

# MAINE STATE LEGISLATURE

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THE  
REVISED STATUTES

OF THE  
STATE OF MAINE,

PASSED APRIL 17, 1857;

TO WHICH ARE PREFIXED

THE CONSTITUTIONS

OF THE  
UNITED STATES AND OF THE STATE OF MAINE:

WITH AN

APPENDIX.

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PUBLISHED BY AUTHORITY OF THE LEGISLATURE.

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BANGOR:  
WHEELER & LYNDE.

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1857.

## INTRODUCTION.

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By a resolve of the legislature, approved March 12, 1855, the governor, by and with the advice and consent of the council, was authorized to appoint three suitable persons commissioners, to revise, collate, and arrange all the public laws of the state, and to make report of their doings to the next legislature. Pursuant to said resolve, JOHN B. HILL, JOSEPH BAKER and JAMES BELL were appointed commissioners. Their report, in part, was made to the legislature on the twelfth day of January, 1856, and on the thirteenth day of February following, the work assigned them having been completed, their final report was made, accompanied by printed titles. These were referred to the committee on the judiciary, who in their report recommended a further revision, to embrace the public laws of that session, with indications of such new laws as might be deemed suitable and necessary. In accordance with this recommendation, the further and more extended revision was committed to ETHER SHEPLEY, late chief justice of the state, by resolves approved April 1, 1856, with instructions to cause his report to be completed, and printed in separate titles, on or before the fifteenth day of November, 1856; and the secretary of state was directed to cause copies thereof to be distributed forthwith to the members elected to the next legislature. The report of said commissioner, having been printed and distributed as contemplated in the resolves, was referred, on the fifteenth day of January, 1857, to a joint select committee of the legislature, consisting of nine members on the part of the senate with sixteen members on the part of the house, which committee reported this revision, with the act of repeal annexed; and the same, having been unanimously passed to be enacted, were approved on the seventeenth day of April, 1857.

By a resolve of the legislature, approved April 17, 1857, the undersigned were appointed commissioners to transcribe the statutes from the originals in the office of the secretary of state, and prepare the same for publication. They were also instructed to prepare suitable abstracts, and marginal notes to the sections, with an exact and copious index to the whole, and personally to superintend the publication thereof, and cause the same to be printed according to uniform rules of orthography and punctuation. They were further directed to cause to be included in the volume containing the statutes, the constitutions of the United States and of this state; the act for the admission of this state into the Union; sections one, two, three, four, five, six and seven, of the act relating to the separation of the district of Maine from Massachusetts proper and forming the same into a distinct and independent state; and also the boundaries of the respective counties.

The commissioners, having performed the duties assigned them, submit this volume, with the following explanations.

In the very few instances in which a word necessary to the sense has been evidently omitted in the original by mistake, or a wrong word in like manner used, the word obviously intended, and necessary to express the true meaning, has been included in brackets, preceded by the erroneous word in italics. In addition to what was specifically required, marginal references have been made to corresponding provisions contained in former laws in force, and also to such judicial decisions as were considered most important and pertinent. It will be noticed that in frequent cases the laws have been modified to conform to the judicial construction of former statutes. This would seem to render references to decisions in such cases unnecessary, yet it has been deemed proper to include them, as a matter of convenience, and to exhibit the presumed basis of many of the modifications which have been made in the present revision.

In the preparation of the index it has been a primary object to arrange subjects in such a manner as to bring together in one

place, as far as practicable, all matters intimately connected. The plan of an alphabetical order of the general subjects of the chapters has been adopted, and other matters deemed specially important, though also found in other places, have been included in the arrangement; but in indexing under the general heads, it has been considered that reference would be facilitated by retaining the order in which the subjects are presented in the chapters, thus preserving unity, and bringing together the provisions having a necessary connection with each other. The division of the more important chapters, under appropriate heads, indicated this as the proper course to be followed.

NOAH SMITH, JR.,  
WARREN H. VINTON,  
LOUIS O. COWAN.

AUGUSTA, DECEMBER, 1857.