

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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:
PUBLISHED BY BAILEY & NOYES.

JUSTICES, TRIAL,—*Continued.*

may commit certain persons to houses of correction, § 4, 918; § 6, 919.
for what offences, boys may be sent to reform school by, §§ 2, 3, 923.

JUSTICES OF SUPREME JUDICIAL COURT,

to take oath of office before governor and council, § 86, 75.
qualifications of, § 1, 581.
may try cases without jury by consent of parties, § 19, 586.
salaries of, § 1, 806. See *Court, Supreme Judicial.*

KENNEBEC COUNTY,

boundaries of, 945, 946.

KIDNAPPING,

how punished, § 19, 828.

KINDRED,

widow, husband or next of kin, have first claim to administration, § 17, 508.
of wards, to be notified on petition for license to sell real estate, § 24, 552.
descent of real and personal estate to, § 1, 566; §§ 8-10, 567, 568.
degrees of, to be computed according to rules of civil law, § 2, 567.
of the half blood, inherit equally with those of whole blood, § 2, 567.
of paupers, liable for their support, §§ 9-13, 280.
for support of prisoners in houses of correction, § 15, 920.
for support of the insane, § 20, 931.

KNOX COUNTY,

boundaries of, 954.

LABOR,

ten hours a legal day, exception, § 36, 644.

LADDERS,

and fire escapes, innholders may be required to furnish, §§ 6, 7, 298.

LADING,

bills of, penalty for making or exhibiting fraudulent, to defraud insurers, §§ 13, 14, 859.

LAMPS AND LAMP POSTS,

penalty for wilfully removing or injuring, or for extinguishing lights in streets, or on bridges,
§ 14, 864.

LAND AGENT, 112-122. See *Lands, their Sale and Settlement.*

to cause certain islands in Penobscot river to be surveyed, §§ 14, 15, 175.
salary of, § 1, 806.

LANDING,

buildings or fences upon, when deemed nuisances, § 5, 230.

LANDLORDS,

and tenants, when to pay taxes equally, § 12, 131.
lien on buildings for ground rent, § 33, 717.
rights of, under process of forcible entry and detainer, 729-731.

LANDS,

what the words "land or lands" include, § 4, 58.
not exceeding ten acres may be ceded to United States by governor and council, for certain purposes, § 3, 62.
may be taken in name of the state by the governor and council and ceded to United States, for forts, arsenals and military roads, § 5, 63.
to be surveyed, plan to be filed in office of secretary of state, proceedings and compensation, §§ 5-7, 62, 63.
may be taken by persons employed in coast survey, § 8, 63.
school and ministerial, and funds arising therefrom, 212, 213. See *Ministerial and School Lands.*
of private persons, drains may be built through, § 2, 226.
how taken for that purpose, § 3, 226.

LANDS—Continued.

- logs or other timber lying upon, adjacent to rivers, when forfeited, §§ 7, 8, 384.
- held in mortgage or taken on execution, distribution of, 525.
- interests in, by virtue of land warrants, may be sold by license of judge of probate, § 1, 547.
- of banks and manufacturing corporations, and their interests as mortgagees may be sold on execution, §§ 39, 40, 577.
- granted on condition, proceedings to revest in state, § 1, 726.
- waste and trespass upon, 731-734.
- wild, dower not assignable in, § 1, 520; § 2, 756.
- penalty for trespasses on improved, §§ 9, 10, 863. See *Real Estate*.

LANDS, THEIR SALE AND SETTLEMENT; LAND AGENT. LOCATION AND CARE OF
LOTS FOR PUBLIC USES, CHAP. 5, 111-122.

- Land agent*, to give bond in sum of fifty thousand dollars, § 1, 112.
 - to superintend sale and settlement of lands, § 1, 112.
 - not to be concerned in lumber business, § 1, 112.
 - not to be concerned in the purchase of public lands, § 1, 112:
 - to receive and pay over money on account of public lands to state treasurer, § 2, 113.
 - securities taken by, to be made payable to state treasurer, § 2, 113.
 - shall personally attend to duties of his office, § 2, 113.
 - no commission to be allowed him, nor traveling expenses, § 2, 113.
 - persons employed by, to be sworn, and not to be concerned in purchase of lands, timber or grass, § 2, 113.
 - number and compensation of clerks employed by him, to be fixed by governor and council, § 2, 113.
 - shall execute deeds, collect notes and pay proceeds monthly into state treasury, § 3, 113.
 - with governor, council and state treasurer, to constitute a board for management of public lands, § 4, 113.
 - to give information to inquirers, § 4, 113.
- Plans of surveys*, maps and field notes of surveyors, to be deposited in land office, § 4, 113.
 - field notes open for inspection, § 4, 113.
- Grants, unlocated*, to be located by governor and council, § 5, 114.
- Surveyors*, to explore and enter in field notes, timber, &c., § 6, 114.
 - field notes to be deposited in land office, § 6, 114.
- Trespass*, upon public lands, who may be prosecuted therefor, § 7, 114.
 - teams and supplies for trespassing, forfeited, § 7, 114.
 - measure of damages declared, § 7, 114.
- Trespasser*, indirectly or directly concerned in trespass, not allowed to purchase timber, § 7, 114.
- Damages*, for trespass, when suit is brought by state for individual, § 8, 114.

LANDS RESERVED FOR PUBLIC USES, 114.

- Lands reserved*, for public uses, may be located by agreement, § 9, 114.
 - plan of lands selected, entered in land office, to be location, § 9, 114.
 - commissioners appointed by supreme judicial court may locate, § 10, 115.
 - location to be made before sale, § 11, 115.
 - to be of average value with other lands in same parcel, § 11, 115.
- Land agent*, to have care of reserved lands, § 12, 115.
 - may sell grass and timber thereon, § 12, 115.
 - shall give proprietors an option to purchase, § 12, 115.
 - shall keep account with each lot, § 13, 115.
 - shall settle accounts with governor and council, annually, § 13, 115.
 - shall pay balance to state treasurer, § 13, 115.
- Reserved lands*, state treasurer shall keep separate accounts with, § 14, 115.
 - balance to remain in treasury until such township or tract is by law authorized to receive it, § 14, 115.
 - money received from sales of timber and grass, how disposed of, § 15, 115.
 - income of fund only to be expended, § 15, 115.
 - interest to be added to principal until organization of town or plantation, § 16, 116.
 - on incorporation of town, money to be paid to trustees of ministerial or school fund, § 16, 116.
 - incorporated as a plantation, interest of fund to be applied for schools, § 16, 116.

LANDS, THEIR SALE AND SETTLEMENT; LAND AGENT. LOCATION AND CARE OF LOTS FOR PUBLIC USES—*Continued.*

- Reserved lands*, interest to be cast annually, § 16, 116.
 to be paid, on evidence of organization, § 16, 116.
 locations of proportions reserved in grant, how made, § 17, 116.
 committee to make, appointed by supreme judicial court, § 17, 116.
 to be sworn, § 18, 116.
 to give notice of appointment and meeting to execute it, § 19, 116.
 return of, to be accepted and recorded, § 20, 116.
 to be a legal assignment and location, § 20, 116.
 location on partition, how made, §§ 21, 22, 117.
 persons aggrieved by rulings of court, may allege exceptions, § 23, 117.

THE SALE OF LANDS FOR SETTLEMENT, 117-119.

- Settling lands*, land agent to designate townships, § 24, 117.
 lists of lands designated and conditions of sale to be published, and price of lots, § 24, 117.
 one lot only to be granted to the same person, § 24, 117.
 manner of paying therefor, § 25, 117.
 land agent to give certificate of purchase, § 25, 117.
 labor on roads, to be received in payment for, § 25, 117.
 settling duties, what are required, § 26, 117.
 unperformed, land forfeited, § 27, 118.
 agents how appointed, to locate settlers, § 28, 118.
 agents to expend road money, § 28, 118.
 land agent to locate roads in settling lands, § 29, 118.
 deeds not to be delivered until settling duties have been performed, § 30, 118.
 certificate of agent, evidence, § 30, 118.
 all deeds heretofore given, containing certain conditions, made absolute, § 31, 118.
 certain lands not valuable for lumber growth, in township No. 4, Range 4., W. E. L. S.,
 may be sold at option of land agent, § 31, 118.
Land certificates, powers granted to holders of, § 32, 118.
Settlers, who have purchased lands of the state, may cut timber thereon for building and fencing,
 § 33, 118.
Land agent, not to grant permits for cutting timber on lands set apart for settlement, except on
 lots in his opinion not suitable for settlement, § 34, 119.
 such permits may be revoked, § 34, 119.
Settler's lot, to the value of one thousand dollars, exempted from attachment, § 35, 119.
 to descend contingently to children, free from payment of debts, § 36, 119.
 not to be conveyed unless wife joins in deed, § 37, 119.

PERMITS TO CUT AND HAUL TIMBER, 119.

- Land agents*, may grant permits to cut pine, spruce, and hard wood timber, § 38, 119.
 two six-ox teams only, to be employed under one permit, § 38, 119.
Permits, not to be transferred, § 39, 119.
Minimum price, per thousand feet, how fixed, § 40, 119.
Sale, when to be at auction, § 40, 119.
 notice of such sale, how given, § 40, 119.
Bond, to be given for payment of stumpage, § 41, 120.
Timber, cut under permits, to be property of state until paid for, § 42, 120.
Payment, advance of fifty dollars required, of persons taking permits, on each team to be employed, § 43, 120.
Surveyors and scalers, how to be appointed and sworn, and their duties, § 44, 120.
Timber lands, may be sold for settling purposes, § 45, 120.
 mode of sale, § 45, 120.
 manner of payment, § 45, 120.
Land agent, in the month of February, annually, to set apart, for sale, not exceeding ten townships, not suitable for settlement, and record and publish them, § 46, 120.
 mode of their sale and manner of payment, § 46, 120.
 purchaser to comply with condition of sale within twenty days, § 46, 120.
 for neglect to do so, deposit money forfeited, § 46, 120.
 bids for lands, may be withdrawn, § 46, 121.
 lands not taken, may be sold at private sale, § 46, 120.
 may sell islands belonging to state, § 47, 121.
 to report to governor and council once in three months, § 48, 121.

LANDS, THEIR SALE AND SETTLEMENT; LAND AGENT. LOCATION AND CARE OF LOTS FOR PUBLIC USES—*Continued.*

- Land agent*, governor and council to audit and settle his accounts, § 48, 121.
 what shall be stated in his reports, § 49, 121.
 money received on account of lands to be paid out on warrants, § 50, 122.
 to keep notes and securities, § 50, 121.
 to return schedule of notes and trial balances, to state treasurer, § 50, 122.
 annual report of, § 51, 122.

LANDS, WHARVES, AND OTHER REAL ESTATE IN COMMON, PROPRIETORS OF, CHAP. 56, 473-475.

- Meetings*, of proprietors, how to be called, § 1, 473.
 modes of giving notice of, when lands lie in one or more incorporated towns, § 2, 474.
 otherwise, notice how given, § 2, 474.
 what officers may be chosen at, § 3, 474.
 manner of calling future, may be decided by vote, § 3, 474.
 no business to be transacted at, unless specified in warrant, § 5, 474.
 votes how to be counted at, § 5, 474.
- By-laws* may be passed, subject to the approval of the county commissioners, and penalties annexed not exceeding three dollars, § 5, 474.
- Officers*, to be sworn, § 4, 474.
- Assessments*, may be made at legal meeting, for certain purposes, § 7, 474.
 to be published, as meetings are notified, § 7, 474; § 11, 475.
 payment of, how enforced, § 8, 474.
 rights sold for, how redeemed, § 9, 475.
- Treasurer*, powers, duties and tenure of office of, § 10, 475.
- Proprietors*, may prosecute and defend suits by their agent, § 6, 474.
 majority of, at legal meeting may provide for management of lands, § 11, 475.
 may vote in person, or by attorney, § 3, 474; § 11, 475.
 records of, after final division of property, to be deposited with clerk of town where lands lie; duty of town clerk in such case; clerk of corporation to continue in office till records so deposited, § 12, 475.
 corporate powers of, continued for ten years after final division of property, for certain purposes, § 13, 475.
- Unincorporated township or tract*, owners of, may raise and assess money for highways, § 14, 475.

LARCENY AND RECEIVING STOLEN GOODS, CHAP. 120, 832-834.

- Action*, for recovery of stolen goods, may be maintained by owner, § 12, 834.
- Common thief*, who is to be deemed such, and how punished, § 5, 833.
- Compensation*, to prosecutor and officer, for securing stolen property, § 11, 834.
- Embezzlement*, by officers of corporations, agents, common carriers, and public officers, § 7, 833.
- Larceny*, defined; in a dwelling house, in other buildings, at fires, and from the person, how punished, §§ 1, 2, 3, 4, 832.
 fraudulently personating and receiving property, deemed such, § 6, 833.
 if persons embezzle, or convert to their own use, deemed guilty of, § 8, 833.
- Stolen goods*, person buying, receiving or concealing, how punished, § 9, 833.
 punishment mitigated, on restoration of goods, § 9, 833.
 receiver may be tried though the principal has not been convicted, § 9, 833.
 punishment increased on second conviction, § 9, 833.
 officer to secure, on arrest of persons charged, § 10, 834.

LARCENY,

- at fires*, carrying away and concealing goods, how punished, § 15, 292.
 unlawful conversion of logs, masts, and spars, lying in rivers, streams, or on adjacent lands, declared to be, § 2, 333.
 jurisdiction of magistrates in, § 3, 875.

LARKS,

- destruction of, when prohibited, § 16, 325.

LASCIVIOUS,

- cohabitation, how punished, § 5, 848.
 persons, in speech or behavior, may be sent to house of correction, § 4, 918.

LAST SICKNESS,

- of married women, expenses of, may be paid by administrator, § 11, 493.
 priority of expenses of, in insolvent estates, § 1, 528.
 nuncupative wills must be made during; exceptions, § 18, 565.

LAW OF THE ROAD, CHAP. 19, 256, 257.

- definition of terms "way" and "team" as used in this chapter, § 1, 256.
- teams about to meet, to turn to the right; when unable to do so, to stop, § 2, 256.
 - to be driven to the right, or to stop to let others pass, § 3, 256.
 - not to stand in way to obstruct passage, nor without a driver, § 4, 256.
- bells, to be used, § 5, 256.
- persons injured, to recover damages, penalty for violation, § 6, 256.
- not to travel faster than a walk on bridges, § 7, 257.
- penalty for traveling on bridges faster than a walk, when legal notice is given, § 8, 257.
- persons passing after sunset or before sunrise, not liable without proof of previous knowledge, § 8, 257.
- teams carrying passengers, not to be left without a driver, under penalty, § 9, 257.
- wide rimmed wheels to be used on certain roads, penalty for violation, § 10, 257.

LAW,

COURT, 533, 584. See Court, Supreme Judicial.

LIBRARY ASSOCIATIONS, §§ 6-8, 472.

duty paid by attorneys on admission, to be applied to support of, § 11, 170.

LAWS,

- when published, to be distributed by secretary of state, § 41, 69.
- to be published in state paper with date of approval, § 41, 69.
- of other states, admitted as evidence, § 97, 653.
- foreign and unwritten, proved by parol, § 98, 653.

See *Public Acts*. See, also, *Statutes*.

LEASE,

- rights under, forfeited, if premises be used for certain unlawful purposes, §§ 1-3, 230.
- of railroads, forbidden, § 26, 453.
- for more than seven years not valid against third parties, without actual notice or record, § 8, 560.
- estates under, how levied upon, § 11, 572.
 - when execution is levied on part, appraisers to determine division of rents, § 11, 572.
- of land, for the erection of buildings on, subjects buildings to lien for rent, § 33, 717.
- tenant holding under, how liable to process of forcible entry and detainer, § 1, 729.
- of dwelling house to person convicted of keeping a house of ill-fame, voidable at option of landlord, § 12, 850.

LEATHER,

boots and shoes, provisions relating to inspection and sale of, §§ 25-27, 359, 360.

LEGACIES,

- may be recovered of executor in an action of debt, § 31, 525.
 - actions for recovery of, not affected by certain provisions, § 19, 692.
- upon conditions precedent, and no time fixed for their performance, to be paid, if conditions fulfilled within five years, § 17, 565.
- due from executor or administrator, may be attached by trustee process, § 36, 679.

LEGATEES,

- residuary, condition of bond when executors are, § 10, 507.
 - executors having given bond as, may represent estate insolvent, § 22, 531.
- specific, rights of, not affected by provisions for sale of personal estate, § 48, 515.
- may be ordered to give bond to refund, § 30, 525.
- may recover legacy of executor, in an action of debt, § 31, 525.
 - actions for recovery of, not affected by certain provisions, § 19, 692.
- must have amount due, determined by decree of judge of probate, before suit on bond, §§ 12, 13, 556.
- paying debts of testator, may claim contribution, § 6, 564.
- when liable to pay debts of testator, §§ 6, 7, 564.
- how liable to contribute to posthumous or other child omitted in testator's will, §§ 8, 9, 564.

LEGISLATURE,

- organization of, §§ 21-25, 66.
- secretary of state to furnish secretary of senate and clerk of house, certified lists of members elect, § 21, 66.
- duty of secretary of senate at organization, § 22, 66.
- duty of clerk of house at organization, § 23, 66.
- in case of vacancy in office of secretary or clerk, assistant to act, § 24, 66.
- only members whose names are on the certified list, allowed to vote at organization, § 25, 66.
- notice of petitions for legislation, how given, §§ 26-29, 67.

LEGISLATURE—Continued.

- treasurer of state to make annual report to, § 66, 72.
 when, to make choice of electors of president and vice president, § 81, 107.
 board for managing public lands, to make annual report to, § 4, 113.
 lands in places not incorporated may be taxed by, § 42, 133.
 may alter or repeal acts of incorporation passed since March 17, 1831, unless they contain express exemption, § 17, 396.
 may provide by law for state to subscribe to stock of banks and appoint directors, § 36, 409.
 may make requisition upon banks for loan to state, § 38, 409.
 requisition, how made, § 39, 409.
 cashier to make returns to, when required, of names and interests of stockholders, § 50, 412.
 private, associated and foreign banking prohibited, unless authorized by, § 86, 420.
 insurance commissioner to report condition of all insurance companies to, § 56, 440.
 petitions to, for railroad corporations, § 1, 448.
 consent of, required to assignment or lease of railroads, § 26, 453.
 may amend, alter, or repeal charters of new corporations, formed by foreclosure of railroad mortgages, § 68, 462.
 board of agriculture, to make annual report to, § 5, 479.
 members of, not subject to trustee process by reason of amount due for board, § 55, 683.
 may direct attorney general to file information to revest certain lands in state, § 2, 726.

LEVY OF EXECUTION,

- title to real estate by, 569-579. See *Execution, Title to Real Estate by Levy of*.
 on personal property, 664-669. See *Execution, Levy of, on Personal Estate*.
 on real estate, when void, if judgment reversed on review, § 14, 701.
 on error, § 5, 754.
 on buildings and lots to enforce liens, § 27, 716.

LEWDNESS,

- open and gross, how punished, § 5, 848.

LIBELS, CHAP. 129, 867, 868.

- Libels*, definition of, and what is deemed a publication, § 1, 867.
 punishment for, § 2, 867.
 publisher responsible, to what extent, § 3, 867.
 truth of, in what cases a justification, § 4, 867.
 jury to determine at their discretion the law and the fact, § 5, 868.
 and slander, limitation of actions for, § 81, 692.
 in actions for, truth thereof may be proved, and how far a justification, § 24, 642.

LIBELS,

- to enforce forfeiture of gunpowder and other explosive substances, § 24, 293.
 against liquors and vessels seized, how filed and proceedings thereon, §§ 36-43, 305-307.
 form of, 317. See *Intoxicating Liquors*.
 against uninspected beef or pork, put on board a vessel for exportation, § 27, 348.
 forfeiture provided in case of illegal sale of wood, bark, coal, lumber, &c., may be enforced by, § 4, 378; § 24, 381.
 against logs of different owners, when intermixed, for expense of driving, § 6, 383.
 for forfeiture of personal property, §§ 4, 5, 740.
 where and how filed, and proceedings, §§ 5-8, 740, 741.
for divorce, 487.
 how filed and service made, § 4, 488.
 may be inserted in writ of attachment, § 4, 488.
 court or justice in vacation may order notice, § 4, 488.
 pending, court may order wife's expenses to be paid by husband, § 6, 488.
 court may free wife from restraint of husband, § 17, 490.
 from bed and board, how filed, proceedings, § 12, 489.
 may be filed when validity of marriage is doubted, proceedings and effect of decree of nullity, § 14, 489. See *Divorce*.

LIBERATION,

- of poor convicts, §§ 12-14, 893.

LIBRARIES, CHARITABLE SOCIETIES AND PUBLIC CEMETERIES, CHAP. 55, 471-473.

LIBRARIES AND SOCIETIES, 471.

- First meeting*, application to a justice to call, § 1, 471.
 notice of, how to be given, § 2, 471.

LIBRARIES, CHARITABLE SOCIETIES AND PUBLIC CEMETERIES—Continued.

- Organization*, into body corporate, manner of, § 3, 471.
- Corporation*, general powers of, § 3, 471.
 what estate it may hold, § 4, 472.
 for charitable purposes, not to sue members for dues, nor be sued by them, liabilities to be enforced by its by-laws, § 5, 472.
- County law library associations*, how organized, § 6, 472.
 what notice of meeting to be given, § 6, 472.
 corporate name and officers, § 6, 472.
 may make lawful regulations, § 6, 472.
 oldest member of the bar present shall preside, § 6, 472.
 duties of treasurer and clerk of, § 7, 472.
 treasurer of, to deposit statement of funds annually in January, with state treasurer, § 8, 472.
 treasurer, librarian and clerk of, liable for misfeasance, § 8, 472.
- Public libraries*, may be established by towns, § 9, 472.
 towns may raise money for, not exceeding certain amount, § 9, 472.
 devises, bequests, or donations for, may be received and managed by towns or plantations; when plantation is incorporated, title vests in town, § 10, 473.
- PUBLIC CEMETERIES, 473.
- Cemeteries*, proprietors of, how incorporated, § 11, 473.
 property and stock of such corporations exempt from attachment and taxation, § 11, 473.

LIBRARIES,

- And apparatus*, school districts may purchase, § 39, 191.
- Law*, associations for, how organized, §§ 6-8, 472.
 fee for admission of attorneys to practice, to be paid to, § 11, 170.
- Public*, towns may establish and maintain, § 9, 472; § 10, 473.
- Appropriations*, for library of state prison, § 47, 916.
 of reform school, § 15, 926.

LIBRARY, STATE,

- librarian of, his appointment, term of office, bond, and compensation, § 69, 73; § 81, 74.
 to report to legislature annually, § 72, 73.
 to employ his leisure time in making indexes, § 81, 74.
- to be under control of governor and council, § 68, 73.
 when to be kept open, § 70, 73.
 appropriation for, how expended, § 71, 73.
 persons allowed to take books from, § 73, 73.
 security for return of books required, § 73, 73.
 books not allowed to be taken from, how labelled, § 74, 73.
 books not so labelled, may be taken by any citizen during recess of legislature, § 75, 73.
 persons not allowed to take at one time, more than three volumes, § 76, 74.
 not to be retained more than three weeks, § 76, 74.
 to be returned on or before first day of January, § 76, 74.
 books not allowed to be taken from, except by certain officers, and for certain purposes, § 77, 74.
 persons answerable for damage or loss of books, § 78, 74.
 actions for breach of regulations of, how prosecuted, § 79, 74.
 laws, resolves and reports to be transmitted to the several states and British provinces, § 80, 74.
 five hundred dollars to be annually appropriated for, § 82, 74.
 catalogue of all books, works, maps and charts, to be made and printed, § 83, 74.

LICENSES,

- to administrators, public*, to sell real or personal estate, § 27, 511.
- administrators and executors*, for sale of personal estate and pews, when granted, § 48, 515.
 goods named in inventory to be accounted for, at appraisal, unless sold under, § 49, 515.
 real estate held in mortgage or taken on execution may be sold by, as personal estate, § 33, 525.
 executor or administrator of executor or administrator, may be licensed to sell such estate, § 34, 525.
 to sell lease or exchange real estate, § 1, 547.
 not to be granted, without notice, § 5, 548.
 if parties interested give bond and fulfil it, to pay all sums for payment of which license is asked, § 6, 549.
 petitioner for, may be examined on oath, § 9, 549.

LICENSES—Continued.

- to administrators and executors, not to be granted in certain cases without certificate from overseers of the poor, § 10, 549.
- to sell real estate at private sale or upon advantageous offer, § 11, 550.
- to sell estate of persons deceased or minors residing out of state, § 14, 550.
- to carry into effect contracts of deceased persons, §§ 16, 17, 551.
- licenses to sell, lease or exchange expire in one year, § 18, 551.
- may be renewed with or without notice, § 18, 551.
- may include lands in one or more counties, § 20, 551.
- may prescribe parcels to be sold, and in what order, § 21, 551.
- actions to try the title of lands sold by, §§ 29-31, 552, 553.
- See *Real Estate, Sales of, by License of Court*
- auctioneers, 332. See *Auctioneers*.
- bowling alleys and billiard rooms, how granted and fee for, §§ 2, 3, 319, 320.
- when to be revoked, § 6, 320.
- ferries, county commissioners may grant, §§ 1, 2, 258.
- when forfeited by use of ferry propelled by steam or horse power, § 9, 259.
- guardians, to sell real or personal estate of ward, § 12, 535; § 16, 536; 547-553.
- hawkers and peddlers, 339, 390. See *Hawkers and Peddlers*.
- innholders and victualers, 295. See *Innholders*.
- how granted or revoked, §§ 1, 3, 297.
- persons receiving, to give bond, form, § 2, 297.
- fee for, and record of, § 4, 298.
- no person to be a common innholder or victualer without, § 12, 298.
- insurance brokers, § 51, 433.
- penalty for acting without; fee for such license, § 51, 439.
- to be renewed annually, § 51, 439.
- insurance companies and agents, from commissioner of insurance, § 46, 437; § 50, 438.
- to be annually renewed, § 46, 437.
- pawnbrokers, and intelligence offices, §§ 1-7, 333-335.
- public exhibitions, § 2, 319.
- stationary steam engines, not to be erected without license from municipal officers, §§ 17-20, 234.

LIENS AND THEIR ENFORCEMENT, CHAP. 91, 712-720.

LIENS ON VESSELS, §§ 7-25, 712-716.

- Liens*, by mechanics or persons furnishing materials for vessels building, how secured, § 7, 712.
- for repairs on vessels, after launching, § 7, 712.
- form of writ, § 8, 712, 713.
- specification to be annexed to writ, what to contain, to be sworn to, § 9, 713.
- officer making attachment to secure, to file with town clerk, and to deliver to owner, or master workman, copy of the return of attachment, § 10, 713.
- possession, when to be taken by officer, § 10, 713.
- attachment made before launching, work not to be hindered, § 10, 713.
- if launched, to be attached as other personal property, § 10, 713.
- service of writ to secure, how and by whom to be made, §§ 11, 12, 714.
- actions to enforce, how to be entered on docket and who may defend, § 13, 714.
- defendant may offer to be defaulted and its effect, § 14, 714.
- owners may admit certain sum due, its effect, § 14, 714.
- questions of costs may be decided by the court as in equity cases, § 15, 714.
- questions to be submitted to jury or court, § 16, 715.
- judgment, how to be rendered against defendant, § 17, 715.
- parties have right of exceptions, new trials, and writs of error, as in other actions, § 18, 715.
- court may order sale of vessel on execution, § 19, 715.
- proceeds, how disposed of, § 19, 715.
- manner of sale and title of purchaser, § 19, 715.
- distribution of proceeds and surplus, § 20, 715.
- when proceeds not enough, to be distributed pro rata, § 21, 715.
- court to prevent enforcement of double liens, § 21, 715.
- how lien claim may be enforced on vessel attached for non-lien claim by sheriff or by constable, § 22, 716.
- how may be attached for non-lien claim, when under attachment for lien claim, § 23, 716.

LIENS AND THEIR ENFORCEMENT—Continued.

- Liens*, proceeds in such cases, how disposed of, § 24, 716.
 admiralty powers of court in cases of enforcement of lien claims, § 25, 716.
- LIENS ON LIME, LIME ROCK AND ON SLATE, § 26, 716.
- Liens*, on lime, lime rock and slate, precedence given to certain persons, § 26, 716.
 to continue thirty days after rock is manufactured, or until lime is sold, § 26, 716.
 on slate, to continue thirty days after arrival at port of shipment, § 26, 716.
 attachments to enforce made within the time, to have precedence, § 26, 716.
- LIENS ON BUILDINGS AND LOTS, § 27-34, 716-717.
- Liens*, given to persons furnishing labor or materials, for erection or repair of buildings, how enforced by attachment, § 27, 716.
 levy made, appraisers to set out to the creditor a suitable lot for such building, § 27, 716.
 attach to building when owner has no interest in the land, § 27, 716.
 minority or coverture of owner, not to defeat, § 27, 716.
 if contract is not with owner of property, no lien will attach without notice, and not then if such owner in writing refuses to be responsible therefor, § 28, 717.
 dissolved unless sworn claim is filed in town clerk's office within thirty days, § 29, 717.
 such sworn statement to be recorded; clerk's fees for same, § 29, 717.
 no inaccuracy in such statement shall avoid the lien, if reasonably certain in description, § 30, 717.
 suits to enforce liens must be commenced within ninety days after last labor performed or materials furnished, § 31, 717.
 owner dying within ninety days, extended, § 32, 717.
 on buildings on leased land, for rent, enforced by attachment, § 33, 717.
- LIENS ON LOGS AND LUMBER, §§ 34, 35, 717, 718.
- Liens*, given to persons cutting, hauling or driving lumber; enforced by attachment, § 34, 717.
 officer making attachment, may pay boorage, § 35, 718.
 not defeated by taking note, § 35, 718.
 notice of the suit to be given to owner of logs or lumber, § 35, 718.
- GENERAL PROVISIONS FOR ENFORCEMENT OR DISCHARGE OF LIENS, §§ 36, 37, 718.
- Liens*, suits to enforce, to have precedence of all attachments made after liens attach, § 36, 718.
 may be maintained though debtor is deceased and estate insolvent, § 36, 718.
 executor or administrator may be summoned and held to answer to actions brought to enforce liens, § 36, 718.
 writ must show it is brought to enforce, § 36, 718.
 tender, made by debtor or owner of property or their agents, discharges, § 37, 718.
- LIENS OF INNHOLDERS AND BOARDING-HOUSE KEEPERS, on goods and personal baggage of guests and boarders, § 38, 718.
- LIENS HOW ENFORCED ON GOODS IN POSSESSION, §§ 39-47, 718-720.
- Liens*, on goods in possession, enforced by sale, § 39, 718.
 persons claiming, to file in supreme judicial court petition for process to enforce, § 40, 718.
 service on owners within the state, how to be made, § 41, 719.
 service when owners are unknown or out of the state, how to be made, § 42, 719.
 owner appearing, proceedings to be same as in an action on the case, § 43, 719.
 questions of fact to be submitted to a jury, § 43, 719.
 owner defending may be required to give bond to pay cost, § 44, 719.
 adjudication in favor of petitioner, court may order property to be sold; how sold, § 45, 719.
 deposit of proceeds, and payment of money into court, § 46, 719.
 for less than \$20, may be enforced before any trial justice, § 47, 719.
 appeals allowed to either party, and proceedings in appeals, § 47, 719.
- LIENS,
for taxes, on standing wood and timber, § 11, 131.
 on stock in certain corporations, § 18, 133.
 on personal property of non-residents in certain cases, § 22, 133.
 on property of manufacturing corporations, to continue one year, § 30, 135.
 on bank stock and dividends in certain cases, § 32, 136.
 on lands in unincorporated places, sold for non-payment of assessments made by county commissioners, for building and repairing roads, § 37, 142.
 on real estate, § 167, 163.

LIENS—*Continued.*

- on beasts going at large, for damages done by them, § 4, 273.
- of factors and agents, on goods of another in possession, § 1, 326.
- upon vessels and boats engaged in illegal fishing, for penalties, § 56, 374.
- for expense of driving, when logs of different owners are intermixed, § 6, 333.
- on real estate of stockholders of banks, on the appointment of receivers, § 76, 417.
- of mutual insurance companies, on buildings insured, and on lands appurtenant, § 27, 434.
 - on decease of members, to continue, § 29, 434.
- of mortgagees, on policy of insurance of real estate, §§ 32-35, 435.
- of creditors, on life policies, when annual cash payment exceeds one hundred and fifty dollars, § 55, 442.
- on mills, for advancements made for repairs, § 3, 476.
- when heir is indebted to intestate, debt constitutes, on his share and may be enforced by attachment within two years, § 11, 568.
- by attachment, on shares in a corporation, § 25, 620.
- of part owner, on property attached on writ against other part owner, for amount paid in satisfaction of judgment, § 40, 623.
- attachment of property subject to, 623, 624. See *Actions Civil, Commencement of.*
- of mechanics and material men, homesteads subject to, though exempt from attachment, § 63, 623.
- on property taken on execution, to continue, though further proceedings are suspended by prior attachment, §§ 24, 25, 668.
- of attorneys, not to be affected by setting off of executions, § 27, 668.
- of trustee, on goods in his possessions for costs, § 15, 677.
- on share of real estate held in common, valid on separate share after partition, § 28, 697.
- on mills and mill dams, for damages in flowing lands, § 15, 723.
- by demandant claiming estate for life, for value of improvements paid by him, § 42, 767.
- of tenant of real estate ousted after six years possession, on premises, for value of improvements, § 43, 767.
- of creditors, on property disclosed by poor debtor, about to leave the state, § 7, 793.
 - arrested on mesne process and giving bond, § 17, 795.
 - on real estate, disclosed on execution, § 37, 799.
 - on personal estate, disclosed on execution, § 38, 799.
- of railroad companies, on animals transported, for care and food, § 30, 853.
- on animals abandoned, for expense of shelter and support, § 32, 853.
 - how enforced, § 33, 853.

LIFE,

- loss of*, by reason of defect in highway, damages how recovered, § 65, 251.
 - on railroads, by fault of corporations, § 36, 455.
- estates*, in lands, assignment of, 520, 521. See *Dower, Assignment of.*
 - how executions may be levied on, § 10, 572.
 - conveyance or devise to person for life, and to his heirs in fee, creates life estate, in first taker, § 6, 559.
 - proceedings, when demandant in real action claims, and pays for betterments, § 42, 767.
- insurance*, on lives of persons absent at sea, § 9, 430.
 - policy and note in mutual companies, form one contract, § 26, 433.
 - liability of maker of note, § 26, 433.
 - what valuation tables may be used, § 57, 440.
 - policies of, when exempt from attachment, § 65, 442.
 - money recovered on, how applied, § 10, 568.
 - may be disposed of, by will, though estate insolvent, § 10, 568.
 - may be omitted from inventory by executor or administrator, § 46, 514.
- insurance companies*, domestic mutual, to be annually examined by commissioner, § 45, 437.
 - to organize within two years or charter void, § 46, 437.
 - not to issue policies till licensed, license to be annually renewed, § 46, 437.
 - to report annually to commissioner, § 54, 439.
 - insolvent, may be suspended by commissioner, § 57, 440.
 - penalty for issuing policies after suspension, § 57, 440.
 - foreign mutual companies, not to do business without a paid up capital or cash assets, amounting to one hundred thousand dollars, § 62, 441.

See Insurance and Insurance Companies.

LIGHTERS AND HARBORS, 338, 339.

- lighters carrying stone, sand, or gravel, to be marked at light water mark, and at five other places, marks to be inspected yearly, § 18, 338, 339.
- penalty for using, without such marks, and for falsely marking them, § 19, 339.
- persons to be appointed to mark and ascertain capacity of, to regulate fees, § 20, 339.
- when capacity has been altered, to be ascertained and marked anew, § 21, 339.
- no ballast to be thrown into road, port or harbor, under penalty, none to be taken from any island, beach or land, without consent of owner, under penalty, § 22, 339.

LIGHTS,

- upon toll bridges, regulated, § 7, 443.
- penalty for extinguishing, § 14, 864.

LIME,

- AND LIME CASKS, inspection of, 355, 356.

See Inspection and Sale of Manufactured Articles.

- LIME ROCK AND SLATE, liens upon, § 26, 716.

LIMITATION,

- of actions, against towns, for injuries caused by defective ways, § 65, 251.*
 - for forfeitures under provisions relating to impounding of beasts, § 22, 276.
 - by judgment creditor of corporations against stockholders individually, § 26, 397.
 - against insurance companies, not to be less than two years, § 62, 441.
 - against proprietors of aqueducts, after dissolution of corporation, § 9, 470.
 - against estates of deceased persons, § 35, 513.
 - not affected by appointment of special administrator, § 35, 513.
 - to try the titles of lands sold under license of court, § 29, 552.
 - against indorsers of writs, § 7, 617.
 - personal, 631-634. See Actions, Civil, Commencement of.*
 - statutes of limitation applicable to claims filed in set-off, § 59, 647.
 - against executors and administrators, §§ 11-14, 691; §§ 17-19, 692.
 - and petitions for review, 698-701. *See Actions of Review and Petitions therefor.*
 - to enforce liens on buildings and lots, §§ 31, 717.
 - on replevin bonds, § 19, 737.
 - of writs of error, § 15, 755.
 - of applications for writs of certiorari, § 15, 755.
 - real, and rights of entry, 769-771. *See Actions, Real, Limitation of.*
 - on poor debtor's bonds, § 49, 801.
- of debts, due from directors to banks, § 14, 406.*
 - due to or from banks at any one time, § 19, 406.
 - of manufacturing corporations, § 9, 425.
- of complaints, for flowing lands, § 4, 721; § 29, 724.*
- of granting, administration or probate of will, § 1, 505.*
 - not to apply to foreign will previously proved in other state or country, § 1, 505.
 - in case of foreign wills, administration may be granted, when lands of testator remain undisposed of, though after twenty years, § 15, 508.
- of prosecutions, for treason or misprision of treason, limited to three years, § 3, 824.*
 - for malicious trespasses, to four years, § 17, 864.
 - for all crimes except treason, murder, manslaughter or arson, if not otherwise prescribed, to six years, § 14, 873.

LIMITED PARTNERSHIPS, 329-331. See Partnerships, Limited.

LINES,

- of towns, how determined, §§ 41-44, 85, 86.

LIQUORS,

- spirituous, sale or gift of, to Indians, prohibited, § 30, 177.
- intoxicating, houses resorted to, for illegal sale of, deemed nuisances, § 1, 230.
- adulteration of, how punished, § 1, 865. *See Intoxicating Liquors.*

LINCOLN COUNTY,

- boundaries of, 944.

LISTS,

- of voters, 93-95. *See Elections.*
- of persons liable to serve as jurors, §§ 2, 3, 772, 773.
- of magistrates, to be furnished by secretary of state and recorded by clerks of courts, § 7, 595.

LITERARY INSTITUTIONS,

property of, exempt from taxation, § 6, 129.
provisions relating to, §§ 93-95, 204.

LIVERY STABLES,

in maritime towns, to be kept in places assigned by municipal officers, § 16, 292.

LIVES AND PERSONS OF INDIVIDUALS, OFFENCES AGAINST, CHAP. 118, 825-829.

Abduction, and compelling a woman to marry without her consent, how punished, § 18, 828.

Assault, and assaults and batteries, definition of, and punishment for, § 28, 829.

on a female with intent to commit a rape, § 24, 829.

with intent to murder, maim, rob, steal, or commit arson or burglary, § 25, 829.

with intent to commit a felony, how punished, § 26, 829.

Attempt, to commit murder without assault, punishment, § 27, 829.

Duel, person killing another in, deemed guilty of murder in the first degree, § 8, 826.

second in, where death ensues, deemed accessory before the fact, punishment, § 9, 826.

conviction or acquittal of, in another state, bar to indictment, § 10, 827.

principal and parties, how punished, though no death ensues, § 11, 827.

offering or accepting a challenge or aiding, how punished, § 12, 827.

leaving the state to evade jurisdiction, punishable, § 13, 827.

posting and contemptuous language used, punishable, § 14, 827.

Exposure, and abandonment of children under six years, how punished, § 20, 828.

Kidnapping, forcibly confining, selling as a slave, punishment for, § 19, 828.

where to be tried, proceedings at trial, § 19, 828.

Maim, defined and punished, § 15, 827.

Man slaughter, defined and punished, § 5, 826.

Masters of steamboats, misconduct of, or gross negligence, occasioning loss of life, how punished, § 7, 826.

Minors, apprentices and servants, penalty for unlawfully carrying out of the state, § 21, 828.

enlistment of, or enticing to enlist out of the state, how punished, § 22, 828.

Murder, defined, first and second degrees of, and punishment for, §§ 1, 2, 3, 825, 826.

jury to find degree of murder, § 4, 826.

attempts to commit, by any methods, § 27, 829.

Railroads, wilful disturbance, or obstruction of, how punished, § 6, 826.

Rape, defined and punished, § 17, 828.

Robbery, with or without dangerous weapons, defined and punished, § 16, 827.

Slaves, voluntarily brought into the state, free, § 29, 829.

punishment for restraining such, § 29, 829.

Threatening communications, to extort money, how punished, § 23, 828.

LOANS,

to school districts, when authorized, §§ 48, 49, 192.

what interest on, may be charged by pawnbrokers, § 3, 334.

and discounts in banks, how regulated, § 14, 405.

not to be made except at bank, nor to public officer on his official check, § 20, 406.

right of state to require, from banks, § 38, 409.

requisition for, how made, § 39, 409.

of money or property of banks, penalty for making, fraudulently, § 85, 419.

by savings banks, not to be made to any trustee, nor on security of names alone, § 91, 421.

of capital stock of insurance companies, on what security may be made, § 7, 430.

on respondentia and bottomry, insurance companies authorized to make, § 8, 430.

towns or cities raising money by, to aid in construction of railroads, shall pay interest and three per cent. of principal each year after the third, § 82, 465.

towns authorized to raise money by, to aid in construction of railroads, § 80, 465.

limitation of authority of county commissioners to obtain, § 14, 591.

LOBSTERS,

persons not residents of this state, prohibited from taking, § 19, 367.

municipal officers may grant licenses to take, § 20, 368.

LOCATION;

of lands, reserved for public uses, §§ 9-23, 114-117.

of ways, how made, 238-244. See *Ways*.

not to be denied, if repairs have been made within six years, § 66, 252.

of railroads, 448-451. See *Railroads*.

to be filed and recorded, § 4, 448.

may be corrected and filed anew, § 4, 448.

LOCATION—*Continued.*

of railroads, remedy of subscriber to stock, for a deviation of, from prescribed course, § 4, 448.
till filed, land not to be entered upon, except for surveys, § 5, 449.

LOCKS,

bridges, mills or vessels, penalty for wilfully burning, § 4, 830.

LOGS,

to be removed from ways by surveyors, § 74, 253.
surveyors of, may be annually appointed by towns, § 14, 379.
to inspect, survey, measure and give certificate, § 25, 382.
masts and spars, punishment for cutting marks thereon, § 1, 383.
unlawful conversion of, declared to be larceny, § 2, 383.
burden of proof, § 3, 383.
right of owner to search, § 4, 383.
booms on Saco river to allow free passage for, § 5, 383.
of different owners when intermixed, expenses of driving, how paid, § 6, 383.
and other timber lying upon lands adjacent to rivers, when forfeited, § 7, 384.
See Timber upon Rivers, Streams, and Adjacent Lands.
liens on, § 34, 717; § 35, 718.
penalty for injury to, § 5, 862.

LORD'S DAY,

service of civil process on, void, § 78, 631.
deed, contract, receipt or other instrument in writing, not void because dated on, § 103, 654.
regulations for observance of, § 17, 851.
business, travel and recreation on, prohibited, § 20, 851.
penalty for being present at games or public diversions on, § 20, 851.
innholders and victualers not to allow drinking, idleness, gaming or secular business in their premises, on, § 21, 852.
includes time between 12 o'clock Saturday night, and 12 o'clock Sunday night, § 22, 852.
persons conscientiously observing the seventh day, excepted, § 23, 852.
tythingmen to prosecute for violations of regulations concerning, § 24, 852.

LOST GOODS, 740-742. *See Personal Property Seized and Lost Goods.*

LOTTERIES,

prohibited, and provisions relating thereto, §§ 3-5, 865, 866.
tickets and materials for lotteries, may be taken on warrants, § 8, 856.
See Health, Safety and Policy, Public, Offences against.

LUMBER,

private ways may be made for hauling, § 19, 243.
to be removed from ways by surveyors, § 74, 253.
survey and sale of, § 15, 379.
towns to elect surveyors, to be sworn, § 10, 79; § 14, 379.
how surveyed, § 15, 379.
not to be sold or shipped until surveyed, under penalties, § 15, 379; § 21, 381.
master or owner of vessel exporting, liable, § 21, 381.
to produce to the collector a surveyor's certificate, under oath, § 22, 381.
penalty for surveyor of, to refuse to take oath of office, or to neglect the duties thereof, or practise fraud therein, § 23, 381.
penalties, how recovered, § 24, 381.
liens on, § 34, 717; § 35, 718.
liability of mill owners for obstruction of streams by, § 32, 725.

LUNATIC,

may be included in term "insane person," § 4, 58.

MACHINERY,

in mills, penalty for maliciously injuring or removing, § 4, 862.

MACKEREL,

inspection and sale of, § 7, 365. *See Fish and Fisheries.*

MAGISTRATES, PROCEEDINGS OF, IN CRIMINAL CASES, CHAP. 132, 874-878.

CRIMINAL JURISDICTION OF MAGISTRATES, 875, 876.

Trial justices, and judges of municipal courts, may administer oaths and require aid, § 2, 875.