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)

SIXTH REVISION

THE

REVISED STATUTES

OF THE

STATE OF MAINE

PASSED SEPTEMBER 29, 1916, AND TAKING EFFECT JANUARY 1, 1917



By the Authority of the Legislature

AUGUSTA KENNEBEC JOURNAL PRINT 1916

TABLE OF CONTENTS.

CONSTITUTION OF THE UNITED STATES.

		PAGE
PREAMBLE.		I
ARTICLE I.	Legislative power	2
II.	Executive power	6
III.	Judicial power	8
IV.	Relative rights of states	9
V.	How the Constitution may be amended	9
VI.	Of former debts; supremacy of the constitution and laws of the	
	United States; and oath required of public officers	10
VII.	Of the ratification of the Constitution	10
AMENDMEN	rine.	
I.	Religious freedom and the rights of speech, of the press, and of the	
1.	people to assemble and petition	11
II.	Right to bear arms	11
III.	Restrictions on quartering troops	. II
IV.	Restrictions on the right of search and seizure	11
1 V. V.		
v. VI.	Rights of persons charged with crimes, and of private property	II
	Mode of trial in criminal cases	12
VII.		12
VIII.	· · · · · · · · · · · · · · · · · · ·	. 12
IX.		12
X.	Powers reserved to the states and to the people	. 12
XI.	control part of mark market may be be a built broaden by mark	
****	viduals against one of the states	12
XII.		12
XIII.		13
XIV.		
	of persons engaged in the rebellion; validity of public debts;	
	rebel debts and slave claims void, and the several states and the	
****	United States forbidden to assume them	13
XV.	1-8	14
XVI.		14
XVII.	Election of senators by the people	14
•		
	CONSTITUTION OF MAINE.	
Dankasara		16
PREAMBLE		_
Article I.		17
II.		19
III.	— ·· · · · · •	21
IV.		21
	(1) House of representatives	21
	(2) Senate	24
	(3) Legislative power	25

•		PAGE
ARTICLE V.	Executive powers	27
	(I) Governor	27
	(2) Council	28
	(3) Secretary	29
	(4) Treasurer	29
VI.	Judicial power	29
VII.	Military	30
VIII.	Literature	31
IX.	General provisions	31
X.	Schedule	34
AMENDMEN	TS ADOPTED SINCE FEBRUARY 23, 1876.	
XXII.	Limitation of municipal indebtedness	35
XXIII.	Biennial elections and biennial sessions	35
XXIV.	Election of Governor by plurality vote	36 36
XXV.	Biennial legislative terms	36 26
XXVI. XXVII.	Prohibition of the manufacture and sale of intoxicating liquors Eligibility of Treasurer of State	36
XXVIII.	Appointment of Adjutant General	37
XXIX.	Educational qualification of voters	37 37
XXIX.	Vacancies in the senate	37
XXXI.	The direct initiative of legislation and optional referendum	38
XXXII.	Adoption of amendments	40
XXXIII.	Seat of government	4I
XXXIV.	Limitation of municipal indebtedness	4I
XXXV.	Bond issue for state highways	42
XXXVI.	Classification of property for purposes of taxation	42
XXXVII.	Adoption of amendments	43
	\\	
AN	I ACT TO REVISE AND CONSOLIDATE THE	
_	PUBLIC LAWS OF THE STATE.	
	TODLIC LAWS OF THE STATE.	
,	•	
	TITLE ONE.	
THE STATE	; ITS SOVEREIGNTY, DIVISIONS, DOMAIN, REVENUES; PARTS OF ITS CIVIL	AND
	MILITARY ADMINISTRATIONS.	
a		PAGE
CHAPTER	I. Divisions of the state. Constitutional amendments. Statutes.	
	Rules of construction. Standard time	47
	2. Sovereignty and jurisdiction. Public buildings. Organization	
	of the legislature. Notice of petitions for legislation. Tenure	
	of office and qualification of officers. Secretary of state. Treasurer of state and state bonds. State auditor	
		, 51
	3. The state library. The state historian. The publication and dis-	=0
	tribution of public documents. State printing and binding	72 81
•	4. Towns, their meetings, officers, powers and duties	
	5. The qualification and registration of voters	117
	7. Elections	129 148
	8. The public lands. Land agent. Location and care of lots for	140
	public uses. Forest commissioner and preservation of forests.	
	Maine forestry district	183
	me to the contract of the cont	103 204
	9. The board of state assessors and the assessment of excise taxes	~04

		CONTENTS.	vii
		·m·	PAGE
CHAPTER		The assessment of taxes	226
	II.	The collection of taxes	254 278
	12.	County treasurers	284
	13. 14.	Indian tribes	286
	15.	The military law	296
	- 3-		
		WINTE WINO	
		TITLE TWO.	
ĘD	UCAT	TION, RELIGIOUS INSTRUCTION, PUBLIC HEALTH, CONVENIENCE, SUPPORT OF THE POOR AND POLICE.	
CHAPTER		Education of youth	350
	17.	Parishes and religious societies. Ministerial and school lands,	
	_	and funds arising therefrom	397
	18.	Practice of medicine, surgery, dentistry and optometry	409
	19.	The public health and the prevention of contagious diseases	426
	20. 21.	Apothecaries and the sale of poisons	453 461
	22.	Drains and common sewers	466
	23.	Nuisances	473
	24.	Ways	481
	25.	State highways	515
	26.	Law of the road. Registration of motor vehicles	526
	27.	Ferries and toll bridges	538
	28.	Fences. Drainage of salt marshes	543
	29.	Paupers, their settlement and support	551
.*	30.	Enginemen, fires, and the prevention of fires	562
4	31. 32.	Innkeepers and victualers. Lunch wagons	573 578
	33.	Inland fisheries and game	5/6 582
	JJ.	intand historics and Same	502
	٠	TITLE THREE.	
•		AGRICULTURE, TRADE AND LABOR.	
Chapter	2.1	Agricultural institutions	620
0111111111	35.	The prevention of contagious diseases among animals	628
	36 .	Protection against adulterated or misbranded goods. Packing of food. Packing of apples	634
	37.	Regulation of sale of milk	648
	38.		658
	39.	Principal, factors and agents. Warehousemen. Partnerships	663
		Board of accountancy. Registration of dealers in securities: Notaries public. Holidays, and days of public observance.	
		Demand on bills and notes. Forged checks. Interest	668
•	41.	Auctions and auctioneers. Itinerant vendors	679
	42.		685
	43.	and harbors, port wardens	689
	44.		,
	77.	trade names. Assayers of ores and metals. Maine Mining	

694

Bureau .

			PAGE
CHAPTER	45.	Sea and shore fisheries	703
	46.	Survey and sale of wood, bark, coal, hoops, staves and lumber	730
•	47.	Timber upon rivers, streams and adjacent lands	735
	48.	Standard weights and measures, meridian lines and standards	, , ,
	•	of length	737
	49.	Provisions relating to labor	746
	50.	Compensation for personal injuries to employees	76o
			•
		TITLE FOUR.	
		CORPORATIONS OF VARIOUS KINDS.	
			. 0
CHAPTER	-	Corporations	780
	52.	Savings banks, trust and banking companies, loan and building	0
		associations, foreign investment corporations	807
	53.	Insurance and insurance companies	846
	54.	Fraternal Beneficiary Associations	896
	55.	The Public Utilities Commission	908
٠ .	56.	The organization and construction of steam railroads. Cross-	0.00
		ings and bridges	928
	57·	The management and operation of steam railroads Street railroads	949
	58.	Corporations for navigation by steam. Unclaimed baggage and	969
	59.	merchandise	070
	60.	Telegraph and telephone companies, gas, and electric light and	9 7 9
	00.	power companies	985
	61.	Aqueducts and water companies. Proceedings for exercise of	903
	01.	right of eminent domain	996
	62.	Corporations without capital stock	1003
	63.	Mills and their repairs	1008
	-3.		
		TITLE FIVE.	
		TITLE TIVE.	
		DOMESTIC RELATIONS.	
		DOMEGOTIC REPARTIONS.	
CHAPTER	64.	Marriage and its solemnization. Registration of vital statistics.	
		Parents and children. Protection of neglected children	1010
	65.	Divorce and annulling illegal marriages	1026
	66.	Rights of married women	1029
		TITLE SIX.	
-			
		POWERS AND DUTIES OF COURTS OF PROBATE,	
CHAPTER	67.	Courts of probate	1034
***	68.	Appointment, powers and duties of executors and administrators	1047
	69.	Succession taxes	1064
	70.	Partition of real estate. Allowances. Distribution of personal	
	-	estate	1073
•	71.	Insolvent estates	1081
	<i>7</i> 2.	Appointment, powers and duties of guardians. Adoption of	
,		children. Change of name	1086

Снартек	7 2 ·	Testamentary trustees and voluntary trusts	PAGE
CHAPIER	73. 74.	Estates of deceased partners	1095 1100
•	75·	The insolvent law	1102
	<i>7</i> 6.	Sales of real estate by license of court	1102
	77.	Probate bonds and remedies thereon	1109
		The state of the s	
		TITLE SEVEN.	
		TITLES TO PROPERTY.	
CHAPTER	<i>7</i> 8.	Conveyances by deed, their form and construction. Trusts	1113
	, 79.	Wills	1120
	80.	Title by descent	1123
	81.	Title to real estate by levy of execution	1129
·			
•			
		TITLE EIGHT.	
JUDIO	CIAL (COURTS, COUNTY COMMISSIONERS, AND OFFICERS CONNECTED THEREWITH	ı.
C	0-	S	
CHAPTER	02.	Supreme judicial court. Attorney general. Reporter. Superior courts	1140
	Ω 2 ·	County commissioners	1140 1167
	_	Clerks of courts, County attorneys and attorneys at law	1173
	85.	Sheriffs and their duties. Jails, coroners and constables	1182
	J		
		TITLE NINE.	
		CIVII, RIGHTS AND REMEDIES.	
-		CIVIL RIGHTS AND REMEDIES.	
CHAPTER	86.	Commencement of civil actions; indorsement and service of writs; attachment of property; arrests; limitations of personal	
		actions	1196
	87.	Proceedings in civil actions in court	1220
	88.	Municipal and police courts, trial justices; their jurisdiction and	
	_	proceedings in civil actions.	1251
	89.	Levy of executions on personal property	1257
	90.	Bail in civil actions	1263
	91.	Trustee process	1266
	92.	Actions by or against executors and administrators Partition of real estate by the supreme judicial court	1282 1287
	93. 94.	Petitions and actions of review	1207
	95.	Mortgages of real estate	1295
	95.	Mortgages of personal property. Liens and their enforcement	1305
	97.	The right of erecting mills and mill-dams, of flowing lands and of diverting water for the supply of mills; and the mode of obtaining damages. Protection of ways from overflow. Inspec-	
		tion of dams and reservoirs	1326
	98.	Inquests of office, and informations for intrusion	1334
	99.	Forcible entry and detainer. Tenancies	1336
	100.	Waste and trespass on real estate	1338
	101.	Restard children and their maintenance	1342

			PAGE
Chapter	103.	Personal property forfeited. Lost goods and stray beasts	1348
	104.	Habeas corpus	1351
	105.	Writ of audita querela	1358
	106.	Writ for replevying a person	1359
	107.	Writs of error, certiorari, mandamus and quo warranto	1361
	108.	Actions of dower	1365
	109.	Real actions	1367
	IIO.	Limitation of real actions, and rights of entry	1379
	III.	The selection and service of jurors	1383
	112.	Depositions	1387
	113.	Reference of disputes by consent of parties	1393
	114.	Prevention of frauds and perjuries in contracts, and actions	
		founded thereon	1394
4	115.	Relief of poor debtors	1399
		The state of the s	
		Marina and Marina	
		TITLE TEN.	•
		SALARIES AND COMPENSATIONS.	
CHAPTER	116.	Duties payable by public officers and attorneys	1420
	117.	Salaries of public officers, and compensation of members of the	
	. •	government	1421
	118.	The regulation of fees and costs	1437
			,
		TITLE ELEVEN.	
		•	
	CRIM	ES AND OFFENSES, PROCEEDINGS IN CRIMINAL CASES, PUNISHMENTS	
		AND INCIDENTAL PROVISIONS.	
CHAPTER	110	Offenses against the sovereignty of the state	T.150
CHALLER	120.	Offenses against the lives and persons of individuals	1452
	121.	Offenses against habitations and other buildings	1455
	121.	Larceny, and receiving stolen goods	1463
	123.	Forgery and counterfeiting, and fraudulent stocks	1464
	124.	Offenses against public justice	1468
	125.	Offenses against the public peace	1471
	126.	Offenses against the public peace	1477
	127.	Gambling. Bucket shops. Sale of intoxicating liquors	1481
	128.	Cheating by false pretenses; frauds, conspiracies and monopolies	1495
	129.		151 <i>7</i> 1523
	130.	Offenses against the public health, safety and policy	
	131.	Libels	1530 1537
	I32.	Proceedings for the prevention of crimes	
	133.	Jurisdiction of offenses and general provisions relating thereto	1538
	134.	Appointment of municipal and police judges, and proceedings	1541
	- 54.	of magistrates in criminal cases	T~
	135.	Commencement of proceedings in criminal cases	1544
	136.	Proceedings in court in criminal cases	1550
	137	Sentence, and its execution in criminal cases, and the liberation	1556
	-3/	of poor convicts	1760
	138.	Collection and disposal of fines and costs in criminal cases	1562
	139.	Disposal of insane criminals	1574
	139. 140.	Pardons, and fugitives from justice	1578
	141.	Medical examiners and their duties	1582 1585
		are areas crammers and men dudes	1 505

CONTENTS.

xi

TITLE TWELVE.

CORRECTIONS	A NTD	CHADITIES
CORRECTIONS	ΛMD	CHARLIES.

	CORRECTIONS AND CHARITIES.	
Chapter 142. 143. 144. 145. 146.	The state prison. The state reformatory for women Workhouses. Houses of correction State juvenile institutions Institutions for the insane and feeble minded State sanatoriums for treatment of tuberculosis State board of charities and corrections	16 16 16 16
	TITLE THIRTEEN.	
	STATE PENSIONS.	
Chapter 148.	The state pension law	16
	peal the acts consolidated in the revised statutes of the year one ine hundred and sixteen	I
	APPENDIX.	
_	ovide for State and County Aid in the Construction of Highway	I
A A -41-4	to the Harmont Franchisch of Warrant of Warr	_