

MAINE STATE LEGISLATURE

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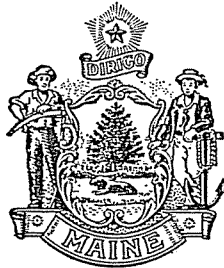
EIGHTH REVISION

THE
REVISED STATUTES

OF THE
STATE OF MAINE

PASSED SEPTEMBER 20, 1944, AND TAKING EFFECT
DECEMBER 30, 1944

VOLUME II



By the Authority of the Legislature

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INDEX

TO THE

REVISED STATUTES

OF THE

STATE OF MAINE

EIGHTH REVISION

NOTE TO INDEX

No printed work is so frequently attacked as an index. Rarely, in fact almost never, is such criticism constructive, however. The work of improving an index is most difficult and rests heavily with the indexer. In addition to being scientific for the orderly student, the index must more frequently anticipate the careless and undisciplined searcher. The additional time granted the indexer allowed for increased reflective arrangement of titles, references, and treatment.

In this revision, an innovation in the form of a topical index preceding the descriptive word index will be found. It is intended by this to give an overall picture of the statute book, much like a table of contents. The use thereof should be limited, however, to getting into a particular chapter or subject and should not be relied upon as a substitute for the descriptive word index. It will be of great assistance in finding a particular chapter. For example, because the duties of the Secretary of State extend throughout the entire statute book, it is not a substitute for discovering his duties in some particular. The descriptive word index will be necessary, for only a small part of the law regarding the Secretary is under the chapter relating to his office. However, a topical index, like a table of contents, is a valuable aid in becoming familiar with Statutes, if rightly used. Its constant use will acquaint one with the logical arrangement of the law of the State, making searches easier.

Another change that will be found in the present index is the omission of boldface type in sub-headings. By changing to lighter face, the main headings show up better. The great majority of States apparently agree on this. It was not done in the last revision because it was not felt best to leave too suddenly the type of index in use in Maine for so many years. Catch-words under sub-headings are capitalized in this edition to bring them out more noticeably. A dash mark is added in the citation between page and section number in order to make the reference more easily read.

No such things are mentioned in the statutes as Drunken-Driving, Hit and Run, Building and Loan Associations, and many other subjects commonly referred to in conversation. Yet, there will be found in this index many such common phrases because of their universal and common use.

Cross-reference, for some unexplainable reason is often resented, altho it is the greatest single aid to the searcher. Few will deny that it is unnecessary to repeat all the law pertaining to Executors and Administrators under both the titles Executors and also Administrators, then again under Estates, then again under Probate, etc. By such a method, the index becomes larger than the book. It makes little difference whether the subject is treated under Administrators and Executors or vice versa and referred to by reference from allied topics, so long as the treatment is complete wherever found.

Much statutory law appears referring to Public Utilities. Many of the provisions are equally applicable to railroads, railways, street railways, telephone and telegraph companies, etc. Assuming the searcher is interested in a statutory question relating to public utilities generally, but his approach is through Railroads because he is searching for the general provision with relation to its application to railroads, without reasoning in this manner. He only thinks: "There is such a law applicable to railroads." He goes to Railroads as a subject and is referred to Public Utilities. Resentment immediately follows because he believes that the law should be under the topic first thought of. This is, of course, impossible as well as impractical. Another searcher for the same provision may first go to Steam Railroads, another to Carriers, another to Common Carriers, etc. Again resentment follows. Throughout our Statutes, there are many laws having general provisions covering many similar features, yet, to index every phase of the law under the various catch-words would lead to considerable duplication and render the index impractical. The Maine Statutes are already more heavily indexed than those of most States. For every five pages of text in our Statutes, there is one page of index. However, cross references will be placed at the end of a treatment instead of at the beginning, to insure exhaustion of the subject first thought of before referring to another.

The general index will include more references and an improved arrangement without the substitution of a radically new system. Whenever possible, the section and page number will be added to a cross-referred subject matter providing the treatment thereof is confined to a specific section or paragraph in the Statutes.

In addition to members of my own staff, acknowledgment must be made to the Committee on Revision for their kindly cooperation, particularly to the Chairman, Hon. Joseph E. Harvey and the Revisors, Hon. L. Smith Dunnack and Hon. Samuel H. Slosberg.

RICHARD H. ARMSTRONG, LL.B.

November 1, 1944
Biddeford, Maine

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