

# MAINE STATE LEGISLATURE

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# DOCUMENTS

PUBLISHED BY ORDER OF

# THE LEGISLATURE

OF THE

STATE OF MAINE.

1865.

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AUGUSTA:

STEVENS & SAYWARD, PRINTERS TO THE STATE.

1865.

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# FORTY-FOURTH LEGISLATURE.

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HOUSE.

No. 43.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SIXTY-FIVE.

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AN ACT to provide support for the families of soldiers.

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

SECTION 1. The cities, towns and plantations in  
2 this state shall raise money, by taxation or otherwise,  
3 to be applied to aid in the support of the wife  
4 and dependent widowed mother, and children under  
5 the age of thirtecn years, being inhabitants of such  
6 city, town or plantation, of any soldier, sailor, or  
7 marine, who may be actually in the military or naval  
8 service of the United States or of this state in any  
9 recognized company, battalion or regiment of the  
10 United States or of this state, or on board of any  
11 armed vessel of the United States during the present

12 rebellion, who has been mustered in for a period  
13 of service of not less than ninety days ; the money so  
14 raised to be expended under the direction of the  
15 municipal authorities of said cities, towns and plan-  
16 tations, as herein prescribed. There shall be paid in  
17 money the sum of seventy-five cents per week for  
18 a wife and dependent widowed mother, and fifty cents  
19 per week for each child of such soldier, sailor or  
20 marine under the age of thirteen years ; *provided*  
21 *however*, that no person shall be paid this aid for more  
22 than one month prior to the time of making applica-  
23 tion, and no application shall continue in force longer  
24 than to December thirty-first of the year in which it is  
25 made ; but the beneficiary may at the time of receiv-  
26 ing the last payment of any year, give notice that the  
27 continuance of the aid will be needed, and such notice  
28 shall be deemed equivalent to a new application for  
29 the ensuing year, and the sum so paid shall not in any  
30 case exceed two dollars and a-quarter per week for all  
31 the persons thus dependent upon one soldier, sailor or  
32 marine ; and such aid shall be furnished to such  
33 persons as are herein authorized to receive it belonging  
34 to the family of any such soldier, sailor or marine killed in  
35 battle or by the casualties of war ; and such aid may,  
36 at the discretion of the municipal authorities, be

37 furnished to the persons herein authorized to receive it,  
38 belonging to the family of any such soldier, sailor  
39 or marine who may be discharged from the service in  
40 consequence of any disability resulting from the  
41 casualties of war, and not from his own fault ; or who  
42 may be disabled as aforesaid and discharged in conse-  
43 quence of the expiration of the time of service, for  
44 a period not exceeding six months after such death or  
45 discharge, provided that in case of discharge he shall  
46 not sooner recover from such disability ; *provided*,  
47 nothing in this act shall be construed to embrace in its  
48 provisions the families of persons in the invalid or  
49 reserved veteran corps of the United States.

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

SECT. 3. The money so applied by any city, town

2 or plantation, as authorized by the first section of this  
3 act, shall be reimbursed from the state treasury to such  
4 city, town and plantation.

SECT. 4. No such reimbursement shall be made  
2 in any case, until an account of the expenditures,  
3 duly certified and sworn to by a majority of the  
4 proper municipal authorities of each city, town and  
5 plantation in the state, furnishing the aid as aforesaid,  
6 shall be made and filed with the governor and council,  
7 which account shall set forth the name of the soldier  
8 for whose family expense has been incurred ; also the  
9 name and age of each person who received aid, and  
10 the sum paid for each of said persons. Accounts thus  
11 made out and filed within the time hereinafter pre-  
12 scribed, shall be examined by the governor and  
13 council, and if found correct and duly vouched, shall  
14 be approved.

SECT. 5. Such accounts shall be made up to the  
2 first day of January in each year, and shall be filed  
3 with the governor and council on or before the first  
4 day of February following, and shall be examined and  
5 passed upon on or before the first day of May annually.  
6 If approved, the amount allowed shall be paid by the  
7 state treasurer to the city, town or plantation whose  
8 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 effected by any aid or supplies which could be furnished under the provisions of this act.

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.

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

7 received by the city, town or plantation of his res-  
8 idence.

SECT. 9. The governor and council shall have power  
2 to send for persons and papers in order to ascertain the  
3 amount due to each city, town and plantation under  
4 this act.

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

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

SECT. 12. It shall be the duty of the adjutant



2 general to give notice in all cases of desertions, to the  
3 several cities, towns or plantations of the state, of each  
4 soldier, sailor or marine residing therein, and also in  
5 all cases of return from desertion, and also when any  
6 non-commissioned officer or private shall be promoted  
7 to the rank of a commissioned officer, as soon as he  
8 shall receive the knowledge of such promotion, such  
9 notice being in each case a simple statement of the  
10 fact.

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

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

STATE OF MAINE.

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HOUSE OF REPRESENTATIVES, }  
February 16, 1865. . }

Reported by Mr. MILLER, from the Committee on Military  
Affairs.

HORACE STILSON, *Clerk.*