

# MAINE STATE LEGISLATURE

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FOURTH REVISION.

THE  
REVISED STATUTES

OF THE

STATE OF MAINE,

PASSED AUGUST 29, 1883, AND TAKING EFFECT JANUARY 1, 1884.

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BY THE AUTHORITY OF THE LEGISLATURE.



PORTLAND:  
PUBLISHED BY LORING, SHORT & HARMON  
AND  
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1884.

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**ERRATA:**

**The following two leaves are  
inserted because one or more pages  
in this chapter have errors  
noticed and corrected here.**

# ERRORS.

## ERROR IN THE TEXT OF THE REVISED STATUTES.

Page 63, § 3, line one.—Erase the last word “may.”

## ERROR IN THE TEXT OF THE REPEALING ACT.

Page 999.—Transfer “Chapter 48, Section 6, of an act to facilitate the prompt administration of justice by establishing a superior court in Kennebec County,” from the year 1879 to 1878.

## ERROR IN THE COMMISSIONER'S NOTES.

Pages 177, 178.—Erase the last two lines of page 177, and the first three lines of page 178.

## ERRORS IN THE MARGINAL REFERENCES.

- Page 59, § 6, ¶ xx.—Erase “*R. S.*, c. 1, ¶ xx”, and supply, at the bottom of the page, “*R. S.*, c. 1, § 4”
- “ 66, § 24.—Erase “*Resolve of 1837*, c. 52.”
- “ 69, § 44.—Supply “*Resolve of 1840*, c. 107.”
- “ 72, § 68.—Erase “*See c. 6*, §§ 40-67.”
- “ “ § 70.—Erase “*R. S.*, c. 2, § 66.”
- “ 79, § 12, (note b).—“*See c. 18*, § 73” should read “*See c. 18*, § 75.”  
“ “ “ “ “*See c. 30*, § 15” should read “*See c. 30*, § 16.”
- “ “ § 14.—Supply “*See c. 18*, § 75.”
- “ 83, § 40.—“*R. S.*, c. 3, § 34” should read “*R. S.*, c. 3, § 33.”
- “ 84, § 46.—“*See c. 18*, § 67” should read “*See c. 18*, § 59.”
- “ 86, § 59, ¶ i, (note b).—“*See c. 17*, §§ 25-29” should read “*See c. 17*, §§ 27, 28.”
- “ “ “ ¶ vi, (note e).—“*See c. 18*, § 15” should read “*See c. 18*, § 17.”
- “ 92, note.—“*c. 18*, §§ 39, 103” should read “*c. 18*, §§ 39, 97.”
- “ 97, § 16.—Erase “*R. S.*, c. 4, § 16.”
- “ 108, § 86.—“*Art. ii*, § 2” should read “*Art. ii*, § 1, ¶ 2.”
- “ 117, § 28.—Erase the first reference to “1878, c. 31, § 1.” Also erase “*R. S.*, c. 5, § 26.”
- “ 176, § 27.—“*Resolve of 1883*, c. 20” should read “*Resolve of 1883*, c. 86.”
- “ 183, § 5.—“*See § 93*, ¶ 6” should read “*See § 93*, ¶ v.”
- “ 202, § 102.—“1883, c. 229” should read “*See c. 115*, § 1.”
- “ 209, § 1.—Supply “1880, c. 215.”
- “ 210, § 7.—Supply “1880, c. 215.”
- “ 249, § 44.—“1875, c. 25, § 6” should read “1875, c. 25, § 6.”
- “ 270, § 16.—Supply “1880, c. 215.”
- “ 330, § 26.—“*See c. 40*, § 77” should read “*See c. 40*, § 74.”
- “ “ § 28.—“*See c. 40*, § 38” should read “*See c. 40*, §§ 33, 40.”
- “ 374, § 23.—“*See § 17*” should read “1880, c. 234, § 1.”
- “ 384, § 74.—Add “1883, c. 138, § 3.”  
“ “ “ “ “1883, c. 144, § 4.”
- “ 506, § 1.—Supply “*See 1880*, c. 215.”
- “ 642, § 80, bottom of the page.—Supply “1878, c. 48, § 6.”
- “ 709, § 105.—“*See c. 134*, § 13” should read “*See c. 134*, § 19.”
- “ 773, § 42.—Supply “1883, c. 198, § 2.”
- “ 804, § 35.—“*See c. 134*, § 26” should read “*c. 134*, § 26.”
- “ 861, § 1.—“*R. S.*, c. 2, § 20,” } should read “1883, c. 221.”  
“ “ “ “*R. S.*, c. 115, § 1.” }
- “ 862, § 4.—“*See c. 63*, §§ 32 to 39” should read “*See c. 63*, § 35.”

## ERRORS IN CITATIONS OF CASES.

- Page 10, § 8, ¶ iii, (note c).—"14 *Pet.*, 504" should read "14 *Pet.*, 540."  
 " 16, § 1, (note b).—"10 *Me.*, 483" should read "10 *Me.*, 283."  
 " 78, § 5, (note a).—"13 *Me.*, 472, 489" should read "13 *Me.*, 472."  
 " " § 7, (note b).—"12 *Me.*, 589" should read "12 *Me.*, 489."  
 " 147, § 97.—"58 *Me.*, 528" should read "58 *Me.*, 532."  
 " 166, § 1.—"64 *Me.*, 549" should read "64 *Me.*, 599."  
 " 200, § 93, ¶ iv.—Erase "20 *Me.*, 545."  
 " 211, § 19.—"3 *Me.*, 347" should read "3 *Me.*, 249."  
 " 241, § 5, (note b).—"68 *Me.*, 28" should read "63 *Me.*, 28."  
 " 257, § 80, (note a), Construction of ways.—"26 *Me.*, 340" should read "26 *Me.*, 240."  
 " 397, § 1, (note a).—Erase "66 *Me.*, 526."  
 " 521, § 2, (note a).—Erase "60 *Me.*, 377."  
 " " § 9.—Erase "60 *Me.*, 533."  
 " 563, § 10.—"31 *Me.*, 286" should read "31 *Me.*, 254."  
 " 597, § 23.—"4 *Me.*, 19" should read "4 *Me.*, 8."  
 " 705, § 78.—"43 *Me.*, 438" should read "48 *Me.*, 438."  
 " 728, § 12.—Erase "68 *Me.*, 30."  
 " 750, § 5.—Erase "20 *Me.*, 325."  
 " 765, § 1, (note a).—Erase "73 *Me.*, 228."  
 " 814, § 19, (note c).—Erase "71 *Me.*, 543."  
 " 817, § 8, (note b).—"27 *Me.*, 363" should read "27 *Me.*, 362."  
 " 885, § 1.—Erase "62 *Me.*, 285."  
 " 886, § 8.—"36 *Me.*, 225" should read "36 *Me.*, 227."  
 " 933, § 4.—"34 *Me.*, 478" should read "39 *Me.*, 478."

## OMISSION IN REFERENCE INDEX TABLE, PART I.

Page 1060.—Supply "1878, c. 48, § 6," with a reference to "R. S., c. 77, § 80."

# TITLE TEN.

## Salaries and Compensations.

- CHAP. 114. Duties payable by public officers, attorneys, and inspectors.  
 115. Salaries of public officers, and pay of members of the government.  
 116. Regulation of fees and costs.

### CHAPTER 114.

#### DUTIES PAYABLE BY PUBLIC OFFICERS, ATTORNEYS, AND INSPECTORS.

- SEC. 1. Duties payable by public officers, to treasurers of state.  
 2. Duties payable by attorneys, to county treasurers.  
 3. County treasurers shall account to treasurer of state, for duties received.

SEC. 1. No person appointed to the office of justice of the peace, justice of the peace and of the quorum, trial justice, notary public, coroner, or inspector of fish, shall enter upon the discharge of his official duties until he has paid five dollars to the treasurer of state.

Duties payable by public officers.  
 1883, c. 199, § 1.

SEC. 2. No person shall be admitted as an attorney, until he has paid to the treasurer of the county where he is admitted, twenty dollars, and produced a receipt therefor to the court.

By attorney.  
 R.S., c. 114, § 2.  
 See c. 8, § 11;  
 c. 79, §§ 24, 26.

SEC. 3. Each county treasurer in his account rendered to the State shall specify sums so received by him and by whom they were paid.

County treasurers shall account to State for duties received.  
 R.S., c. 114, § 4.

### CHAPTER 115.

#### SALARIES OF PUBLIC OFFICERS, AND COMPENSATION OF MEMBERS OF THE GOVERNMENT.

##### SALARIES OF PUBLIC OFFICERS.

- SEC. 1. Salaries of state officers.  
 2. Salaries of county attorneys.  
 3. Salaries of judges of probate.  
 4. Salaries of registers of probate.  
 5. Salaries of clerks of courts.  
 6. Compensation of Indian agents.  
 7. Compensation of fish wardens.

CHAP. 115.

## COMPENSATION OF MEMBERS OF THE GOVERNMENT.

SEC. 8. Compensation of councillors, senators, representatives, secretary of the senate, clerk of the house of representatives, and assistants.

## SALARIES OF PUBLIC OFFICERS.

Salaries of  
state officers.  
R.S., c. 115, § 1.

SEC. 1. The following officers are entitled to receive annual salaries from the treasurer of state in quarterly payments on the first days of January, April, July, and October, as follows :

1880, c. 240.

Governor, two thousand dollars.

1872, c. 24.

Justices of the supreme judicial court, each, three thousand dollars.

1868, c. 151, § 14.  
See 1883, c. 113.

Justice of the superior court for the county of Cumberland, two thousand five hundred dollars.

1883, c. 112.

Justice of the superior court for the county of Kennebec, two thousand dollars.

1879, c. 125, § 2.

Attorney general, one thousand dollars, in full for all services, expenses, and travel.

Reporter of decisions, five hundred dollars, with the right to retain for his own use the profits arising from a publication of his own reports. Said reporter shall, however, comply with all the provisions of sections sixty and sixty-one of chapter seventy-seven.

R.S., c. 2, § 33.  
1879, c. 125, § 2.

Secretary of state, twelve hundred dollars, in full for all official services.

Deputy secretary of state, twelve hundred dollars, in full for all services.

R.S., c. 2, § 34.

The number and compensation of clerks employed by the secretary of state shall be determined by the governor and council, but the clerk hire in the department of state shall not exceed eighteen hundred dollars a year; and no compensation shall be allowed to any person employed by him, otherwise than by the provisions of this section.

1881, c. 95.

R.S., c. 2, § 35.

State librarian, six hundred dollars, in full for all services.

1879, c. 125, § 5.

1879, c. 125, § 2.

R.S., c. 115, § 1.  
1879, c. 125, § 2.

Treasurer of state, sixteen hundred dollars; and he shall receive no other fee, emolument or perquisite. For clerk hire in the treasury department, a sum not exceeding twenty-two hundred dollars a year.

Adjutant general, nine hundred dollars; and he shall receive no other fee, emolument or perquisite. The clerk hire in the office of the adjutant general shall not exceed five hundred dollars a year.

1883, c. 229.

R.S., c. 11, § 72.

State superintendent of common schools, eleven hundred dollars, exclusive of travelling and other necessary expenses incurred in the discharge of his duties, for which he shall receive such sums as he actually expends, when approved by the governor and council, not exceeding five hundred dollars in any one year, together with clerk hire not exceeding seven hundred dollars a year.

1883, c. 229.

1879, c. 144, § 1.

Land agent, eight hundred dollars.

1880, c. 235, § 5.  
R.S., c. 58, § 6.

The secretary of the board of agriculture, six hundred dollars, and re-imbusement for necessary expenses incurred in the discharge of his duties, an account whereof shall be first audited by the governor and council, who from time to time may draw their warrant on the treasurer of state for such sums as are necessary to defray the same and other expenses provided for in chapter fifty-eight.

See c. 58, § 4.

1878, c. 75, § 1.

Commissioner of fisheries, one thousand dollars, and while two are in commission at the same time, the salary shall be divided equally between

them; and each shall be re-imbursed his expenses necessarily incurred in connection with his duties, when audited by the governor and council. CHAP. 115.  
Resolve,  
1883, c. 149.

Bank examiner, eighteen hundred dollars, in full for all services and expenses.

Insurance commissioner, one thousand dollars, in full for services. The governor and council may allow such reasonable sum for postage and actual expenses incurred in enforcing the laws relating to insurance, as they deem proper. 1883, c. 236, § 1.

The superintendent of the insane hospital, thirteen hundred dollars; two assistant superintendents, eight hundred and fifty dollars each; the steward, including his duties as treasurer, nine hundred dollars, in full for all services; chaplain, two hundred dollars; matron, three hundred and fifty dollars. 1879, c. 150,  
§ 11.

Warden of the state prison, fifteen hundred dollars, with the use, without charge, of such part of the keeper's house and buildings of the State, appurtenant to the prison and yard, as the governor and council may direct, and fuel for his use; which shall be in full for all services, including the duty of receiving and paying out money for all purposes; deputy warden, one thousand dollars; clerk, six hundred dollars; guards, five hundred dollars each; physician, two hundred and fifty dollars; chaplain, two hundred and fifty dollars; gate keeper, three hundred dollars; teacher, three hundred dollars. 1879, c. 125, § 2.

Superintendent of the reform school, one thousand dollars. Resolve,  
1876, c. 196.

Superintendent of public buildings, one thousand dollars, in full for all his services, without allowance of fees or perquisites. 1879, c. 150,  
§ 12.  
R.S., c. 2, § 20.  
R.S., c. 115, § 1.

Night watchmen at the state house, not exceeding two, seven hundred and fifty dollars each. 1883, c. 162.

SEC. 2. County attorneys, for the counties of:—

Androscoggin, four hundred dollars. 1879, c. 150, § 2.

Aroostook, three hundred dollars. 1883, c. 140, § 3.

Cumberland, one thousand dollars. 1879, c. 150, § 2.

Franklin, two hundred and twenty-five dollars.

Hancock, two hundred and fifty dollars.

Kennebec, four hundred and fifty dollars.

Knox, five hundred dollars. 1883, c. 206.

Lincoln, two hundred and fifty dollars. 1879, c. 150, § 2.

Oxford, three hundred and fifty dollars.

Penobscot, six hundred dollars.

Piscataquis, one hundred dollars.

Sagadahoc, two hundred and fifty dollars.

Somerset, two hundred and fifty dollars.

Waldo, two hundred and fifty dollars.

Washington, three hundred dollars.

York, four hundred and fifty dollars; and no other fees, costs, or emoluments shall be allowed them.

Assistant attorney for the county of Cumberland, five hundred dollars; he shall hold his office during the term of the county attorney by whom he is appointed, subject to removal at any time by the justice of the superior court for said county. 1873, c. 117.



## CHAP. 115.

1879, c. 150, § 3.

1883, c. 159.

1883, c. 140, § 1.

1877, c. 194.

1879, c. 150, § 3.

SEC. 3. Judges of probate, from the treasuries of their counties:—

Androscoggin, four hundred dollars.

Aroostook, four hundred dollars.

Cumberland, sixteen hundred dollars. (a)

Franklin, two hundred and fifty dollars.

Hancock, four hundred dollars.

Kennebec, five hundred dollars.

Knox, two hundred dollars.

Lincoln, three hundred dollars.

Oxford, three hundred and fifty dollars.

Penobscot, eight hundred dollars.

Piscataquis, three hundred dollars.

Sagadahoc, four hundred dollars.

Somerset, two hundred and fifty dollars.

Waldo, two hundred dollars.

Washington, four hundred dollars.

York, four hundred dollars.

1883, c. 147.

1883, c. 177, § 1.

1879, c. 150, § 3.

R.S., c. 115, § 3.

1879, c. 150, § 3.

1879, c. 150, § 4.

See c. 63,  
§§ 32 to 39.

1883, c. 140, § 2.

1879, c. 150, § 4.

SEC. 4. Registers of probate, from the treasuries of their counties:—

Androscoggin, three hundred and fifty dollars.

Aroostook, five hundred dollars.

Cumberland, eight hundred dollars, and clerk hire for one clerk, five hundred and twenty-five dollars.

Franklin, four hundred dollars.

Hancock, four hundred dollars.

Kennebec, seven hundred dollars.

Knox, three hundred dollars.

Lincoln, five hundred dollars.

Oxford, five hundred and fifty dollars.

Penobscot, eight hundred dollars.

Piscataquis, three hundred and twenty-five dollars.

Sagadahoc, five hundred dollars.

Somerset, four hundred dollars.

Waldo, three hundred dollars.

Washington, four hundred dollars.

York, seven hundred and fifty dollars.

1883, c. 177, § 2.

1879, c. 150, § 4.

R.S., c. 115, § 4.

1879, c. 150, § 4.

1879, c. 150, § 5.

SEC. 5. The compensation of the clerks of the judicial courts in the following named counties, to be retained out of the fees of their office, is as follows.

Androscoggin: Eight hundred dollars, and one half of all fees received over that sum, but his entire salary shall not exceed one thousand dollars.

Hancock: Seven hundred and fifty dollars, and one half of all fees received over that sum, but his entire salary shall not exceed one thousand dollars.

Lincoln: Eight hundred dollars, and one half the amount received over that sum, but his entire salary shall not exceed one thousand dollars.

Oxford: Seven hundred dollars, and half the amount received over

(a) See 1879, c. 150, § 3.

that sum, but his entire salary shall not exceed eight hundred dollars, but he is allowed an additional annual sum of fifty dollars for clerk hire. CHAP. 115,  
SEC. 5.

Piscataquis: Seven hundred dollars. He is responsible for all fees of office, whether received or not. 1883, c. 123.

Washington: Eight hundred dollars, and one half the amount received by him over that sum. 1879, c. 150, § 5

York: Thirteen hundred and fifty dollars.

The compensation of the clerks in the following named counties, is as follows:

Cumberland: Eighteen hundred dollars. Deputy clerk twelve hundred dollars, and a sum additional, not exceeding twelve hundred dollars, for clerk hire. Said sums are full compensation for the performance of all duties required of him by law; including those performed by him as clerk of the superior court for said county. He is responsible for all fees of office, whether received or not. 1879, c. 150, § 5.  
1881, c. 83.

Kennebec: All fees, as provided by law, from the supreme judicial court and superior court for said county. 1879, c. 150, § 5.

Penobscot: Twelve hundred dollars, and an annual allowance of six hundred dollars for clerk hire. He is responsible for all fees of office, whether received or not. One clerk employed by him shall be known as deputy clerk, and be sworn as such, who shall give to the clerk a bond for his honesty, and the faithful discharge of his duties.

Clerks of the other counties may each year retain out of the fees received by them during the preceding year, one thousand dollars, and half the amount received over that sum; and in the same proportion for any fraction of a year. —clerks of  
courts, fees;  
amount to be  
retained.  
R. S., c. 115, § 5.

The compensation of clerks in the several counties is in full payment for the performance of all duties required of them by law, including those performed by them as clerks of the county commissioners, or by clerks pro tempore, appointed by them under section seven of chapter seventy-eight, and they shall account for and pay the same to the treasurers of their respective counties, as provided in section three of chapter seventy-nine.

Moneys received for naturalization, and for law copies, are fees of office within the meaning of this section. 1879, c. 150, § 5.

SEC. 6. The agents of the Penobscot and Passamaquoddy tribes of Indians shall each receive two hundred dollars, annually, payable in May and November, out of the funds of their respective tribes, in full for their services as agents, including commission on disbursements. Indian  
agents, com-  
pensation of.  
1879, c. 125, § 6.  
R. S., c. 9, § 1.

SEC. 7. The pay of fish wardens shall be fixed by the governor and council, who shall audit their accounts, and cause the same to be paid from the state treasury, *provided*, that the whole amount paid to all wardens shall not exceed fifteen hundred dollars annually. Fish ward-  
ens, pay of.  
1878, c. 75, § 8.  
—proviso:  
See c. 40, § 40.

#### COMPENSATION OF MEMBERS OF THE GOVERNMENT.

SEC. 8. Each member of the executive council shall receive the same compensation and travel as a representative to the legislature, for services as a councillor during the session of the council commencing in Councillors,  
compensa-  
tion of, dur-  
ing the ses-  
sion of the

CHAP. 115,  
SEC. 8.

legislature.  
1875, c. 31.  
—for special  
sessions.  
—other  
services.

—compensa-  
tion of sena-  
tors and  
represent-  
atives.  
R.S., c. 115, § 6.

—compensa-  
tion of mem-  
bers, for ex-  
tra sessions.

—of presid-  
ing officers.

—secretary of  
senate and  
clerk of  
house.  
1879, c. 125, § 3.  
—assistants.  
—messengers  
and assist-  
ants.  
—pages.

—messenger  
to governor  
and council.  
1879, c. 144, § 2.  
—salaries  
paid  
quarterly.

R.S., c. 115, § 6.

January and closing immediately after the adjournment of the legislature. For services at other sessions of the council, each councillor shall be paid two dollars for every day's actual attendance, and two dollars for every ten miles' travel, one way, from his place of abode to the capitol; and for authorized services on committees, when the council is not in session, three dollars and a half a day and necessary expenses.

Each member of the senate and house of representatives shall receive one hundred and fifty dollars for the regular session of the legislature, and two dollars for every ten miles' travel from his place of abode, once in each session. He is entitled to mileage on the first day of the session, and fifty dollars of his salary on the first day of each month thereafter, during the session, and the balance at the end thereof; but two dollars shall be deducted from the pay of every member for each day that he is absent from his duties, without being excused by the house to which he belongs. The president of the senate and speaker of the house of representatives, shall receive three hundred dollars for each session, with the same mileage as other members, and subject to the same deduction in case of absence. Any member acting as president pro tempore of the senate, or speaker pro tempore of the house, shall receive two dollars a day extra therefor.

When an extra session is called by the governor, the members of the senate and house of representatives shall each be paid two dollars for every day's attendance, and mileage as aforesaid.

The president of the senate and speaker of the house of representatives, at such extra session, shall receive, in addition, two dollars for every day's attendance.

The secretary of the senate, and the clerk of the house of representatives six hundred dollars each, in full for all services. Assistant secretary, and assistant clerk, three hundred dollars each, in full for all services. Messengers and assistant messengers to senate and to house, one hundred and fifty dollars for each, in full.

Pages to the senate and to the house of representatives, seventy-five dollars for each, in full.

Messenger to the governor and council, five hundred dollars, in full for all services and travel.

The salaries of all public officers and the pay of all clerks in public offices not otherwise provided for, shall be from the state treasury, in quarterly payments.

The treasurer of state shall make pay rolls and payments according to these provisions.