

MAINE STATE LEGISLATURE

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THE
REVISED STATUTES

OF THE
STATE OF MAINE,

PASSED JANUARY 25, 1871;

TO WHICH ARE PREFIXED
THE CONSTITUTIONS

OF THE
UNITED STATES AND OF THE STATE OF MAINE:

WITH AN APPENDIX.

BY AUTHORITY OF THE LEGISLATURE.



PORTLAND:
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for the purposes of this act, the proprietors thereof, and shall be notified, vote, and contribute accordingly; and all advances so made by them, if not paid, shall be recoverable in a special action on the case, with interest. CHAP. 58.

SEC. 5. The owner of every grist mill shall keep therein scales and weights, to weigh corn, grain, and meal, when required; and for neglecting so to do, or refusing to weigh the same when required, or for taking more than lawful toll, he shall forfeit five dollars, to be recovered by action of debt with costs, before any trial justice for the county where the offence is committed. Owners of
grist mills to
furnish scales
for weighing
grain.
R. S. c. 57, § 5.

SEC. 6. The toll for grinding, cleansing and bolting all kinds of grain, except buckwheat and Indian wheat, shall not exceed one-sixteenth part thereof; and for hulling, grinding and bolting buckwheat and Indian wheat, the toll shall not exceed three quarts a bushel, and for grinding without hulling and bolting, two quarts a bushel. Tolls estab-
lished.
R. S. c. 57, § 6.
1867, c. 92.

CHAPTER 58.

BOARD OF AGRICULTURE.

- SEC. 1. Board of Agriculture, their election and tenure of office.
2. If more than one society in a county, convention of delegates from each to elect a member therefor. If not so elected, governor and council to elect from highest candidates. What shall be credentials of members.
 3. Sessions, number and length of, regulated. Compensation of members.
 4. Secretary, his election and duties, and vacancies how filled. Reports to be made to him. His compensation. Member of board ex-officio.
 5. Duties of board. May hold donations in trust, and make annual report to legislature. Printing and distribution thereof.
 6. Salaries and expenses, appropriation therefor.

STATE AGRICULTURAL SOCIETY.

- SEC. 7. Officers to be elected.
8. Society may hold estate, annual income not to exceed five thousand dollars. Money received, to be paid in premiums. Treasurer to give bond and render annual account, and secretary make annual report.

COUNTY AND LOCAL AGRICULTURAL SOCIETIES.

- SEC. 9. County and local societies or their treasurers, may hold property in trust, and convey or mortgage it.
10. On application of treasurer of society, state treasurer to pay to him as much as society raises. Limitations of amount. If more than one society in a county, each to have in proportion. Exceptions.
 11. No such payments to be made till certain certificates and specifications are filed.
 12. How the bounty of the state shall be spent.
 13. Statements required of competitors, and specifications in treasurer's certificate to state treasurer.

- CHAP. 58.** SEC. 14. Secretaries of societies to report annually to board of agriculture, and when.
15. Societies to fix bounds for their exhibitions, but not include land without consent of owner, nor to obstruct highway. Bounds not to be passed but in conformity with regulations.
16. Penalty for passing bounds contrary to regulations.
17. Officers may appoint persons to keep order at exhibitions, with powers of constables.

BOARD OF AGRICULTURE.

Board of agriculture, their election and tenure of office.
R. S. c. 58, §§ 1, 2.
1860, c. 186, § 1.
Special 1869, c. 192, § 2.

SEC. 1. The board of agriculture consists of five members at large appointed by the governor with advice of council, of whom two at least shall be from the faculty of the state college of agriculture and mechanic arts, and of a member elected by the state agricultural society and one from each county to be elected by ballot by any county agricultural or horticultural society at its annual or other meeting called for the purpose; and they hold their offices three years from the third Wednesday of January next after.

If more than one society in a county, convention of delegates from each to elect member therefor. If not so elected, governor and council to elect from highest candidates. What shall be credentials of members.
1860, c. 186, § 1.
1866, c. 26.

SEC. 2. If there is more than one such society in any county, the executive officers of the oldest shall designate a time and place for a convention of five delegates, chosen at a regular meeting from each society; and the secretary of such oldest society shall give written notice thereof to the secretary of each other society. The convention shall be held prior to the second Wednesday of December, elect a president and secretary, and by ballot, a member of the board of agriculture for that county. If no election is thus made, the secretary shall immediately send to the governor and council the names of two or more persons having the highest number of votes; and they shall elect one of them. The written certificate of the secretary of the society or convention electing a member, shall be his credentials in the board.

Sessions, number and length of, regulated. Compensation of members.
1860, c. 186, § 3.
Special 1869, c. 192, §§ 1, 3, 4.

SEC. 3. The board of agriculture shall hold two sessions annually, not exceeding four days each, one of which shall be held within such convenient distance of the state college of agriculture and the mechanic arts as will enable the students and faculty thereof to attend and have the advantage of the addresses and discussions before the board; and the other session shall be at such time and place as is, from time to time, determined by vote of the board. The members of the board shall have no compensation for their time or services; but their necessary expenses of travel and attendance at the sessions, shall be paid, an exact account of which shall first be rendered by each member, examined by a committee and their report thereon accepted by the board.

Secretary, his election and duties, and vacancies.

SEC. 4. The board may elect a suitable person secretary thereof, and prescribe his duties; and in case of vacancy by death or other

wise, the governor, with advice of council, may fill it; all reports and returns required by law to be made by county societies, shall be made to the secretary of the board; his compensation shall be a thousand dollars a year, and his necessary traveling and incidental expenses in the discharge of his duties. He shall also be a member ex-officio of the board of trustees of the state college of agriculture and the mechanic arts.

SEC. 5. The board shall investigate all such subjects relating to agriculture, horticulture and the arts connected therewith, as they may think proper, and may take and hold in trust, donations or bequests made to it for promoting agricultural education or the general interest of husbandry; and annually, on or before the third Wednesday of January, by its secretary, it shall submit to the legislature a detailed report of its doings, with such statistics as he may collect, and such recommendations and suggestions as the interests of agriculture seem to require, and also an abstract or digest of the returns of the several agricultural and horticultural societies, and cause to be printed under his directions, not more than fifteen thousand copies of said report, and five thousand of said abstract, five thousand of the former and one of the latter for the use of the legislature; and the remainder for distribution, under the direction of the board, among the people of the state.

SEC. 6. The governor and council, from time to time, shall draw their warrant on the treasurer for such sums of money as are necessary to defray the salaries and expenses herein provided for, an account of which shall be first rendered by the secretary of the board and audited by them, and a sum not exceeding one thousand seven hundred dollars, annually, is hereby appropriated to meet such expenses.

STATE AGRICULTURAL SOCIETY.

SEC. 7. The Maine state agricultural society, at its annual meeting, shall elect, by ballot, a president, secretary, treasurer, trustees and other necessary officers.

SEC. 8. Said society may take and hold property, real and personal, the annual income of which shall not exceed five thousand dollars, to be applied exclusively to the advancement of agriculture, horticulture, and the arts connected therewith; and the treasurer of said society shall give suitable bonds to the board of trustees, for the safe keeping of said property, and for the faithful discharge of his duties. At each annual meeting, the treasurer shall submit a full and correct account of the money received and paid out, from whom received and to whom and for what purposes paid; and the secretary shall make a report of the doings of the society, with such information and suggestions as he deems useful to the public.

CHAP. 58.

how filled.
Reports to be made to him.
His compensation. Member of board ex-officio.
1860, c. 186, § 3.
Special 1869, c. 192, §§ 1, 3, 4.

Duties of board. May hold donations in trust, and make annual report to legislature. Printing and distribution thereof.
1860, c. 156, § 4.

Salaries and expenses, appropriation therefor.
R. S. c. 58, § 5.

Officers to be elected.
R. S. c. 58, §§ 6, 10.
1870, c. 106, § 2; c. 160.
Hold estate, annual income not to exceed \$5,000.
Money received, to be paid in premiums. Treasurer to give bond and render annual account, and secretary to make annual report.
R. S. c. 58, §§ 7, 9.
1870, c. 106, § 3.

CHAP. 58.

COUNTY AND LOCAL AGRICULTURAL SOCIETIES.

County and local societies or their treasurers may take and hold property in trust, and convey or mortgage it. Treasurers to give bond for safe keeping thereof and the faithful discharge of their duties.

1868, c. 212, §§ 1, 2.

On application of treasurer of society, state treasurer to pay to him as much as society raises. Limitations thereof. If more than one society in a county, each to have in proportion. Exceptions.

R. S. c. 58, § 12.
1862, c. 137, § 12.
1870, c. 108, §§ 1, 2.

No such payments to be made till certain certificates and specifications are filed.

R. S. c. 58, § 13.
1862, c. 137, § 13.

How the bounty of the state shall be spent.

R. S. c. 58, § 14.
1862, c. 137, § 14.
1868, c. 212, § 3.

Statements required from competitors and specifications in treasurer's certificate to state treasurer.

1862, c. 137, § 15.

SEC. 9. County and local agricultural societies may take and hold property, real and personal, the income of which shall not exceed three thousand dollars, to be applied to the purposes provided in their charters; or their treasurers may receive conveyances or leases of such property, for their societies, and hold, sell, mortgage or pledge it, and shall give bonds to the trustees for the safe keeping thereof and the faithful discharge of their duties.

SEC. 10. The treasurer of an incorporated agricultural or horticultural society, on application made prior to the first Wednesday of December in each year, shall be entitled to receive from the state treasury a sum equal to that raised by such society in the year next preceding; but not exceeding one cent to each inhabitant of the county where such society is located, according to the last preceding national census, nor more than four hundred dollars to one county. If there is more than one such society in any county, and the sums so applied for exceed the limit aforesaid, it shall be paid to each in proportion to the amount expended by it as herein after provided. But the Penobscot and Aroostook union agricultural society may annually receive as much as raised by it, not exceeding one hundred dollars, without regard to population; and the Waldo and Penobscot agricultural society as much as raised by it, not exceeding a hundred and thirty dollars; and the same shall be deducted from the sums allowed to the counties of Waldo and Penobscot in proportion to the number of inhabitants of each county within the limits of said society.

SEC. 11. But none of such payments shall be made to any society until the treasurer thereof files with the state treasurer a certificate, on oath, stating the amount raised by it and containing the specifications required in section twelve, and also a certificate from the secretary of the board of agriculture that said society has complied with the requirements of section thirteen.

SEC. 12. Every society receiving the bounty of the state, shall expend an equal amount each year in premiums and gratuities for the improvement and encouragement of agriculture, horticulture, or mechanic arts, unless the board of agriculture directs for what purposes a sum not exceeding half of such bounty shall be expended; and then it shall be expended accordingly.

SEC. 13. Every society applying for the bounty of the state shall require of all competitors for premiums either on animals, crops, dairy products, improvement of soils or manures, a full and accurate statement of the process or method of rearing, managing, producing, and accomplishing the same, together with its cost and value, with a view of showing the profits or benefits derived or expected therefrom; and the application for bounty shall embrace all the specifications included in the following form, to wit: I, A. B., treasurer of

— society, do hereby apply for bounty in aid of said society, as granted by the laws of the state, and being duly sworn, (or affirmed) do say that the sum of — has been raised and paid in good faith into the treasury of said society, and that the sum of — has been awarded in premiums or otherwise expended within the year past in conformity with the provisions of the laws of the state relative thereto.

CHAP. 58.

SEC. 14. The secretaries of the several societies shall prepare an annual report, embracing a concise statement of the financial condition and doings of the society, with a synopsis of the premiums awarded, to be made by filling blanks furnished by the secretary of the board of agriculture for the purpose. Said report shall also state the leading features of the annual exhibition, the character of the efforts of the society for the advancement of agriculture, the principal crops grown in the county or district, the success attending their culture as compared with former years, and the obstacles met with; and generally on the condition, prospects and wants of agriculture, so far as they are able to ascertain them; which report, with a list of the officers of the society and the post office address of each, to be renewed whenever a new election occurs, and all statements made by successful competitors for premiums, and any reports of committees, essays, addresses or other papers presented to the society containing matters of general interest, shall be returned to the secretary of the board of agriculture on or before the first Wednesday of December, in each year. Upon receipt and after examination of said returns, if the secretary of the board of agriculture finds them full, faithful and accurate, according to the intent hereof, he shall, and not otherwise, issue the certificate mentioned in section eleven.

Secretaries to report annually to secretary of the board of agriculture, and when, 1862, c. 137, § 16.

SEC. 15. All incorporated agricultural societies may, by their officers, define and fix bounds of sufficient extent for the erection of their cattle pens and yards, and for convenient passage ways to and about the same, on the days of their cattle shows and exhibitions, and for their plowing matches and trial of working teams, within which no person shall be permitted to enter or pass, unless in conformity with the regulations of the officers thereof; but they shall not so occupy or include the lands of any person without his consent, or obstruct the public travel of any highway.

To fix bounds for their exhibitions, not to include land without owner's consent, nor to obstruct highway. R. S. c. 58, § 17.

SEC. 16. If any person, contrary to such regulations and after notice thereof, enters or passes within the bounds so fixed, he shall forfeit a sum not exceeding five dollars, to be recovered, on complaint, for the use and benefit of such society.

Penalty for violation of Regulations. R. S. c. 58, § 18.

SEC. 17. The officers of any such society may appoint a sufficient number of suitable persons, inhabitants of the county, to act as constables at cattle shows and exhibitions; and they shall have and exercise all the powers of constables, in relation to the preservation of the public peace, and enforcing the rules and regulations of

Persons may be appointed to keep order, with powers of constables. R. S. c. 58, § 19.

CHAP. 59. said society, within the towns where such shows and exhibitions are held, from twelve o'clock at noon of the day preceding the commencement of such shows and exhibitions, and until twelve o'clock at noon of the day succeeding the termination thereof, and no longer.

TITLE FIVE.

Domestic Relations.

- CHAP. 59. Marriage and its solemnization; record of marriages, births and deaths; parents and children.
60. Divorce and dissolution of marriages.
 61. The rights of married women.
 62. Masters, apprentices and servants.

CHAPTER 59.

MARRIAGES AND ITS SOLEMNIZATION; RECORD OF MARRIAGES, BIRTHS AND DEATHS; PARENTS AND CHILDREN.

MARRIAGE AND ITS SOLEMNIZATION.

- SEC. 1. Marriages prohibited within certain degrees of relationship.
2. White persons prohibited from intermarrying with negroes, mulattoes or indians. Insane persons and idiots incapable of contracting marriage.
 3. Bigamy prohibited.
 4. Intention of marriage to be recorded, and how book of records to be labelled, and kept open to inspection.
 5. Clerk to give certificate to parties, to be presented to magistrate before marriage begins; but none to be given to minors without written consent of parents or guardians, or to paupers. Penalty.
 6. Penalty for obtaining certificate by fraud, or marrying contrary to law.
 7. Residents going out of state for purpose of marriage, to file certificate with town clerk on return. Penalty for neglect.
 8. Caution, with reasons therefor, may be filed with clerk when unlawful marriage is supposed to be intended. In such case clerk to withhold certificate and notify person filing caution. Two justices of the peace to decide on sufficiency of reasons after notice to both parties.
 9. Marriage in another state, with intent to evade the preceding provisions, void in this state.
 10. Marriages solemnized among quakers or friends in the form heretofore practiced in their meetings valid, and not affected by foregoing provisions. Clerk of meeting to deliver a list of such marriages to the clerk of his town once a year. Penalty for neglect.