

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

FORTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE.

1865.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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1865.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1865.

Chapter 330.**CHAP. 330.**

An act additional to chapter seventy-three of the revised statutes, concerning conveyances by deed, etc.

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

SECT. 1. If any person having any deed or other evidence of title of any real estate not recorded, shall, upon a tender to such person of the requisite fees, or a deposit of the same with the register, neglect to record such deed or other evidence of title, or refuse to allow the same to be recorded, for the space of thirty days after having personal notice served upon him, in writing by any person having an interest in such estate, any justice of the supreme judicial court, in term time or during vacation, upon complaint thereof, may issue his order and cause such grantee or his heirs to be brought before him for examination, and if sufficient cause for such neglect or refusal is not shown, may order such deed or other evidence of title to be recorded and payment of costs.

Registration of deeds and other evidence of title, how enforced.

SECT. 2. This act shall take effect upon its approval.

Approved February 25, 1865.

Chapter 331.

An act to provide support for the families of soldiers.

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

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 and dependent widowed mother, and children under the age of eleven 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, who has been mustered in for a period of service of not less than ninety days ; the money so raised to be expended under the direction of the municipal 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 and dependent widowed mother, and fifty cents per week for each child of such soldier, sailor or marine, under the age of eleven 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

Aid to families of soldiers, &c.—how applied.

CHAP. 331. 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 dollars and a quarter 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 six months after such death or discharge, provided that in case of discharge he shall not sooner recover from such disability.

May raise additional sums of money.

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.

—how reimbursed.

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.

Accounts for aid to be filed with governor and council for approval.

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, 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 thus been established.

SECT. 6. The provisions of this act shall be so construed, that for any aid furnished to relieve persons destitute, exceeding the amount to be reimbursed by the state, payment may be recovered of the town where such persons have their legal settlement, upon the conditions and with the limitations expressed in section twenty-four of chapter twenty-four of the revised statutes; *provided*, that no pauper disabilities shall be created, and no settlement shall be affected by any aid or supplies which could be furnished under the provisions of this act.

Sum exceeding the amount paid by state, reimbursed by town of soldier's settlement.
No pauper disability created.

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.

Families in plantations, by whom 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.

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

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.

Governor and council may send for persons and papers.

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 of cities, towns, &c., for refusing or neglecting to comply.

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.

Persons temporarily absent, entitled to aid.

SECT. 12. It shall be the duty of the adjutant general to give notice in all cases of desertions, to the several cities, towns or plantations of the state, of each soldier, sailor or marine residing therein, and also in all cases of return from desertion, and also when

Adjutant general to give notice of desertions, promotions, &c.

CHAP. 332. 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.

Secretary of state to furnish copies of this act to cities, &c.

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.

Inconsistent acts repealed.

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-five.

Approved February 25, 1865.

Chapter 332.

An act to amend chapter one hundred forty-two of the revised statutes, relating to the reform school.

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

Chap. 142, R. S., amended.

Government of reform school vested in a board of five trustees appointed by governor.—how commissioned.

Compensation.

Duties of trustees.

Superintendent, how appointed.

Appointment of other officers.

Chapter one hundred forty-two of the revised statutes is hereby amended by striking out all of the first section and inserting the following as a new section thereof:—*The government of the state reform school established for the instruction, employment and reform of juvenile offenders, in the town of Cape Elizabeth, in the county of Cumberland, shall be vested in a board of five trustees, who shall be appointed by the governor with the advice of the council, and commissioned to hold their offices during the pleasure of the governor and council, but not more than four years under one appointment. They shall be allowed ten cents a mile for their actual travel each way, and two dollars a day for their services when actually employed; and shall take charge of the general interests of the institution, see that its affairs are conducted in accordance with the requirements of the legislature, and of such by-laws as the board from time to time adopt for the orderly and economical management of its concerns; see that proper discipline is maintained therein; provide employment for the inmates and bind them out, discharge or remand them as is hereinafter provided; appoint a superintendent subject to the approval of, and during the pleasure of the governor and council, and appoint such other officers as in their judgment the wants of the institution require; prescribe the duties of all the officers thereof, exercise a vigilant supervision over its concerns, remove its subordinate officers at pleasure and appoint others in their stead, determine the compensation to be allowed them subject to the approval of the governor and*