

S U P P L E M E N T
TO THE
MARYLAND CODE,

CONTAINING THE
Acts of the General Assembly,

PASSED AT THE SESSIONS OF 1861, 1861-62, 1864, 1865, 1866 AND 1867;

ARRANGED IN
Articles and Sections to Correspond with the Code.

BY LEWIS MAYER,
OF THE BALTIMORE BAR.

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1868.

proclaimed by the governor of this state, or by the authority of the legislature thereof, the same shall be payable on the day next before said christmas day, new year's day, fourth day of July, twenty-second day of February, or day of thanksgiving or humiliation as aforesaid, unless said next preceding day shall be Sunday, in which event, said promissory notes or bills of exchange, shall be payable on the Saturday preceding; and it shall not be necessary for the holders of such bills of exchange or promissory notes, payable as aforesaid, to give notice of the dishonor thereof, until the day next after said christmas day, new year's day, fourth of July, or twenty-second of February, or day of thanksgiving or humiliation as aforesaid; and in case said next succeeding day shall be Sunday, it shall not be necessary for the holders of said bills of exchange and promissory notes, to give notice of the dishonor thereof, until the second day next succeeding said christmas day, new year's day, fourth of July, or twenty-second of February, or day of humiliation or thanksgiving as aforesaid; and every such notice so given as aforesaid, shall be valid and effectual to all intents and purposes.

In force from March 4, 1862.

ARTICLE —.

Bounties and Pensions.

BOUNTIES.

1. What bounties governor shall pay and to whom.
2. To whom to be paid.
3. \$325 to be paid and when.
4. \$100 to owner of enlisted slave and to slave. Proviso.
5. Deed of manumission.

6. How volunteers credited and to whom bounties paid.
7. When soldier dies in service.
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9. Governor to notify county commissioners, &c., of number to be drafted.
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| <p>12. Treasurer authorized to pay. Proviso.
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 31. Their duties.
 32. Pension of \$80 per annum to soldier or his widow of war of 1812.</p> |
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BOUNTIES.

1864, c. 15 enacts the following:

- 1864, c. 15, s. 1. **SEC. 1.** The governor is hereby authorized to offer and pay to every person except negro slaves, as hereinafter provided, who shall enlist before the first day of March, eighteen hundred and sixty-four, to serve for three years, unless sooner discharged, as part of the quota of this state, in the armies of the United States, in any of the regiments or batteries raised or to be raised and organized or mustered into the service of the United States, the sum of three hundred dollars in addition to any bounty allowed or paid by the government of the United States, whereof the sum of one hundred and fifty dollars shall be paid at the time when such person is mustered into the service of the United States, twenty dollars at the end of each month of service, for the five months immediately succeeding such mustering into the service of the United States, and fifty dollars at the expiration of his term of service, or when such person is honorably discharged from service.

What bounties
governor shall
pay and to
whom.

1864, c. 373, s. 1 enacts the following supplement to 1864, c. 15:

- 1864, c. 373, s. 1.
To whom to be
paid. **2.** The governor is authorized to offer and pay the bounties provided by the act of 1864, c. 15, to all such persons, resident and non-resident, who shall have enlisted before the first day of April, eighteen hundred and sixty-four, instead of the first day of

March, eighteen hundred and sixty-four, as therein provided; and who shall be credited as a part of the quota of this state under the late call of the president of the United States for five hundred thousand men.

In force from March 4, 1864.

1864, c. 15 further enacts as follows:

3. To every person who shall have already been in service six months, and shall re-enlist before the first day of March next, to serve as aforesaid, a state bounty of three hundred and twenty-five dollars shall be paid, of which one hundred and fifty dollars shall be paid at the time of re-mustering into the service of the United States, twenty dollars at the end of each month of service for the five months immediately succeeding, and seventy-five dollars at the expiration of his term of service, or when such person is honorably discharged from service.

1864, c. 15, s. 2.
\$325 bounty to
be paid and
when.

4. To the owner of every negro slave who shall agree to the enlistment of his slave as above, the sum of one hundred dollars shall be paid when such owner shall file with the proper authority a good and valid deed of manumission of such negro slave so enlisted, which deed of manumission shall be duly recorded, and to the negro, fifty dollars, when he shall be mustered into service, and the like sum when he shall be honorably discharged from service; *provided*, that every volunteer claiming the bounty under the provisions of this act shall be credited to the county or city where such volunteer resided or in which he voted at the election next preceding his enlistment, and that no volunteer shall be entitled to claim any bounty under this act who shall not, at the time of his enlistment, give under oath, the name of the county or city in which he resided, and in which, if he be a voter, he voted at the election aforesaid, and in case any county or city shall furnish a surplus of freed negro volunteers, such surplus shall be credited to the state at large.

Ibid. s. 3.
\$100 to owner of
enlisted slave
and to slave.

Proviso.

1864, c. 373 s. 2 enacts the following:

1864, c. 373, s. 2.
Deed of manumission.

5. The filing with the United States board of claims for compensation to masters of enlisted slaves organized in the city of Baltimore, a deed of manumission, as required by the government of the United States, shall be deemed and taken as a sufficient compliance with the act of 1864, c. 15, s. 3, requiring such deed to be filed with the proper authority, provided that such filing be attested by the certificate of the clerk of said board, or by the affidavit of the party filing it.

In force from March 4, 1864.

1864, c. 246 explains the proviso in said act of 1864, c. 15, s. 3, and enacts as follows:

1864, c. 246, s. 1.
How volunteers credited, and to whom bounties paid.

6. All non-resident volunteers enlisting as provided in said act, shall be entitled to the bounty provided thereby, and shall be credited to such county or city as they may respectively elect, and the provisions of said act shall apply, and the bounty thereby offered shall be paid, to all volunteers who shall have enlisted prior to the first day of March, eighteen hundred and sixty-four, and prior to the passage of said law, and shall be credited as a part of the quota of this state under the late call of the president of the United States, and where said volunteer is a slave, the bounty shall be paid as provided by said original act, and the county commissioners of the several counties of this state, and the corporate authorities of the city of Baltimore, shall be authorized to offer any additional bounty or to levy any taxes for that purpose. No such bounty shall be paid to any person unless an actual resident of Baltimore city for six months, before receiving the same; and every person so claiming said city, and the several counties of this state bounty, shall

state under oath that he has so resided before he shall receive the same, and prove such residence by testimony of a white person under oath.

In force from March 10, 1864.

1865, c. 49, s. 4 repeals and re-enacts 1864, c. 15, s. 4, as follows:

7. If any soldier, volunteer, or other person enlisted or mustered into the service, as herein provided, shall have died or may hereafter die while in said service, the whole of said bounty, if the same shall not have been paid previously, or so much thereof as may remain unpaid at the time of the death of such person, shall be paid: first, to his widow, if there be one; second, if there be no widow, then to his children equally; third, if he leave no widow, child or children, then to his mother; fourth, if he leave no mother, then to his father; if no father, then to his brothers and sisters equally, and if he leave no brother or sister, then the same shall revert to the state.

1865, c. 49, s. 4.
When soldier
dies in service.

In force from March 15, 1865.

1867, c. 162 amends 1865, c. 49, s. 4, as follows:

8. For all soldiers entitled to the bounty aforesaid who may have died, or who may die after having been honorably discharged from the service, without having received said bounty, the said bounty shall be paid to the widow if any, or heirs of such soldiers in the order named in said bounty act and the supplements thereto.

1867, c. 162.
When he is dis-
charged and
dies.

In force from March 16, 1867.

1867, c. 156 repeals 1864, c. 15, s. 5.

In force from March 21, 1867.

1864, c. 15 further enacts as follows :

1864, c. 15, s. 6.
Governor to
notify county
commission-
ers, &c., of
number to be
drafted.

9. The governor shall, as soon as may be, notify the commissioners of the several counties, and the mayor and city council of Baltimore, of the number of men for which they are liable to be drafted, under existing calls by the federal government, and the said commissioners or mayor and city council, upon forwarding to the governor properly authenticated lists of volunteers mustered in under this act in their respective counties and the city of Baltimore, are hereby authorized and empowered, upon the certificate of the governor, to draw upon the treasurer for the sum or sums necessary to pay the cash and monthly payments to which said volunteers would be entitled as the same may come due, retaining in the treasury the balance until the expiration of their term of service.

Ibid. s. 7.
County com-
missioners,
etc., to disburse
sums.

10. The said county commissioners and the register of the city of Baltimore shall disburse the sum so coming into their hands, and shall keep a record thereof; but no county nor the city of Baltimore shall draw for and be paid a larger sum than may be necessary for their respective quotas; and the several counties and the city of Baltimore shall be liable to the state for any misapplication of the said funds by the county commissioners or city register.

1867, c. 156 repeals 1864, c. 15, s. 8 and is in force from March 21, 1867.

1864, c. 15 in force from February 6, 1864.

1865, c. 49 amends and re-enacts 1864, c. 15, as follows :

1865, c. 49, s. 1.
Who entitled to
bounty.

11. Every soldier, volunteer, or other person in the army, navy or marine corps, who by his duly authenticated muster roll or enlistment papers shall appear to have been enlisted or mustered prior to the first day of April, eighteen hundred and sixty-four,

as part of the quota of this state, or in the case of negroes who shall appear to have been enlisted from this state prior to the first day of April, eighteen hundred and sixty-four, in the service of the United States, under the call of the president, dated October seventeenth, eighteen hundred and sixty-three, and subsequent calls; but who from any cause, shall not have been credited to the county or city where such person at the time of his enlistment resided, shall be entitled to receive the bounty provided by said act.

1866, c. 108 repeals, re-enacts and amends 1865, c. 49, ss. 2 and 3, as follows:

12. The treasurer of the state, upon receipt of lists of such persons from the acting assistant provost marshal for Maryland, or from any other duly authorized officer of the United States, certifying that such persons were credited upon the quota of this state, is hereby authorized and directed upon the warrant of the comptroller, to pay to every such soldier, volunteer or other person, the whole amount of the bounties provided by the laws referred to, to be paid to them respectively, anything contained in said law or laws to the contrary notwithstanding; *provided, however,* 1866, c. 108, s. 2. Treasurer authorized to pay. that no payment shall be made under this act, to any person designated as a negro slave in the third section of the said act of eighteen hundred and sixty-four, who shall from the returns made to the comptroller, appear to have been paid his bounty as a free person, so enlisting as aforesaid. Proviso.

13. The treasurer shall upon the warrant of the comptroller, pay the bounty of one hundred dollars provided by section three of the act of eighteen hundred and sixty-four, chapter fifteen, to the former owner of every person designated in said section as a negro slave, who shall appear to have been enlisted in the service of the United States from this state, by lists or certificates as provided for in the preceding section of this act, and every claimant or master as Ibid. s. 3. \$100 to be paid former owner.

aforesaid, shall file his own affidavit of ownership, and the sworn testimony of two witnesses cognizant of the fact.

In force from February 8, 1866.

1865, c. 49 further enacts as follows:

1865, c. 49, s. 5.
Not to be paid
to agent or
attorney.

14. No payment shall be made by virtue of this act, to any agent or attorney who may claim the same by virtue of any agency created or any power of attorney executed prior to the passage of this act.

1865, c. 49 in force from March 15, 1865.

1865, c. 106 amends and re-enacts 1865, c. 33, ss. 1 and 2, as follows:

1865, c. 106, s. 2.
How \$300
bounty to be
paid.

15. Whenever under the proclamation of the president of December, eighteen hundred and sixty-four, or any similar one hereafter made, the quota of this state shall have been ascertained and promulgated, a bounty of three hundred dollars shall be paid to every volunteer or drafted man who may enter or shall have entered the military or naval service of the United States, and to every drafted man who may furnish or shall have furnished a substitute that enters such service in his stead, and to every man liable to draft who may furnish or shall have furnished such a substitute who so enters said service, or his authorized agent or attorney, and who shall be credited to the quota of the sub-district of the state where such volunteer enlists, or where such drafted men or man liable to service resides, the fact of such person respectively having so entered the service and being so credited to be first ascertained and certified as hereinafter directed.

Ibid. s. 3.
State bounty
commission-
ers.

16. One responsible citizen shall be appointed by the governor, by and with the advice and consent of the senate, for each county, and one for each of the

legislative districts of the city of Baltimore, to be called the "Maryland state bounty commissioners," for the said counties and city respectively, and the said boards upon giving bond with security to the amount of twenty thousand dollars, by each member of said board, to be approved by the governor, shall have the right to draw from time to time upon the comptroller of the treasury for such sums as shall be required to pay the bounty herein authorized, to the men or their authorized agents or attorneys, who are credited to the sub-district, within which said bounty commissioners are situated; the draft of said bounty commissioners to be affixed to a roll, bearing upon it the names of the persons to whom said bounty is to be paid, and of the sub-districts to which they are credited as aforesaid, with a certificate thereon endorsed from the assistant provost marshal general of the state, declaring that the men thereon enrolled have been so credited to the quota of said sub-district, the said roll so certified, and with the draft of the bounty commissioners thereon, shall be retained by the comptroller, and he upon its receipt shall issue the usual warrant to the treasurer for the payment of the amount of said draft, and each of said commissioners appointed under this section shall receive a compensation of three hundred dollars (\$300) for the performance of the duties imposed by this act; *and provided*, no appointments shall be made by the gov-^{Proviso.}ernor for any county or legislative district of the city of Baltimore, in case the said county or legislative district of the city of Baltimore has filled its quota prior to the said call or any similar call hereafter made.

17. All bonds issued by the mayor and city council of Baltimore, and the county commissioners of each county, as required by the said original act, shall be exempt from all state, city or county taxation.

1865, c. 106, s. 4.
Bonds of
mayor, etc.,
Balt. exempt
from taxation.

1865, c. 33 enacts the following :

1865, c. 33, s. 3.
Reports of
bounty com-
missioners.

18. The said board created by this act, shall make reports once in every three weeks to the comptroller of the treasury, of the amounts disbursed by them respectively under this act, and the persons to whom such disbursements shall have been made ; and shall continue to make such reports until the quotas of each county and the city of Baltimore shall have been filled ; and they shall make their first reports within three weeks after the first payment shall have been made by them under this act ; and in addition to the compensation heretofore provided for, the said boards shall be allowed for stationery and incidental expenses, including rent of a room, a sum not exceeding fifty dollars for each board in the respective counties, and one hundred and fifty dollars for the board of the city of Baltimore.

1867, c. 156 repeals 1865, c. 33, ss. 4 and 5.

1865, c. 33 further enacts as follows :

1865, c. 33, s. 6.
No more certi-
ficates to be
issued under
1864, c. 15.

19. No further certificates of indebtedness under the act of eighteen hundred and sixty-four, chapter fifteen, shall be issued, and whatever bounties or arrearages of bounty still remain to be paid, under the provisions of that act, shall be paid out of the proceeds of the loan hereby authorized.

Ibid. s. 7.
Additional \$200
bounty.

20. The mayor and city council of the city of Baltimore, and the county commissioners of the several counties, are hereby authorized to raise by loan or otherwise, such sum or sums as may be necessary to pay to each volunteer or drafted man, or person furnishing a representative substitute, or his authorized agent or attorney, the sum of two hundred dollars, in addition to the state bounty, as provided for in the previous sections of this act, for the purpose of filling the quota of the several counties and of the

city of Baltimore, under the call of the president of the United States for three hundred thousand men, dated December, eighteen hundred and sixty-four, or any other similar one which shall hereafter be made.

21. The mayor and city council of Baltimore and the county commissioners of the several counties aforesaid, are hereby prohibited from levying or paying any larger sum than is herein before provided for in the above section.

1865, c. 33, s. 8.
Bounty limited.

1865, c. 33, in force from February 3, 1865.

1867, c. 156 enacts the following :

22. The comptroller is authorized and required to examine into and adjust all the unpaid bounties under the act of eighteen hundred and sixty-four, chapter fifteen, and the act of eighteen hundred and sixty-five, chapter thirty-three, and to issue his warrants to the treasurer to be paid the same out of any unappropriated funds in the treasury.

1867, c. 156, s. 3.
Treasurer authorized to pay.

23. The comptroller shall from time to time issue his warrant to the treasurer to pay out of any moneys in the treasury for such sums as may be necessary to pay accruing and future interest on the bonds of the state which were issued under the said acts of eighteen hundred and sixty-four, chapter fifteen, and eighteen hundred and sixty-five, chapter thirty-three.

Ibid. s. 4.
Comptroller to issue warrant to pay future interest.

In force from March 21, 1867.

1867, c. 371 enacts the following :

24. In case of the decease of any parties entitled to bounty under the acts of eighteen hundred and sixty-five, chapter thirty-three, and eighteen hundred and sixty-five, chapter one hundred and six, the amount unpaid which would have been payable to said parties shall be paid in the following order: first, to the widow of said party, if there be one; second, if he leave no widow, then to his children

1867, c. 371.
How bounty to be paid when party entitled dies.

equally; third, if he leave no widow, child or children, then to his mother; fourth, if he leaves no mother, then to his father; and if no father, then to his brothers and sisters equally, and if he leave no brother or sister, then the same shall revert to the state.

In force from March 22, 1867.

1867, c. 372 enacts the following:

1867, c. 372.
Provisions extended to all volunteers and drafted men.

25. The provisions of chapter fifteen of eighteen hundred and sixty-four, and chapter three hundred and seventy-three of eighteen hundred and sixty-four and the supplements thereto, are hereby extended to embrace all volunteers and drafted men who entered the United States service from the first day of April, eighteen hundred and sixty-four, to the eighteenth day of December, eighteen hundred and sixty-four, and also such other persons who entered the service or furnished substitutes, who were mustered into the service of the United States, and credited to the call of the president of the nineteenth of December, eighteen hundred and sixty-four; *provided*, said volunteers and drafted men have been regularly mustered by a duly authorized officer of the United States, and accredited to the quotas of the state of Maryland.

Proviso.

In force from March 22, 1867.

1867, c. 167 enacts the following:

1867, c. 167, s. 1.
Reports to comptroller.

26. The several parties or bodies corporate, intrusted with the distribution of these bounty funds, are hereby directed and required to make report on or before the first day of June of this current year, to the comptroller of the treasury, in detailed form, which shall show the amount of money received, the amounts disbursed and the party or parties to whom,

together with the proper vouchers therefor, and shall accompany such report to the comptroller with the payment of any balance or balances that may be in his or their hands, after defraying the expense of office rent as allowed by third section of the act of eighteen hundred and sixty-five, chapter thirty-three, and the reservation of three hundred dollars, which shall be applied to the payment of the clerk or treasurer of the county commissioners, or any one of their number on whomever was devolved the special duty of disbursing said bounty funds and keeping an account of the same.

27. It shall be the duty of the comptroller to carefully examine the reports or statements so made, to grant credits for amounts claimed to have been so disbursed only on exhibit of proper vouchers, and on final adjustment to give the party or body corporate a release from under his hand of all liability to the state on this or these accounts.

Ibid. s. 2.
Comptroller to
examine, etc.

28. On failure to adjust accounts and make return to the comptroller of the treasury by the time specified in the first section of this act, he, the comptroller is hereby authorized and directed to institute suit in every case without exception, to recover the amount or amounts, the balance or balances in the hands of the said bounty commissioners or register of the city of Baltimore, or in the hands of the Maryland bounty commissioners, as the case may be.

Ibid. s. 3.
To institute
suit.

29. It is hereby made the duty of the judges of the circuit courts for the several counties, and of the judge of the criminal court for the city of Baltimore, at the first session of their respective courts after the first of June of this current year, to read this act to the grand juries of their respective counties, direct them to inquire whether its provisions have been complied with, and instruct them that when not complied with, it will become their duty under article thirty of the code of public general laws, title crimes and punishments, sub-title, embezzling property and writings,

Ibid. s. 4.
Duty of judges
of courts.

section fifty, to present such persons neglecting to comply with the provisions of this act for embezzlement of the public funds.

In force from March 21, 1867.

PENSIONS.

1867, c. 385 enacts the following:

1867, c. 385, s. 1.
Governor to
appoint pen-
sion commis-
sioners.

30. The governor shall annually appoint a suitable person in each legislative district in the city of Baltimore and in each of the several counties in the state, to be styled "state pension commissioners," who shall not be entitled to receive any compensation for the services hereinafter mentioned.

Ibid. s. 2.
Their duties.

31. Upon application being made to the state pension commissioner from the city or county where he or she resides, by a soldier of the war of eighteen hundred and twelve, or the widow of any such soldier for the benefit of the relief provided for by this act, he shall examine carefully into the merits of the case, and if he becomes satisfied of the identity of the person, and that he or she is really in need of such assistance, he shall certify the same to the comptroller, and authorize the payment of a pension as has heretofore been done by a resolution of the general assembly.

Ibid. s. 3.
Pension of \$80
per annum.

32. The treasurer is hereby directed, on the warrant of the comptroller, to pay quarterly the sum of eighty dollars per annum to any person so certified to by the state pension commissioner from the date of such recommendation during his or her life.

In force from March 20, 1867.

NOTE.—See Resolution No. 7, of 1867. By Const. of 1867, Art. III, Sec. 59, the office of State Pension Commissioner is abolished.