introduced by the adverse party, the party so injured may maintain an action on the case against such adverse party, or any perjured witness, or any confederate in the perjury to recover the damages sustained by him by reason of such perjury, and the judgment in the former action shall be no bar thereto.

Witnesses, perjury of.

Injured party may maintain action for damages against adverse party, &c.

SECT. 2. The action aforesaid, must be commenced within three years from the time the cause thereof accrued or from the final judgment in any proceedings for a review of the original action.

Action, when shall be commenced.

SECT. 3. This act shall take effect when approved by the governor.

Approved March 23, 1864.

Chapter 254.

An act enforcing the provisions of law and treaties relating to the Penobscot tribe of Indians.

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

SECT. 1. The governor, with the advice of the council, shall appoint a discreet man of good moral character and industrious habits, to instruct the Penobscot Indians in the arts of husbandry, as stipulated in the treaty of eighteen hundred eighteen made with

Superintendent of agriculture, appointment of.

CHAP. 254.

—duties of.

—time of employment.

—term of office.

—compensation.

Superintendent shall procure the plowing, &c.

—shall draw on the agent for payment.

—shall decide the amount, &c., of seed, &c.

—shall ascertain amount of crops, &c.

—shall keep account and report to governor and council.

Chap. 27, sec. 1, special laws of 1857, amended.

Inconsistent acts repealed.

said tribe and now in force, who shall superintend the agricultural operations of said Indians on the several islands in the Penobscot river belonging to said tribe, and be employed from the first day of May till the last of October annually, in performance of his duties, using his best endeavors to interest and engage the members of said tribe in agriculture. He shall hold office during the pleasure of the governor and council, and receive a compensation not exceeding fifty dollars per month and necessary travelling expenses, not exceeding ten dollars per month, to be paid by the agent of said tribe as heretofore.

SECT. 2. Said superintendent of agriculture, shall, under the direction of the governor and council, decide upon and procure the plowing and harrowing necessary to be done for said Indians, apportioning the same equitably among those engaged in that pursuit, as their several wants shall require, and draw his order on the agent for payment of the same; also decide the amount and kinds of seed and tools to be furnished by the agent of said tribe, and to be received by said superintendent on request, and by him distributed among said Indians as by law provided. He shall also ascertain the amount of crops raised by each person of said tribe, and give his certificate therefor, stating the kind and quantity of produce raised and the amount of bounty due thereon, to be presented by the producer to the agent of said tribe for payment; and for all contracts and transactions by him done in performance of his duties, requiring payment, he shall draw his order on the agent of the tribe, who is required to pay the same. He shall also keep an account of his transactions and report to the governor and council in November annually.

SECT. 3. Section one of chapter twenty-seven of the special laws of eighteen hundred and fifty-seven, relating to the duties of the agent of the Penobscot Indians, is hereby amended in the eighth line, by striking out the words "as soon after the first day of April as may be," and inserting the following words, to wit: *and a certified copy thereof to the governor of said tribe for their use, on or before the tenth day of April annually, and said committee shall hold a meeting with said tribe on the first Wednesday of April annually, on Oldtown Island, for the purpose of receiving information from such of the tribe as may attend, as to who belong to the tribe, the identity of the person, and the correctness of the names; due notice in writing, of the time and place of which meeting shall be given by said committee.*

SECT. 4. All acts and parts of acts requiring the agent of said tribe to perform any of the duties named in this act, or inconsistent herewith, are hereby repealed.

Approved March 23, 1864.