

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1887.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
February 18, 1840, and March 16, 1842.

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AUGUSTA:  
SPRAGUE & SON, PRINTERS TO THE STATE.  
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PUBLIC LAWS  
OF THE  
STATE OF MAINE.

1889.

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**Chapter 170.**

An Act to amend Section twenty-four of Chapter three of the Revised Statutes, relating to the qualification of Town Officers.

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

SECT. 1. Section twenty-four of chapter three of the Revised Statutes, shall be amended after the word "the," in the first line, and before the word "town," by inserting the words 'moderator, in open town meeting,' so that said section as amended shall read as follows :

Sec. 24, ch 3, R. S. amended.

SECT. 24. Any town or parish officer may be sworn by the moderator in open town meeting, town or parish clerk, or by any person authorized by law, who shall give to the officer sworn, except when sworn in presence of such clerk, a certificate of the oath administered, which he shall return to such clerk to be filed. Highway surveyors may be sworn by either of the assessors, who shall give a certificate thereof as is required in such case, of a magistrate. In either case the clerk shall record the name of the officer and of his office, by whom sworn, and the time of taking the oath and returning the certificate. Any town, school district, parish or corporation clerk elected to any office and sworn, may record his own election, the fact that he was sworn, and when and by whom. The record herein required shall be sufficient evidence that such officer was sworn. If any officer fails to return such certificates or any clerk to record such oath within ten days, he forfeits five dollars. Town clerks shall be paid by the town five cents for each oath recorded by them.

Town or parish officer, how sworn; certificates to be given.

—assessors may administer oath to highway surveyors.

—mode of making record.

—clerk may record his own election.

—record to be evidence.

—penalty for neglect.

—fee for recording.

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

Approved February 5, 1889.

**Chapter 171.**

An Act to amend Chapter two hundred and twenty-five of the Public Laws of eighteen hundred and eighty, relating to the Militia.

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

SECT. 1. Section twenty-three of chapter two hundred and twenty-five of the public laws of eighteen hundred and eighty, is hereby amended, so that said section twenty-three shall read as follows :

Sec. 23, ch. 225, Public Laws of 1880 amended.

CHAP. 171

Number of men  
to a company.

‘SECT. 23. On a peace footing, each troop of cavalry, company of infantry, or heavy artillery, shall be limited to fifty-four enlisted men ; and each platoon of a light battery to forty enlisted men ; but, in actual service, when the exigency of the case requires it, the commander-in-chief may, by proclamation, authorize enlistments to the maximum standard of similar organizations in the army of the United States ; and when the exigency ceases, he shall, by proclamation, order the reduction of such organizations in the most expedient way, to the limit on a peace footing.’

Sec 29 amended.

SECT. 2. Section twenty-nine of chapter two hundred and twenty-five of the public laws of eighteen hundred and eighty, is hereby amended, so that section twenty-nine shall read as follows :

Terms of service  
and discharge.

‘SECT. 29. Every non-commissioned officer and private enlisted into the Maine Volunteer Militia, shall be held to duty therein for the term of three years unless disability after enlistment shall incapacitate him to perform such duty, and he shall be regularly discharged in consequence thereof, by the proper authority. The commander of a regiment may, upon the written application of the commander of a company in his regiment, accompanied by a request in writing, signed by a non-commissioned officer or private, discharge such non-commissioned officer or private from the company ; and the commander of a battery or separate company may, upon an application in writing, signed by a member thereof, discharge such member ; provided, however, that the commander-in-chief may, for sufficient reasons and in his discretion, discharge enlisted men at any time.’

Sec. 45 amended.

SECT. 3. Section forty-five of chapter two hundred and twenty-five of the public laws of eighteen hundred and eighty, is hereby amended, so that said section shall read as follows :

Brigade officers.

‘SECT. 45. To each brigade there shall be one brigadier general, one assistant adjutant general, one brigade inspector, one surgeon who shall be medical director of the brigade, and one inspector of rifle practice, each with the rank of major ; one quartermaster, one commissary, and one aid-de-camp, each with the rank of captain, and one aid-de-camp with the rank of first lieutenant. Also a non-commissioned staff, as follows : one quartermaster sergeant, one commissary sergeant, one hospital steward and one bugler.’

**CHAP. 172**

SECT. 4. Section forty-six of chapter two hundred and twenty-five of the public laws of eighteen hundred and eighty, is hereby amended, so that said section shall read as follows :

Section 46 amended.

‘SECT. 46. To each regiment of infantry there shall be one colonel, one lieutenant-colonel and one major ; one chaplain ; one adjutant and one quartermaster, each with the rank of first lieutenant ; one surgeon with the rank of major ; one assistant surgeon with the rank of first lieutenant ; one sergeant major, one quartermaster sergeant, one commissary sergeant, one hospital steward and two principal musicians, and not less than eight nor more than ten companies ; each company to consist of one captain, one first lieutenant, one second lieutenant, one first sergeant, four sergeants, six corporals, two musicians, one wagoner, and not less than forty nor more than sixty privates.’

Infantry ; regimental and company officers and number of privates.

SECT. 5. Section one hundred and five of chapter two hundred and twenty-five of the public laws of eighteen hundred and eighty, is hereby amended, so that said section shall read as follows :

Section 105 amended.

‘SECT. 105. To each member of regimental bands there shall be paid, as compensation for services, when ordered out by the regimental commander to do duty, the sum of three dollars per day.’

Compensation of regimental bands.

Approved February 8, 1889.

**Chapter 172.**

An Act to hold the February term of the Superior Court, Kennebec County, in the City of Waterville.

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

SECT. 1. The February term of the superior court which is now required to be holden at Augusta, in and for the county of Kennebec, shall after the first day of April in the present year, be holden in the city of Waterville, in said county ; and all writs, processes of any kind, and all proceedings, shall after that time, be made returnable accordingly ; and all writs, processes and proceedings, commenced prior to that time, and which would otherwise be returnable to said February term

Feb. term of Superior Court, Kennebec co., to be holden at Waterville.