

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.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1864.

CHAP. 257.

—compensation.
—during sessions of the legislature.
—number and compensation.

Salaries, how paid.

Stationery, how purchased, &c.

—shall keep an account of all distributed, &c.

—shall be examined by the council.

Inconsistent acts repealed. When to take effect.

office may require, the aggregate of whose compensation shall not exceed the sum of two hundred dollars; and during the sessions of the legislature, said secretary may employ skilful engrossing clerks in his office, not exceeding seven in number, at a compensation not exceeding two dollars a day for the time they are actually employed, and travel one way.

SECT. 3. The salaries herein provided for the secretary of state and for the clerks employed in his office by the year, shall be paid by the treasurer of state quarterly, on the last day of March, June, September and December, and no compensation shall be allowed to any other person employed by said secretary of state, otherwise than by the provisions of this act.

SECT. 4. All stationery required for the use of the several departments of the state, shall be purchased by the secretary of state, who shall carefully compare every lot received, with the invoice, and ascertain that a full delivery of the amount charged is made; he shall also keep an accurate account of all that is distributed to the respective departments, and annually render an account of the amount purchased, distributed, and remaining on hand, stating the several articles separately; which accounts, with the original invoices shall be examined and the stock on hand compared therewith, by the council in the month of December, of each year.

SECT. 5. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect on and after the thirty-first day of March in the year of our Lord one thousand eight hundred and sixty-four.

Approved March 23, 1864.

Chapter 257.

An act to provide support for the families of volunteers.

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

Aid to families of soldiers, &c. —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, aged, infirm and dependent father and mother, and children under the age of fifteen years, being inhabitants of such city, town or plantation, of any soldier, sailor or marine, who may be actually in the military or naval service of the United States or of this state in any recognized company, battalion or regiment of the United States or 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 municipi-

Money raised, by whom and how expended.

pal authorities of said cities, towns and plantations as herein prescribed; there shall be paid in money the sum of seventy-five cents per week for a wife, aged and infirm dependent mother, father or widowed mother, and fifty cents per week for each child of such soldier under the age of fifteen years; *provided however*, that no person shall be paid this aid for more than one month prior to the time of making application, and no application shall continue in force longer than to December thirty-first of the year in which it is made, but the beneficiary may at the time of receiving the last payment of any year, give notice that the continuance of the aid will be needed, and such notice shall be deemed equivalent to a new application for the ensuing year, and the sum so paid shall not in any case exceed two and a half dollars per week for all the persons thus dependent upon one soldier, sailor or marine; and such aid shall be furnished to such persons as are herein authorized to receive it belonging to the family of any such soldier, sailor or marine killed in battle or by the casualties of war; and such aid may, at the discretion of the municipal authorities, be furnished to the persons herein authorized to receive it, belonging to the family of any such soldier, sailor or marine who may be discharged from the service in consequence of any disability resulting from the casualties of war and not from his own fault; or who may be disabled as aforesaid and discharged in consequence of the expiration of the time of service, for a period not exceeding one year after such death or discharge; *provided*, that in case of discharge he shall not sooner recover from such disability.

Proviso.

Proviso.

SECT. 2. The cities, towns and plantations in this state are hereby authorized and empowered to raise any additional sum or sums of money over and above the amount to be reimbursed by the state, by taxation or otherwise, to aid in the support of the dependent family of such soldier, sailor or marine in the service of the United States, or of this state, as set forth in the first section of this act, in order to provide such support as may be deemed necessary in cases not met or adequately provided for by the provisions of this act.

May raise additional sums of money.

SECT. 3. The money so applied by any city, town or plantation, as authorized by the first section of this act, shall be reimbursed from the state treasury to such city, town or plantation.

—how reimbursed.

SECT. 4. 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 of each city, town and plantation in the state, furnishing the aid as aforesaid, shall be made and 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

Accounts for aid to be filed with governor and council.

CHAP. 257. and the sum paid for each of said persons. 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.

—when to be made, &c.

SECT. 5. Such accounts shall be made up to the first day of January in each year, and shall be filed with the governor and council on or before the first day of February following, and shall be examined and passed upon on or before the first day of May annually. If approved, the amount allowed shall be paid by the state treasurer to the city, town or plantation whose claim has been thus established.

No pauper disability created.

SECT. 6. No pauper disabilities shall be created by reason of receiving the aid provided for in this act.

Families in plantations by whom aided.

SECT. 7. The word plantation, when it occurs in this act, is intended to include plantations duly organized for election purposes. And any person entitled to the aid provided for in this act, who may reside in any unorganized plantation in this state, shall receive it in the nearest duly organized city, town or plantation in this state.

—if commissioned officers or deserters, not to be aided.

SECT. 8. This act shall not authorize reimbursing money applied to aid the wife, child or parent as aforesaid, of any commissioned officer in the military or naval service as aforesaid, or money applied to aid the family of any soldier, sailor or marine who may desert the service, after notice of such desertion shall be received by the city, town or plantation of his residence.

Governor and council, powers of.

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 under this act.

If city, town, &c., neglect or refuse to comply.

SECT. 10. If any city, town or plantation, or the municipal officers thereof, shall neglect or refuse to comply with the provisions of this act according to its true intent and meaning, and to the satisfaction of the governor and council, such city, town or plantation, or the municipal officers thereof, as the case may be, shall forfeit and pay the sum of one hundred dollars, one half to the use of the aggrieved party and one half to the county where the cause is tried, to be recovered by indictment in any court proper to try the same.

Penalty.

Persons temporarily absent entitled to aid.

SECT. 11. Any one of the persons named in the first section of this act, as entitled to aid, who shall be temporarily absent from the state or town without abandoning residence therein, shall receive the aid herein specified, provided application shall be made therefor to the municipal officers of the city, town or plantation of their residence.

Adjutant general, duty of.

SECT. 12. It shall be the duty of the adjutant general to give notice in all cases of desertions, to the several cities, towns and

plantations of the state, of each soldier, sailor or marine residing therein, and also in all cases of return from desertion, and also when any non-commissioned officer or private shall be promoted to the rank of a commissioned officer, as soon as he shall receive the knowledge of such promotion, such notice being in each case a simple statement of the fact.

SECT. 13. The secretary of state shall furnish an attested copy of this act to the municipal officers of the several cities, towns and plantations of the state, within twenty days after its approval by the governor.

Secretary of state to furnish copy of act to cities, &c.

SECT. 14. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect and be in force from and after the first day of April, in the year of our Lord one thousand eight hundred and sixty-four.

Inconsistent acts repealed.

Approved March 23, 1864.

Chapter 258.

An act additional to chapter ninety of the revised statutes, relating to mortgages of real estate.

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

SECT. 1. In all cases where a mortgager of real estate, as mentioned in chapter ninety of the revised statutes, has left the state and is residing out of the same, it shall be lawful for any person to appear in his behalf, and tender to the mortgagee the amount due him on said mortgage, and such tender, so made, shall operate to discharge said mortgage as effectually as if made by said mortgager in person.

Mortgage, how discharged in certain cases.

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

Approved March 23, 1864.

Chapter 259.

An act to amend an act to provide bounties to soldiers, approved February twentieth, eighteen hundred and sixty-four.

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

The first section of said act is hereby amended by striking out the words "shall enlist and be mustered into the," and inserting

Act of Feb. 20, 1864, amended.