

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

INDEX

TO THE

REVISED STATUTES

OF THE

STATE OF MAINE

SIXTH REVISION

NOTE

In accordance with the Resolve of April 4, 1913, authorizing the sixth revision of the public laws of the state, the provisions of law relating to the national guard, which were omitted from all revisions since 1857, have been included in the Revised Statutes under the title "The Military Law." The index of that title has been prepared by Reuel W. Smith, Esq., of the Androscoggin Bar, and will be found in its alphabetical order. In the classification of the index under that title, the subdivisions of the text of the law as found in chapter fifteen have, in the main, been followed. To avoid unnecessarily increasing the volume of the index, references to that chapter have not generally been inserted under secondary titles, but in place thereof numerous cross references to the leading title, The Military Law, have been inserted.

J. A. M.

April 2, 1917.

E.**EARNEST.**

Sale of goods, to bind; when required..... 5 1395

EARNINGS.

House of correction, by inmates of..... 14 1606
Tramps, etc., committed to workhouse, etc., of 32 1536

EARTH.

Removal from land of another..... 23 1527
Trespass, with intent to dig up and remove 19 1527

EASEMENT.

Acquisition by use..... 12 1380
notice to prevent..... 12 1380
service of; record..... 15 1381
public, by; interruption by notice..... 13 1381
Extinguishment by obstruction..... 14 1381
notice to prevent..... 14 1381
service of; record..... 15 1381
Title, summary petition to try..... 49 1375
order of notice; service..... 50 1376
proceedings upon appearance..... 51 1376

EASTERN MAINE STATE FAIR.

Entry fee, competitor holden for..... 31 627
lien created to secure..... 31 627
Powers and privileges of..... 30 627
State aid to..... 18 624
apportioned by com'r of agriculture..... 7 621
conditional on use of score-card system.. 21 625
expenditure of..... 22 625
form of application..... 23 625
withheld unless returns are made..... 7 622
certificate of treasurer is filed..... 19 624
commissioner of agriculture, of..... 19 624
premiums paid on grade males, if..... 20 625

EDUCATION.

Constitution, fostered by..... viii 31
Forestry, instruction in..... 56 196
See Schools.

EELS.

Commissioners may regulate taking of.... 27 598
Excepted as to methods of taking fish..... 24 597
implements, also as to..... 25 597

EGGS.

Birds, of; destruction forbidden..... 57 609
Sales of preserved, as fresh; penalty..... 13 1532

ELDERS.

Estates granted to minister, authority over 20 400
conveyance of; validity..... 21 400
Presiding at camp-meeting; authority..... 33 1488

ELECTION CLERKS.

Appointment, duties..... 13 153
Assistance to voter by..... 19 156
penalty for wrongful..... 96 174
Candidates ineligible to be..... 13 153
Vacancies filled by municipal officers..... 13 153

ELECTIONS.

- I. In General.
- II. Registration of Voters.
- III. Primary Elections.
- IV. Conduct and Returns.
- V. Corrupt Practices Law.
- VI. Crimes and Offenses.

ELECTIONS—continued.**In General.**

Adjutant general, of..... 3 30
amendment as to..... xxviii 37
Arrest, exemption on election day..... 2 20
statutory provision..... 83 1215
Attorney-general, of..... 11 32
Ballot, shall be by written; const..... 1 19
Biennial elections, amendment..... xxiii 35
Bribery at, enactment of laws as to..... 13 33
Caucus, compulsory method of holding.... 40 144
application limited..... 48 146
bribery at..... 45 145
penalty 47 145
challenges to voters; proceedings..... 43 145
check lists, use of..... 46 145
omission of name bars not right to vote 46 145
enrolment a prerequisite for voting..... 37 143
method of enrolment..... 38 143
caucus, at the..... 39 144
new enrolment..... 38 143
penalty for false statement..... 47 145
record of..... 39 144
large cities, provisions applicable to..... 53 147
challenge of voter; proceedings..... 52 147
disturbance of caucus, penalty..... 49 146
misfeasance of officer..... 51 146
unlawful participation, penalty..... 50 146
notices for; issue and posting..... 44 145
hours for opening and closing polls... 44 145
penalty for violation..... 47 145
polls, time for opening and closing..... 44 145
restrictions upon voting..... 42 144
town clerk to record enrolment..... 39 144
stationery and books provided by..... 39 144
voting to be by ballot..... 41 144
Check list, when used in town elections... 45 128
Cities, in; general provisions..... 8 82
assessors and subordinate officers, of... 39 88
mayor has casting vote in city council... 41 89
warden and ward clerk, of..... 40 88
where qualified voters may vote..... 4 117
Citizens absent in military service..... 4 20
county officers, may vote for..... 12 32
statutory provision..... 82 171
applicable to primary elections..... 26 140
presidential electors, may vote for..... 81 170
conduct of elections..... 81 170
state officers and legislators, for..... 82 171
applicable to primary elections..... 26 140
conduct of elections..... 82 171
correction of errors..... 84 171
applicable to primary elections..... 26 140
secretary of state to furnish poll lists.. 83 171
applicable to primary elections..... 26 140
Clerk of courts, of..... 1 1173
determination of result..... 53 164
Congress, of representatives to..... 4 3
determination of result..... 53 164
meetings for, how conducted..... 40 160
counting of ballots..... 41 160
returns of votes..... 44 162
senators, of..... 4 3
popular vote, by..... xvii 14
vacancy, election to fill..... 42 161
return and canvass of votes..... 43 161
Contested elections, application to court... 87 172
petition, contents and filing..... 88 172
costs to prevailing party..... 91 173
hearing; notice..... 88 172
judgment 88 172
appeal from; proceedings..... 89 172

ELECTIONS—continued.

Contested elections.		
judgment; order to carry into effect.....	90	173
enforcement	90	173
representatives to legislature, by.....	85	171
notice of; procedure.....	85	171
petition, when presented.....	86	171
Councilors, of.....	2	28
amendment	xxiii	35
County attorney, of.....	16	1175
determination of result.....	53	164
County commissioners, of; biennially.....	4	1167
conduct; record and return of votes.....	4	1167
copy of record in place of defective return	53	164
determination of result; notice.....	53	164
vacancies, when filled by.....	2	1167
County office, contest before sup. jud. court	87	172
petition, contents and filing.....	88	172
costs to prevailing party.....	91	173
hearing; notice.....	88	172
judgment	88	172
appeal from; proceedings.....	89	172
order to carry into effect.....	90	173
enforcement	90	173
County treasurer, election of.....	1	284
determination of result.....	2	284
another provision.....	53	164
meetings for, how conducted.....	40	160
Courts not held on election days.....	52	1155
Definitions, in election law.....	1	148
Governor, of.....	3	27
biennial elections.....	xxiii	35
date of.....	4	20
meetings, how and when called.....	22	157
cities, in.....	66	167
plurality vote elects.....	xxiv	36
soldiers, voting by.....	4	20
statutory provision.....	82	171
tenure of office.....	2	27
amendment	xxiii	35
Judges of probate, of; const.....	7	30
determination of result.....	53	164
statutory provision.....	3	1035
Legislature, by; adjournment of.....	4	32
questions submitted by.....	40	160
Major generals, of.....	3	30
Militia, exemption from duty on election days	3	20
another provision.....	76	320
parade of, by officer, penalty.....	117	177
Militia officers, of.....	1	30
Municipal office, contest before sup. jud. court	87	172
petition, contents and filing.....	88	172
costs to prevailing party.....	91	173
hearing; notice.....	88	172
judgment	88	172
appeal from; proceedings.....	89	172
order to carry into effect.....	90	173
enforcement	90	173
Plantation officers, of.....	142	113
provisions as to towns applicable.....	144	114
Political conventions, challenges at.....	52	147
application limited.....	53	147
disturbance of, penalty.....	49	146
misfeasance of officer at.....	51	146
participation, penalty for unlawful.....	50	146
Portland, elections in island wards.....	69	168
President and vice-president, of.....	xii	12
date uniform throughout United States...	4	7
Presidential electors, of.....	57	165
applicability of election laws.....	65	167
blank returns for election of.....	64	167
certificate of election.....	58	166
citizens in military service, vote of.....	81	170
compensation of.....	63	167
determination of result.....	53	164

ELECTIONS—continued.

Presidential electors.		
duties of town and city officers.....	65	167
expense of sending for returns.....	59	166
governor and council to count votes for..	58	166
meetings for, how conducted.....	40	160
counting of ballots.....	41	160
meeting of.....	61	166
no choice; legislature to elect.....	60	166
proceedings of.....	62	166
secretary of, and other officers.....	63	167
vacancies, how filled.....	61	166
voters for, duties of.....	65	167
votes for, casting and return of.....	58	166
Qualifications of voters, under constitution	1	19
educational, amendment.....	xxix	37
statutory provision.....	2	117
exemption from, how established....	3	117
neglect to enforce, penalty.....	28	125
Quartermaster general, of.....	3	30
amendment as to.....	xxiii	35
Registers of deeds, of; tenure.....	1	278
determination of results.....	2	278
another provision.....	53	164
meetings for, how conducted.....	40	160
Registers of probate, of; const.....	7	30
determination of result.....	53	164
statutory provision.....	21	1039
Representatives to legislature, of.....	5	22
apportionment of.....	3	22
choice, proceedings when no.....	39	160
cities, in.....	70	168
classed towns, in.....	72	168
call of meetings for.....	73	169
contest, notice of; procedure.....	85	171
contest; petition when presented.....	86	171
determination of result.....	53	164
meetings, how and when called.....	22	157
cities, in.....	66	167
soldiers, voting by.....	4	20
statutory provision.....	82	171
summons to members elect.....	5	23
vacancy, how filled, unclassified town....	56	165
cities, in.....	70	168
classed towns, in.....	72	168
call of meetings for.....	73	169
Returns, distribution of blanks for.....	56	61
state elections, of; how made.....	44	162
delinquent, notice of.....	49	163
lost, how supplied.....	50	163
certificate signed and sworn to.....	51	163
sealed and forwarded.....	52	163
Secretary of state, of.....	1	29
amendment	xxiii	35
Senators, of state.....	3	24
apportionment of.....	2	24
determination of result.....	53	164
meetings, how and when called.....	22	157
cities, in.....	66	167
soldiers, voting by.....	4	20
statutory provision.....	82	171
summons to senators elect.....	4	24
vacancies, to fill.....	5	24
amendment as to.....	xxx	37
Sheriffs, of.....	10	32
determination of result.....	53	164
Soldiers absent from state, manner of voting	4	20
county officers, may vote for.....	12	32
statutory provision.....	82	171
applicable to primary elections.....	26	140
presidential electors, for.....	81	170
conduct of elections.....	81	170
state officers and legislators, for.....	82	171
conduct of elections.....	82	171
correction of errors.....	84	171

ELECTIONS—continued.

Soldiers absent from state.	
provision applicable to primary elections	26 140
secretary of state to furnish poll lists..	83 171
applicable to primary elections.....	26 140
Soldiers' Home, right of inmates to vote....	80 170
State auditor, of.....	81 65
determination of result.....	53 164
meeting for, how conducted.....	40 160
counting of ballots.....	41 160
return of ballots.....	44 162
State election, date under constitution.....	4 20
warrants for, when issued in towns.....	22 157
cities, in.....	66 167
Town meetings, general provisions.....	2 81
annual, for election of officers.....	12 83
check list, when used.....	45 128
park commissioner, of.....	84 98
road commissioner, of.....	16 84
Treasurer of state, of.....	1 29
amendment	xxiii 35
Village corporation, meetings of.....	9 82

Registration of Voters.

Annual town meeting, list of voters for....	43 128
check list, when used at.....	45 128
penalty for neglect or refusal.....	46 128
sessions for correction of list.....	44 128
Applicant's name announced aloud.....	15 121
personal appearance necessary.....	4 117
another provision.....	19 122
transfer, but not for purpose of.....	19 122
requirements to test qualifications.....	15 121
naturalized citizen, in case of.....	16 121
neglect to enforce.....	28 125
Assessors to annually make lists.....	9 119
duties as to such lists.....	10, 11 119
penalty for making false entry.....	12 120
refusing information to, for.....	13 120
voters, to make lists of, in towns.....	34 126
Authority to make and revise lists in cities	5 118
primary elections, at.....	12 134
towns of more than 500 voters, in.....	40 127
applicable to primary elections.....	12 134
small towns, in.....	41 127
applicable to primary elections.....	12 134
Boards of registration, appointment.....	6 118
chairman, right to vote; duties.....	7 118
compensation of members.....	22 124
compulsory attendance of witnesses.....	8 119
contempt, power to punish for.....	8 119
fraud upon, penalty.....	32 126
lists of deceased voters furnished to.....	26 125
majority may act.....	6 118
neglect to enforce educational test.....	28 125
notice to assessors, of errors.....	11 119
oaths, may administer.....	8 119
orders of, disobedience to; penalty.....	33 126
police officers to attend.....	27 125
polling districts, to prepare check lists for	12 152
qualifications of voters, to determine....	8 119
record of proceedings.....	17 121
records; city clerk, custodian of.....	21 123
register of voters, to keep.....	14 120
sessions of.....	19 122
notice of time and place.....	23 124
voting lists, names to be entered on.....	11 120
ward lists, to prepare.....	18 121
not answerable for errors in.....	19 122
witnesses, may summon.....	8 119
examination of.....	20 123
fees of.....	22 124
oath of.....	8 119

ELECTIONS—continued.

Challenge, before board of registration....	20 123
election day, on; to be noted.....	24 124
Cities, where qualified voter may vote in....	4 117
City clerk, to post ward lists.....	18 121
custodian of records and lists.....	21 123
deceased voters, to furnish lists of.....	26 125
City officer, neglect of duty by.....	29 125
Double registration; penalty.....	30 125
Elections, corrected lists to be used at....	23 124
Fraudulent conduct as to; penalty.....	32 126
Meetings, to be open; time of closing.....	17 121
Municipal officers, registration by.....	40 127
notice of sessions.....	42 128
towns, in small.....	41 127
Names, added or stricken off, when.....	17 121
list, must be on.....	19 122
municipal officers, by.....	38 127
omitted, certificate given.....	19 123
stricken off, without notice; penalty.....	107 176
fraudulently	108 176
Naturalized citizen, requirements of.....	16 121
approval of papers by selectmen.....	39 127
Notices relating to registration, where posted	25 124
assessors, to; of errors.....	11 120
injuring or defacing.....	31 125
residence, change of.....	20 123
sessions of boards of registration.....	23 124
municipal officers, of.....	42 128
Obstructing registration; penalty.....	33 126
Plantations, lists prepared as in towns.....	75 169
applicable to primary elections.....	26 140
Primary elections, for.....	25 140
Record of names added or stricken from list	17 121
boards of registration, of; custodian.....	21 123
Register of voters, to be kept.....	14 120
Selectmen, lists of voters, prepared by....	35 126
change, not to, except in open session....	38 127
names added, at regular sessions.....	38 127
posting list of voters.....	37 126
penalty for neglect.....	104 175
revised list, to deposit in clerk's office....	37 126
sessions of, to correct lists.....	36 126
Voters, assessors to make lists of, in towns	34 126
deceased, clerk to furnish list of.....	26 125
name must be on list.....	19 122
omitted, certificate given.....	19 123
notice of change of residence.....	20 123
Ward lists, preparation and posting.....	18 121
caucus, copies to be furnished for.....	46 145
challenge of voters before board.....	20 123
election day, on, to be noted.....	24 124
city clerk, custodian of.....	21 123
duplicates for ballot clerks.....	13 153
election day, no change on.....	19 122
elections, to be used at.....	23 124
names added upon personal request only..	19 122
names on, no right to vote unless.....	19 122
omitted, how person may vote.....	19 123
preserved one year.....	21 123
street and number, entered on.....	20 123
wardens to be governed by.....	19 122

Primary Elections.

Acceptance by nominee.....	17 137
U. S. senate, by candidates for.....	20 139
failure to file deemed declination.....	17 137
Ballots, requisites of.....	8 131
chapter 7, certain sections apply.....	26 140
marking of.....	14 135
number to be supplied.....	9 132
secretary of state to furnish.....	9 132
Bribery to procure nomination.....	19 139

ELECTIONS—continued.

Candidates for office nominated at.....	1	129
acceptance by nominee.....	17	137
U. S. senators, for.....	20	139
limitation of expenditures.....	21	139
lists sent to towns by secretary of state..	10	133
published in newspapers.....	10	133
returns of expenditures.....	18	137
false, constitute perjury.....	18	138
U. S. senators, by candidates for.....	20	139
Certificate on nomination paper.....	5	130
vacancy on ballot, for supplying.....	6	131
after election, for supplying.....	22	139
Committees, election at state convention...	2	129
city, town, ward, plantation or class, for..	3	130
general or executive committees, are....	4	130
names certified to secretary of state.....	2	129
organization of.....	2	129
vacancies; how filled.....	2	130
Conduct of; enrolment.....	13	134
chapter 7; certain sections apply.....	26	140
another provision.....	27	140
manner of voting; marking ballot.....	14	135
Construction of laws applicable to.....	27	140
Corrupt practices law applies to.....	124	179
Expenditures, returns of.....	18	137
false, constitute perjury.....	18	138
limitation of.....	21	139
U. S. senators, by candidates for.....	20	139
Expenses of; how borne.....	9	133
warrants for state expenditure.....	28	141
Manner of voting; marking ballot.....	14	135
Nomination papers; authorized use.....	5	130
amendment of.....	6	131
nominations made by.....	5	130
preservation of.....	6	131
requisites of.....	5	130
signed and filed, when to be.....	6	131
United States senators, for.....	7	131
vacancies among candidates.....	6	131
Offenses against purity of elections.....	26	140
Political parties; definition.....	1	129
law construed as election by each.....	27	140
nominations by, at primary elections....	1	129
platform adopted at state convention....	2	129
certified to secretary of state.....	2	129
state convention held by.....	2	129
county committee elected at.....	2	129
district committee also.....	2	129
state committee also.....	2	129
certified to secretary of state.....	2	129
vacancies filled.....	3	130
Returns of expenditures.....	18	137
failure to make; penalty.....	18	139
false, constitute perjury.....	18	138
U. S. senators, by candidates for.....	20	139
Returns of votes.....	15	135
canvass by governor and council.....	16	136
Secretary of state, ballots supplied by.....	9	132
acceptance of candidate sent to.....	17	137
lists of candidates forwarded by.....	10	133
published in newspapers.....	10	133
names of committees certified to.....	2	129
nomination papers filed with.....	6	131
notice to nominee, to give.....	16	137
candidates having equal number of votes	16	137
platforms certified to.....	2	129
return of expenditures to.....	18	137
return of votes, to furnish blanks for...	15	135
Special primary elections.....	23	140
special elections, before.....	24	140
U. S. senators, to fill vacancies in.....	23	140
United States senators nominated at.....	7	131

ELECTIONS—continued.

Vacancies in nominations, how filled.....	22	139
U. S. senators, for.....	23	140
Voters, qualifications of.....	12	134
enrolment necessary.....	13	135
registration of.....	25	140
Warrants for; issue, form and posting....	11	133
expenses, for.....	28	141
Conduct and Returns.		
Ballot boxes, construction of state.....	31	158
construction, when not for official ballots	34	159
custody of state ballot boxes.....	33	159
replaced when lost or defective.....	33	159
use compulsory; regulation.....	32	159
primary elections, at.....	26	140
violations of law as to; penalty.....	100	175
Ballot clerks, designation of; duties.....	13	152
assistance to voter by.....	19	156
penalty for wrongful.....	96	174
ballots delivered to, by election officers..	10	151
candidates ineligible to be.....	13	153
distribute ballots and check names, to...	15	154
vacancies filled by municipal officers....	13	153
ward lists, to certify.....	21	123
Ballots, how obtained by voter.....	15	154
canvass of returns and ballots.....	53	164
application of § 53.....	54	165
city clerks to provide two sets.....	9	151
disposal of.....	10	151
applicable to primary elections.....	26	140
contents and size of official.....	2	148
counting, provisions as to.....	41	160
defacing or destroying, penalty.....	94	173
specimen, as to.....	93	173
defective, not counted; preserved.....	20	156
distribution by town clerks.....	10	151
applicable to primary elections.....	26	140
voters, to.....	15	154
folded not received in town meeting.....	37	88
inspection of ballots.....	47	162
loss of, provisions in such case.....	11	151
applicable to primary elections.....	26	140
marking and casting of.....	16	154
assistance in marking.....	19	156
penalty for wrongfully assisting.....	96	174
"stickers," use authorized.....	16	155
number to be furnished.....	4	149
official, only, to be cast and counted....	20	156
packages of.....	3	149
applicable to primary elections.....	26	140
polling place, not to be removed from...	17	155
printed and distributed at public expense	1	148
record of number printed and supplied...	3	149
applicable to primary elections.....	26	140
requirements of valid.....	30	158
sealing and preservation.....	18	156
secretary of state to forward two sets...	8	150
disposal of.....	10	151
applicable to primary elections.....	26	140
seals, blanks, etc., to prepare.....	48	163
sorted and counted in open meeting....	18	156
specimen to be furnished.....	5	149
penalty for defacing, etc.....	93	173
posted.....	10	151
spoiled, disposal of.....	17	155
transmitted to sec'y of state.....	45	162
expense of sending for.....	46	162
penalty for failure.....	112	176
Candidates, lists of, published and posted..	6	150
city elections, for.....	7	150
penalty for defacing, etc.....	93	173

ELECTIONS—continued.

Certificates of nomination, contents.....	32	142
amendment of.....	34	143
filing of.....	33	142
opening, inspection and preservation.....	36	143
penalty for frauds as to.....	94	173
vacancies, how supplied.....	35	143
validity of.....	34	143
Check list used at state elections.....	28	158
ballot clerks, duplicates for.....	13	153
penalty for wilful neglect.....	105	175
preserved by town clerk.....	29	158
sealing and preservation.....	18	156
town elections, use of, in.....	45	128
penalty for wilful neglect, etc.....	46	128
wardens to be governed by.....	19	122
Cities, state elections in.....	66	167
applicable to primary elections.....	26	140
wardens, duties of.....	66	167
choice, pro tempore.....	67	167
applicable to primary elections.....	26	140
island wards of Portland.....	68	167
applicable to primary elections.....	26	140
Consent of nominee to be filed.....	33	142
Counting of ballots.....	41	160
Determination of result; method.....	53	164
application of method.....	54	165
jurisdiction of court unaffected.....	55	165
Election clerks, appointment, duties.....	13	153
applicable to primary elections.....	26	140
assistance to voter by.....	19	156
penalty for wrongful.....	96	174
candidates ineligible to be.....	13	153
vacancies filled by municipal officers.....	13	153
Instructions, cards of, to be provided.....	5	149
applicable to primary elections.....	26	140
distributed by secretary of state.....	8	150
penalty for defacing, etc.....	93	173
posted at voting places.....	10	151
town clerks, to.....	48	163
Islands, rights of voters on.....	74	169
applicable to primary elections.....	26	140
Portland, in.....	68	167
applicable to primary elections.....	26	140
conduct of meetings.....	69	168
Meetings, hour of opening.....	21	157
Nomination papers, contents.....	32	142
amendment of.....	34	143
filing of.....	33	142
opening, inspection and preservation.....	36	143
penalty for frauds as to.....	94	173
signatures to.....	31	141
vacancies, how supplied.....	35	143
validity of.....	34	143
Nominations at primary elections.....	1	129
convention or caucus, by.....	29	141
nomination papers, by.....	31	141
vacancies, how supplied.....	35	143
Plantations, elections, procedure at.....	77	169
return of votes, and list of voters.....	77	169
applicable to primary elections.....	26	140
state elections, call for.....	76	169
applicable to primary elections.....	26	140
voters in unorganized.....	74	169
votes received and allowed as in towns.....	78	170
applicable to primary elections.....	26	140
rejected, when.....	79	170
applicable to primary elections.....	26	140
Polling districts, when and how defined.....	12	152
constitutional provision.....	16	33
warden and clerk for, appointment of.....	12	152
applicable to primary elections.....	26	140

ELECTIONS—continued.

Polls, hours of opening and closing.....	21	157
Plurality of votes decides.....	41	161
cities, in.....	71	168
Primary elections, of.....	26	140
Returns of votes at state elections.....	44	162
canvass by governor and council.....	53	164
application of § 53.....	54	165
delinquent, notice of.....	49	163
duties of county attorneys.....	114	177
lost, how supplied.....	50	163
certificate, signed and sworn to.....	51	163
penalty for false.....	110	176
sealed and forwarded.....	52	163
wilful neglect or refusal, penalty.....	109	176
messenger sent for.....	46	162
Shelves for voters, and guard rail.....	14	154
applicable to primary elections.....	26	140
State elections, ballot box, use of.....	32	159
check list must be used.....	28	158
applicable to primary elections.....	26	140
penalty for wilful neglect.....	105	175
date under constitution.....	4	20
presiding officers have powers of moderators.....	23	157
applicable to primary elections.....	26	140
return of votes.....	44	162
canvass by governor and council.....	53	164
delinquent, notice of.....	49	163
duties of county attorneys.....	114	177
lost, how supplied.....	50	163
certificate, signed and sworn to.....	51	163
penalty for false.....	110	176
sealed and forwarded.....	52	163
wilful neglect or refusal, penalty.....	109	176
selectmen pro tem. may be chosen.....	24	157
applicable to primary elections.....	26	140
presiding officer during choice.....	25	157
applicable to primary elections.....	26	140
sworn, powers of.....	26	157
vote of person not qualified, refused.....	23	157
voting place, when town divided.....	27	158
applicable to primary elections.....	26	140
warrants for, when issued in towns.....	22	157
cities, in.....	66	167
"Stickers," use authorized.....	16	155
Unorganized places, rights of voters in.....	74	169
applicable to primary elections.....	26	140
Voter, announcement of name.....	28	158
applicable to primary elections.....	26	140
exhibition of ballot by, penalty.....	92	173
falsehood as to inability to mark.....	92	173
Voting apartments to have doors.....	14	154
applicable to primary elections.....	26	140
arrangement of shelves.....	14	154
Voting machines, adoption of.....	36	160
bond to keep in order.....	37	160
examination and approval.....	35	159
instructions for use of.....	38	160
regulations for use of.....	38	160

Corrupt Practices Law.

Acts constituting violation of law.....	132	181
Application of law.....	124	179
Candidates may pay personal expenses.....	127	180
statement of disbursements, to file.....	130	181
penalty for failure.....	130	181
prosecution for such failure.....	130	181
preservation of statements.....	131	181
salary withheld until.....	130	181
secretary of state to furnish blanks.....	131	181
Caucus; construction of term.....	124	179
Construction of terms.....	124	179

ELECTIONS—continued.

Contribution of money regulated.....	126
Definitions	125
conveyance charges.....	128
Political agent; appointment in writing....	125
candidate may designate himself.....	125
construction of term.....	125
contribution of money to, by candidate...	126
payment of expenses by, alone.....	127
restricted to specified purposes.....	128
statement of disbursements, to file.....	129
penalty for failure.....	129
preservation of statements.....	131
secretary of state to furnish blanks....	131
Primary election; construction of term....	124
Treasurer; appointment in writing.....	125
construction of term.....	125
contribution of money to, by candidate...	126
payment of expenses by, alone.....	127
restricted to specified purposes.....	128
statement of disbursements, to file.....	129
penalty for failure.....	129
preservation of statements.....	131
secretary of state to furnish blanks....	131
Violations of the law defined.....	132
penalty	132

Crimes and Offenses.

Assessors making false entries.....	12
refusing information to.....	13
Ballot boxes, evasion of law as to.....	34
state ballot boxes, violation of law as to	100
Ballot clerk, wrongfully assisting voter....	96
Ballots, defacing or destroying.....	94
defacing, etc., specimen.....	93
delaying delivery of.....	94
endeavoring to induce voter to exhibit...	92
exhibition of, by voter.....	92
failure to send to sec'y of state.....	112
false statement as to inability to mark..	92
forgery of official indorsement.....	94
inspection of, permitting.....	92
interference with voter in marking.....	92
receiving prohibited.....	105
penalty, how recovered.....	106
removal before close of polls.....	94
tampering with seals or packages.....	112
town officer receiving folded.....	37
examination, not to permit.....	37
Betting on election prohibited.....	121
conveyances for, void.....	123
party may recover wager.....	122
penalty, how recovered.....	121
Bribe, accepting a.....	119
Bribery and corruption at elections.....	119
caucus, at a.....	45
constitutional provision.....	13
primary elections, at.....	19
Candidates, defacing, etc., list of.....	93
Caucus, violation of law as to.....	47
large cities, in; disturbance of.....	49
misfeasance of officer.....	51
unlawful participation.....	50
voting before challenge determined....	52
Certificates of nomination, frauds as to...	94
lost election returns, of; false.....	110
Check list, neglect or refusal to keep and use	105
penalty, how recovered.....	106
refusal to use, in town elections.....	46
refusal to furnish copy.....	29
City officer, neglect of duty as to registration	29

ELECTIONS—continued.

Corrupt practices act, violations of.....	132
failure of candidate to file statement....	130
political agent or treasurer, of.....	129
Disobedience to orders of board of registration	33
Educational test, neglect to enforce.....	28
Election clerk, wrongfully assisting voter..	96
Election officers, duty of.....	92
False answer, relating to registration.....	32
representation of another.....	32
statement as to registration.....	31
Instructions, defacing, etc., cards of.....	93
Military parades on election day.....	117
penalty, how recovered.....	118
Name, fraudulently erasing, etc., from list..	108
striking from list without notice.....	107
voting in assumed or wrong.....	108
National election, neglect to issue warrant for	101
Neglect, declared to be wilful, when.....	115
Nomination papers, frauds as to.....	94
Notice as to registration, injuring or defacing	31
Obstructing registration.....	33
Officer pro tem., neglect or misfeasance of..	99
Primary elections, offenses at.....	26
returns of expenditures, false.....	18
failure to make.....	18
Public officer, interference with.....	31
neglect of duty by.....	95
ballots, as to handling and sealing.....	112
Registration, not being qualified voter.....	32
illegal	30
Return, making false certificate of lost....	110
neglect to deliver to secretary of state...	113
prosecutions for.....	114
neglect to supply lost.....	109
Sale of vote.....	97
copy of law to be posted.....	98
Seals of packages of ballots, breaking.....	112
Specimen ballots, defacing, etc.....	93
State elections, neglect to issue warrant for	101
Supplies furnished voter, destruction of....	93
Town officer, neglect or misfeasance of....	99
Voters, disturbing or hindering.....	119
misconduct of.....	116
penalty how recovered.....	118
neglect to deposit or post list of.....	104
penalties recovered by, when.....	102
Votes, fraudulently receiving illegal.....	105
penalty, how recovered.....	106
Voting in wrong place, knowingly.....	120
in wrong name.....	108
wilfully hindering.....	93
Voting lists, injuring or defacing.....	31
Ward, registration in more than one.....	30
Ward lists, failure to preserve.....	21
Warrant, neglect of constable to serve....	103
municipal officers, of, to issue.....	101

ELECTORS.

See Voters.

ELECTORS, PRESIDENTIAL.

See Presidential Electors.

ELECTRICITY.

Transmission beyond state limits forbidden	1	985
penalty for violation.....	2	986

ELECTRIC LIGHT AND POWER COMPANIES.

Authorized organization.....	3	986
consent of public utilities com'n, when with	3	986
hearing before commission, only after..	4	986

ELECTRIC LIGHT AND POWER COMPANIES—cont'd

Authorized organization.		
consent; Maine corporation, only to.....	5	986
physical connection of lines may be ordered	6	986
Bonds secured by mortgage, issue.....	37	919
Certificate of organization, contents.....	7	987
construction over ways of towns named in	10	987
another company, not to take lines of..	11	987
Construction of lines; limitations.....	10	987
bridge, of; not authorized.....	15	989
nuisance, when declared to be a.....	14	988
ornamental trees not to be destroyed....	15	989
poles, lines and fixtures, of.....	15	988
streets and ways authorized, under.....	13	988
permits required.....	13	988
repairs, for; granted without notice..	13	988
public travel not interrupted.....	14	988
repair, to be put in good.....	14	988
liable to town upon failure.....	14	988
Current, diversion of; penalty.....	11	1525
Damages, to reimburse towns for payments of	16	989
notice of suit for, to have.....	16	989
Duties payable on organization.....	6	782
Fixtures, malicious injury to; penalty.....	10	1525
another provision.....	11	1525
current, diversion of.....	11	1525
meters, tampering with.....	11	1525
transmission lines, to.....	12	1525
Franchise, mortgage of.....	37	919
Intimidation of workmen; penalty.....	10	1479
Meters; apparatus for testing provided....	19	989
compulsory inspection of.....	19	989
application for inspection.....	22	990
proceedings upon; expense.....	22	990
inspector of; appointment; salary.....	20	990
duties.....	21	990
malicious injury to.....	11	1525
Physical connection of lines, may be ordered	6	986
Places already occupied, excluded from....	3	986
consent of public utilities com'n, except by	3	986
hearing before com'n, only after.....	4	986
Maine corporation, only to.....	5	986
named in certificate, restricted to.....	7	986
Pole lines, alteration in, may be required..	27	992
application for permission to erect.....	27	991
buildings, wires affixed, without consent..	36	995
construction upon public ways.....	27	991
alteration in location and height.....	27	992
application for permit.....	27	991
notice before granting.....	27	991
proceedings at hearing; record.....	27	992
appeal from adjudication.....	27	992
compensation of selectmen, etc.....	30	993
damages, assessment of.....	28	992
award, recovery of.....	28	993
appeal from; proceedings.....	29	993
costs, regulation of.....	28	993
railroads, along; proceedings.....	37	996
surface of ways, below.....	13	988
cutting or removal, notice required.....	31	993
penalty for, without notice.....	31	993
recovery of expense.....	31	993
duties and liabilities as to, extent of....	26	991
owners liable only for negligence.....	27	992
enjoyment of privileges gives not right..	32	993
entry upon private property without consent	36	995
legal structures, declared to be.....	27	992
location of lines; procedure.....	27	991
alteration of permit.....	27	992
joint use of poles may be ordered.....	33	994
revocation of permit; procedure.....	33	994
appeal to sup. jud. court; proceedings	24	995

ELECTRIC LIGHT AND POWER COMPANIES—cont'd

Pole lines; joint use.		
apportionment of expense.....	33	994
decision in writing and recorded.....	33	994
power and authority is additional....	35	995
limited to cities of more than 40,000.	33	994
public travel not incommoded.....	15	988
shade trees not to be cut down.....	15	988
wires may be placed below surface.....	13	988
permit for, required.....	12	988
Power to hold property.....	8	987
Towns, reimbursement of damages paid by	16	989
Transmission of current restricted to state	1	985
penalty for violation.....	2	986
Way, opening without permit, forbidden....	12	988
wires placed under surface of.....	13	988

ELEVATORS.

Management of, regulated.....	33	756
--------------------------------------	----	-----

ELOIGNMENT.

Action of personal replevin, in.....	7	1360
Judgment upon issue of.....	8	1360
Return of; production of plaintiff's body....	9	1360

EMBEZZLEMENT.

Bailee, by.....	10	1466
Estate of deceased person, of; complaint..	71	1063
citation and examination.....	71	1063
commitment upon refusal.....	73	1063
damages, also liable for.....	73	1063
person entrusted with estate, of.....	72	1063
Insurance agent, by.....	10	1466
Officers, agents, clerks, etc., in general....	8	1465
Prosecutions for.....	9	1466
Savings banks, misappropriation of funds of	49	821
Search warrant for property.....	13	1547
Shipmasters or mariners, by; liability for..	5	689
Ward's estate, of; examination.....	33	1093
guardian, by; penalty.....	34	1093

EMBLEMS.

Charitable organization, of; use protected..	9	1005
violation restrained by injunction.....	10	1005
penalty for.....	11	1005

EMIGRATION.

Authority of overseers of the poor as to....	13	554
-----------------------------------------------------	----	-----

EMINENT DOMAIN, TAKING BY.**In General**

Authorized procedure.....	11	998
Damages, estimation of; security.....	13	999
appeal from award; proceedings.....	17	1000
application within three years.....	13	999
notice to adverse party.....	14	999
owner, proceedings by.....	19	1000
trespass, action of; after three years	13	999
failure by owner to apply, no waiver	21	1001
deposit of award, after proceedings....	18	1000
guardian may release for ward.....	13	999
report of com'rs; contents.....	16	1000
notice of.....	16	1000
terms and conditions of use prescribed	15	999
appeal, not open on.....	15	999
unpaid, use of land enjoined.....	19	1000
service of injunction.....	20	1001
violation of injunction; proceedings..	20	1001
Description of location; map.....	12	998
correction of; to cure defects.....	12	998
filing of.....	12	998

EMINENT DOMAIN, TAKING BY—continued.

Constitutional provision for compensation..	v	11
state constitution, under.....	21	19
Defective proceedings, how cured.....	22	1001
Governor and council, for public uses, by...	8	52
compensation for.....	10	52
survey and location thereof; plan.....	9	52
Limitation of action for damages.....	108	1220
Proceedings recorded in registry of deeds..	18	281
State highway commission may take by....	11	518
damages, assessment of.....	11	519
vacate lands taken, may.....	11	519
Trees and shrubs along parkways, of.....	90	100
Trees at or near crossings, of; removal.....	111	510
United States, by; for public uses.....	14	53
cession of jurisdiction.....	12	53
lands ceded to.....	6	52
Water districts, by; necessity determined..	23	1001
application by owner; proceedings.....	24	1002
commissioners, proceedings before.....	25	1002
district, proceedings by.....	26	1002

Particular Takings.

Burying-ground, for enlargement of.....	8	462
acceptance by town necessary.....	10	462
assessment of damages upon complaint..	11	462
dwelling-house, not within twenty-five rods of	8	462
notice of hearing and service.....	9	462
proceedings by municipal officers.....	10	462
Coast survey, for.....	17	54
assessment of damages.....	18	54
report of commissioners; proceedings...	19	54
tender of damages.....	20	55
Ditches along roads, for construction of...	26	471
proceedings and assessment of damages..	27	471
Fish culture, locations for.....	50	717
Fish hatcheries.....	8	586
Grade crossings, for abolishment of.....	34	491
appeal from assessment.....	36	492
Highways, application to county com'rs....	1	481
adjudication of common convenience.....	4	482
hearing, proceedings at.....	4	482
notice of hearing; service.....	2	482
parties interested may appear.....	59	498
substantial conformity to petition.....	1	481
appeal from decision on petition.....	59	498
committee appointed; proceedings.....	60	498
compensation of.....	61	499
oath administered before view.....	62	499
judgment on report of committee.....	60	498
effect of, and procedure thereon.....	61	499
proceedings before county com'rs stayed	59	498
damages, action for.....	49	495
assessment by county com'rs.....	7	483
complaint for increase.....	8	483
determination; costs.....	8	483
judgment certified to county com'rs..	8	483
notice of appeal.....	5	482
joint boards, proceedings by; notices.....	12	485
appeals may be taken.....	14	485
proceedings on.....	15	485
proceedings before county com'rs.....	13	485
judgment affected by increase of damages	6	483
lands, etc., taken by mun. officers.....	74	502
railroad company, over lands of; notice..	29	489
lands used for station purposes, over...	32	490
tracks, over; proceedings.....	30	489
adjudication of railroad com'rs.....	33	490
appeal from.....	30	489
expense of building and maintenance	31	490
unincorporated places, in.....	50	496
decision, if adverse, final for one year..	54	497
expenses of making and opening.....	50	496

EMINENT DOMAIN, TAKING BY—continued.

Highways.		
unincorporated places; notice of hearing..	51	496
procedure after hearing.....	52	496
appeal and proceedings thereon....	53	496
ways partly in, and in towns.....	55	497
Houses for care of infected persons.....	75	444
safe-keeping of infected goods, for.....	77	444
town to pay just compensation.....	80	445
Library building, for public.....	87	99
proceedings by municipal officers.....	88	99
complaint for damages, upon.....	89	100
Lumber roads, for; no trespass by using, if	56	497
bond for payment of damages.....	56	497
amount fixed by county com'rs.....	57	497
given before entry.....	57	497
names of owners unknown, if.....	57	497
damages how ascertained.....	58	498
tender of, its effect.....	58	498
waiver of.....	58	498
Marshes, for improvement of.....	32	548
assessment of damages.....	33	548
Mines and quarries, for drainage of.....	30	472
report of committee, acceptance.....	31	472
record of.....	32	472
Municipal buildings, for.....	87	99
proceedings by municipal officers.....	88	99
complaint for damages, upon.....	89	100
Parks and squares, for public.....	87	99
proceedings by municipal officers.....	88	99
complaint for damages, upon.....	89	100
Playgrounds, for public.....	87	99
proceedings by municipal officers.....	88	99
complaint for damages, upon.....	89	100
Public drains, for construction of.....	2	466
proceedings and assessment of damages..	3	466
Public landings, location of.....	21	487
Railroads, by; authority for.....	24	934
additional for certain purposes.....	26	935
necessity for taking, determination....	26	935
certificate by railroad com'rs.....	26	935
burying-grounds, not without consent....	29	936
change of location, for.....	28	936
crossings of ways, to facilitate.....	64	944
damages unpaid, injunction to issue.....	38	438
service of injunction.....	39	938
violation, proceedings for.....	40	939
personal liability for.....	40	939
dwelling-houses, not without consent....	29	936
entry, none, until damages secured.....	29	936
meeting-houses, not without consent....	29	936
station grounds not to be taken.....	57	943
width limited.....	24	934
Schoolhouse lots and playgrounds, for....	3	352
application for increase of damages.....	4	352
erroneous location, in case of.....	5	352
appraisal, notice of.....	6	352
appeal to county com'rs.....	9	353
collection of appraisal.....	7	353
tender allowed in part payment.....	8	353
Street railroads, by; authority for.....	15	974
additional purposes, for.....	17	974
assessment of damages.....	18	975
Swamps and meadows, for drainage of.....	30	472
report of committee, acceptance.....	31	472
record of.....	32	472
Telegraph or telephone companies, by....	17	989
Toll-bridges, location of way over.....	24	541
damage, apportionment.....	26	542
bridge in two or more counties, when...	27	542
assessment for taking.....	24	541
Tollhouses, for, within limits of way.....	23	541

EMINENT DOMAIN, TAKING BY—continued.

Town and private ways, for.....	16	486
acceptance by town.....	18	486
opening, time for, after.....	23	488
refusal by town to accept.....	24	488
county com'rs, by, upon refusal.....	22	487
appeal to supreme judicial court.....	22	487
damages, estimation of.....	22	487
land owner has right of petition.....	22	487
refusal by town to accept, upon.....	24	488
town, action by, ineffectual for five years	25	488
ways laid out by, powers as to.....	25	488
discontinued by, reinstatement.....	27	488
damages, action to recover.....	49	495
apportionment upon abutters in cities..	39	492
arbitration, determination by.....	41	493
clerk to give notice of assessment....	40	493
certify list to city treasurer.....	42	493
collection by action at law.....	43	494
sale of land, by.....	42	493
lien created to secure payment.....	42	493
redemption from sale.....	42	493
assessment by municipal officers.....	7	483
complaint for increase.....	20	487
petition to enter appeal.....	20	487
payment not before entry.....	7	483
by whom made.....	20	487
return, stated in.....	18	486
determination whether town or private..	16	486
gates and bars, private made subject to..	16	486
grading; apportionment of expense.....	26	488
opening, time for.....	23	488
proceedings void, by lapse of time.....	45	494
return filed with town clerk.....	18	486
Water companies, by; prior to March 9, 1889	27	1002
Water districts, by; necessity determined...	23	1001
application by; owner; proceedings.....	24	1002
commissioners, proceedings before.....	25	1002
district, proceedings by.....	26	1002
Winter roads, for location of.....	17	486
acceptance, not until damages paid.....	17	486
town not liable to travelers on.....	17	486

EMPLOYEES.

Embezzlement by.....	8	1465
Jailer, of; not to act as magistrate, etc....	65	1194
Public service corporations, of; intimidation	10	1479
Railroad, of; abandonment of train.....	8	1478
forest fires, duty as to.....	50	194
gross carelessness by.....	9	1479
intoxication of; penalty.....	64	963
negligence of, causing injury.....	65	963
refusal to perform duty.....	11	1479
unlawful combinations of.....	7	1478

EMPLOYERS' LIABILITY LAW.

Application of law to certain employments..	56	779
Action by widow or next of kin.....	51	778
defect in ways, works or machinery.....	49	777
knowledge of defect bars recovery.....	55	779
negligence, for.....	49	777
knowledge of defect bars recovery.....	55	779
notice of injury required.....	53	778
insufficient; duty of employer.....	53	779
personal representatives, by.....	50	777
terms construed.....	49	777
Damages; assessment in case of death.....	52	778
action for, when death instantaneous.....	51	778
death not instantaneous, when.....	50	777
Election of remedies.....	56	779

EMPLOYERS' LIABILITY LAW—continued.

Employer's liability defined.....	49	777
not barred by sub-contract.....	54	779
special contract of exemption prohibited..	57	779
EMPLOYMENT AGENCIES.		
Application for license.....	6	686
affidavit to accompany.....	6	686
Bond required of applicant.....	7	686
action on; how brought.....	7	687
Child, obtaining employment for.....	10	688
Conduct of; provisions as to.....	10	687
complaints as to; hearing.....	11	688
Construction of terms.....	13	688
Enforcement of law as to.....	11	688
Fee for procuring employment.....	9	687
receipt or statement to be given.....	9	687
returned, if work not obtained.....	9	687
Intoxicating liquors not to be sold.....	6	686
seller of, not to be licensed.....	6	686
Jurisdiction of offenses.....	12	688
License to keep required.....	6	686
annual fee.....	6	686
contents of license.....	6	686
valid only for place named.....	6	686
penalty for keeping without.....	6	686
transfer of; consent.....	6	686
revocation of, on hearing.....	11	688
Licensee; duty to keep register.....	8	687
applicant for employment, towards.....	9	687
place of bad repute, not sent to.....	10	687
child, application from; restricted.....	10	688
Municipal officers to grant licenses.....	6	686
bond of applicant, to require.....	7	686
complaints to be heard by.....	11	688
criminal proceedings, may commence.....	12	688
refuse or revoke license, may.....	11	688
Penalty for violation of law.....	12	688
keeping place without license, for.....	6	686
Questionable characters excluded.....	10	687
Register to be kept; contents.....	8	687
penalty for false entry.....	12	688

ENGINE.

Fire, to extinguish; malicious injury.....	10	1525
License for; use without, prohibited.....	21	477
notice and hearing on application.....	22	477
appeal from selectmen.....	22	477
injunction issued pending appeal....	22	478
nuisance, when used without license.....	23	478
abatement and removal of.....	24	478
Railroad, on; abandonment or injury to....	8	1478
employee, by.....	7	1478
fires from; liability of corporation.....	63	962
gross neglect in management of.....	9	1479
injury to, endangering life.....	5	1455
leaving or boarding, in motion.....	69	963
spark arresters, to have.....	49	194
speed limited, at crossings.....	79	965
station, not to endanger access to.....	87	967
Steamboat, on, negligent management of....	6	1456

ENGINEERS.

Boats on inland waters, of; license.....	13	981
acting without, penalty.....	13	981
available on other vessels.....	13	981
fees for licenses.....	16	983
posting of license.....	13	981
revocation of license.....	13	981
term of license, one year.....	13	981

ENGINEERS—continued.

Chief of fire department; as fire inspector....	47	570
buildings, duties as to inspection of.....	48	570
conditions remedied, may order.....	48	570
premises repaired or demolished, or....	49	571
expense assessed as a tax.....	49	571
fire escapes, duties as to.....	39	568
certificate of safety, may give.....	42	569
sufficiency of, notice as to.....	40	569
Dams and reservoirs, for inspection of....	43	1333
compensation of; payment.....	45	1334
duties of inspector.....	43	1333
report as to safety of dam; repairs.....	44	1333
Fire; authorized appointment.....	1	562
authority, same as fire wards.....	9	563
powers and duties of.....	2	562
towns responsible for acts of.....	2	562
Railroads, on; abandonment of train.....	8	1478
crossings, duties at.....	83	966
highways, of; bell to be rung.....	72	947
forest fires, duty as to.....	50	194
gross carelessness by.....	9	1479
intoxication of; penalty.....	64	963
negligence of, causing injury.....	65	963
refusal to perform duty.....	11	1479
train on connecting road, to await.....	12	951
unlawful combinations of.....	7	1478
Steam heating plants, in charge of.....	28	478
evidence of qualification required.....	28	478
certificate of qualification; form.....	28	479
copy to be posted in boiler room....	28	479
original filed with town clerk.....	28	479
revocation upon complaint.....	29	479
suspension pending investigation.....	29	479
penalty for violation of law.....	30	480

ENGINEMEN, FIRE.

Authorized appointment of.....	1	562
Authority of, under special laws.....	9	563
By-laws relating to, authorized.....	1	562
Discharge of, for negligence.....	5	563
Duties and liabilities of.....	2	562
fires, duties at.....	4	562
Jury duty, exempt from.....	3	562
Meetings for election of officers.....	3	562
monthly and at other times.....	4	562
Rules and regulations, may make.....	3	562
Tenure.....	3	562

ENLISTMENT.

Minors, of; when unlawful.....	20	1458
release on habeas corpus.....	2	1351
See Military Law.		

ENTERING.

Buildings, etc., larceny from.....	2	1464
Disguised horse, of; for races.....	15	1520
Dwelling-house, in night time, of.....	7	1464

ENTERTAINMENT.

Lord's Day, on; presence at, penalty.....	35	1488
--------------------------------------------------	----	------

ENTRY.

Civil actions, of, on first day.....	1	1220
appeals from inferior courts at later term	8	1222
application when to be made.....	9	1222
attachment or bail not revived.....	9	1222
magistrates, from.....	18	1254
copies and papers produced.....	21	1254
recognizance of appellant.....	19	1254
waiver of trial.....	20	1254
Failure of, in law court; proceedings.....	48	1153

ENTRY—continued.

Right of; conveyance by person having.....	1	1113
debtor, by; levy of execution.....	14	1131
essential to recovery in real action.....	5	1367
descent or discontinuance defeats not..	5	1367
partition by persons having.....	1	1287
statute of limitation as to.....	1	1379
computation of time under.....	2	1379
right accrues when.....	3	1379
Writ of; estates recoverable by.....	1	1367
actual entry need not be proved.....	4	1367
declaration, what sufficient.....	2	1367
amendment to include entire premises..	21	1370
essential allegations.....	3	1367
premises to be clearly described.....	21	1370
part only demanded; proceedings....	21	1370
disclaimer by defendant; effect.....	6	1368
foreclosure of mortgages by.....	3	1296
conditional judgment, award of.....	9	1298
form of.....	10	1298
declaration, form of.....	9	1298
declaration by executor or administrator	12	1299
defendant, who may be made.....	14	1299
judgment, when nothing due.....	11	1299
mortgagee, after payment of debt, against	34	1304
release land levied on, upon refusal to....	27	1134
right of entry essential.....	5	1367
descent or discontinuance defeats not..	5	1367

EQUITY.

	Jurisdiction.	
Adequate remedy at law, if no.....	6	1143
Agent to open road, to stay action of.....	47	495
Coexecutors and coadministrators, between	68	1062
Contested elections, in cases of.....	87	172
Contribution under wills, as to.....	14	1121
Corporations; jurisdiction generally.....	87	800
close affairs, to.....	82	799
stockholders, upon vote of.....	89	801
forfeiture of charter; non-payment of taxes	22	210
minority stock, to value.....	61	795
reduction of capital stock, as to.....	45	792
stockholders' liability, to enforce.....	98	802
unlawful division of profits.....	102	804
Creditors' bills, of.....	6	1142
copartner's interest, to reach a.....	9	1144
property in debtor's possession.....	8	1144
out of state, when.....	8	1144
uncertain value, of.....	8	1144
Dams, to restrain use of unsafe.....	44	1333
Discharge of contracts, to compel.....	6	1141
Discovery, for.....	6	1142
ship owners, as to liability of.....	5	689
Eminent domain, in proceedings by.....	19	1000
decree and its enforcement.....	20	1001
Enumeration of powers.....	6	1141
special powers, of (note).....	6	1143
Estates of deceased persons, of claims against	22	1286
Forfeitures, for relief from.....	6	1141
Fraud, trust, accident or mistake, in cases of	6	1142
Husband and wife, between; as to property	6	1142
Insurance companies; app't of receiver....	86	869
casualty assessment companies, of.....	162	892
fund deposited with state, of.....	165	893
foreign, property of.....	114	877
fraternal beneficiary assoc'ns, of.....	20	904
fund deposited with state, of.....	7	899
mutual fire; to confirm assessment.....	45	858
Interpleader, of.....	6	1142
Labels, may restrain unauthorized use of..	40	759

EQUITY—continued.

Levy of execution, to correct errors in.....	23	1133
redemption from.....	28	1134
non-resident defaulted defendants, by..	53	1139
Liens on buildings and lands, to enforce....	33	1314
Limited partnerships, in cases of.....	25	668
Loan and building associations; dues to....	113	840
foreign, to enforce law as to.....	122	843
Lotteries, to restrain.....	19	1534
Mortgages, for foreclosure and redemption of	6	1141
assignments of, to compel.....	24	1302
Municipalities, as to unlawful acts of.....	6	1142
contracts, as to unlawful.....	44	89
Name, may restrain unauthorized use of....	15	696
charitable organization, of.....	10	1005
Nuisances, to enjoin common.....	1	473
indictment, complaint or action pending..	20	477
stationary engines, in case of.....	22	477
Partnerships, in cases of.....	6	1142
parties out of jurisdiction, as to.....	7	1143
rights protected.....	7	1143
Part owners, in cases of.....	6	1142
parties out of jurisdiction, as to.....	7	1143
rights protected.....	7	1143
Pious uses, as to property dedicated to....	33	403
Railroad companies, app't of receiver.....	15	952
cattle-guards, etc., to compel construction	33	937
damages; to enforce payment.....	38	938
dissolution, to decree.....	59	962
judgment; to enforce payment by lessee..	26	955
mortgages, foreclosure and redemption...	53	960
bondholders' corporation, action by....	55	961
trustees, to affirm election of.....	30	955
repairs of bridges and crossings, to compel	66	945
commission, when ordered by.....	53	941
stations, to compel erection of.....	61	944
stock; as to unlawful use of proceeds....	20	933
trains, to prohibit running.....	54	942
transportation of passengers and freight..	56	942
Real estate, to quiet title to; bill in equity..	52	1377
agents and guardians ad litem.....	53	1378
essentials of bill; parties.....	52	1377
joinder of parties.....	52	1377
order of notice; service.....	53	1378
proceedings after service; effect.....	54	1378
summary proceedings, by.....	48	1375
agents and guardians ad litem.....	51	1377
petition; form and contents.....	48	1375
easement is claimed, when.....	49	1375
order of notice; service.....	50	1376
proceedings upon appearance.....	51	1376
record of decree.....	51	1377
wild land, when bill maintained as to....	55	1378
Receivers of corporations, to appoint.....	83	800
another provision.....	90	801
casualty assessment companies.....	162	892
fund deposited with state, of.....	165	893
domestic insurance companies, of.....	86	869
foreign insurance companies, of.....	114	877
fraternal beneficiary associations, of....	20	904
fund deposited with state, of.....	7	899
property dedicated to pious uses, of....	33	403
railroad companies, of.....	15	952
savings banks, of.....	54	823
Redelivery of property not repleviable, for..	6	1142
Reservoir, to restrain use of unsafe.....	44	1333
Savings banks, appointment of receivers...	54	823
deposits, to reduce.....	58	824
payment of, to restrain.....	59	825
voluntary liquidation, upon.....	52	822
Ship owners, to apportion liability of.....	5	689

EQUITY—continued.

Specific performance of written contracts, for	6	1141
land, for sale of; after death of contractor	13	1397
decree; legal effect.....	14	1398
enforced by writ of seizin, or otherwise	15	1398
obligee dying, proceedings.....	16	1398
proceedings by executor, etc.; effect.....	17	1398
State lands, to ascertain improvements on..	17	1336
Testamentary trusts, as to.....	11	1097
Trade-mark, to restrain unauthorized use of	15	696
Trust and banking companies; assessment...	95	835
Trustees in possession of mortgaged railroad	6	1142
election by bondholders, to affirm.....	30	955
vacancies, to fill.....	17	1098
Trusts, as to management of.....	6	1142
fund used by town; rate of interest.....	72	96
guardian for benefit of wife of ward, by..	11	1106
pious uses, for.....	33	403
testamentary; management and investment	10	1097
other matters.....	11	1097
trust funds, as to transfer of.....	34	403
vacancies among trustees, to fill.....	17	1098
written instrument, under any.....	18	1099
Waste, to stay.....	7	1339
Ways; to stay action of agent in opening...	47	495
Wills, as to construction of.....	6	1142
contribution under.....	14	1121

Injunctions.

Authority to issue.....	35	1149
contempt of; punishment.....	36	1150
Agent to open road, against.....	47	495
Banking terms; unlawful use of.....	5	808
Copartner, in actions against a.....	9	1144
Corporation, upon winding up.....	82	799
application of stockholders, upon.....	90	801
forfeiture of charter, upon.....	22	210
Dams, to restrain use of unsafe.....	44	1333
Eminent domain, in cases of taking by....	19	1000
service of injunction.....	20	1001
Foreign loan and building assoc'ns, against	122	843
Insurance company, against domestic.....	86	869
another provision.....	51	859
casualty assessment company, against....	162	892
Labels, to restrain unauthorized use of....	40	759
Lotteries, to restrain.....	19	1534
Municipal action, to restrain illegal.....	44	89
another provision.....	6	1142
Name, to restrain unauthorized use of....	15	696
charitable organization, of.....	10	1005
Nuisances, against common.....	1	473
indictment, complaint or action pending..	20	477
stationary engines, in case of.....	22	477
Perpetual, granted on final decree.....	35	1149
Preliminary, on bond or hearing.....	35	1149
application for, in pleadings.....	35	1149
Railroads, against operation of unsafe.....	54	942
cattle-guards, etc., in cases of.....	33	937
damages, to enforce payment of.....	38	938
security not given for, when.....	31	936
repairs, for neglect of required.....	53	941
bridges and crossings, of.....	66	945
stations, to compel erection of.....	61	944
stock, against unlawful use of proceeds..	20	933
Reservoirs, to restrain use of unsafe.....	44	1333
Savings banks, against insolvent.....	54	823
protection of assets, for.....	59	825
voluntary liquidation, upon.....	52	822
Trade-mark, to restrain unauthorized use of	15	696
Waste, to stay; on real estate attached, etc	7	1339

EQUITY PRACTICE AND PLEADING.

Answers, filing and form.....	17	1146
discovery, to bills of.....	15	1145
hearing on bill and answer.....	19	1146
Appeals from final decrees.....	22	1147
adjudged frivolous, when; costs.....	37	1150
entry of; copies.....	22	1147
evidence on; presentation of.....	32	1149
interlocutory decrees after.....	23	1147
appeals from; effect.....	24	1147
jury trials, in case of.....	33	1149
none, from order of punishment for contempt	36	1150
previous decrees open on.....	24	1147
procedure upon.....	22	1147
relief in case of failure to appeal.....	26	1148
waiver of; entry and effect.....	29	1148
Appearance of defendant.....	16	1145
executor, etc., in pending action.....	55	1230
Attachment, on bills inserted in writs.....	12	1145
Bail in proceedings for contempt.....	36	1150
Bills; form and contents.....	12	1145
attachment, inserted in writ of.....	12	1145
certificate recorded in registry of deeds..	13	1145
fee for recording.....	18	1448
discovery; interrogatories.....	15	1145
answers and procedure.....	15	1145
dismissal for want of prosecution.....	18	1146
verification of.....	14	1145
Contempt, proceedings in cases of.....	36	1150
Costs when appeal, etc., frivolous.....	37	1150
Court always open for equity proceedings..	11	1144
Decrees, authority to enter.....	21	1147
appeals from final.....	22	1147
interlocutory, from.....	24	1147
previous decrees open on.....	24	1147
date of.....	28	1148
ineffectual as to real estate unless recorded	30	1148
fee for recording.....	18	1448
interlocutory, after appeal.....	23	1147
appeals from.....	24	1147
exceptions taken, after.....	27	1148
hearing in any county.....	31	1148
subject to revision, except.....	39	1151
opened on motion, when on default.....	16	1146
want of answer, plea or demurrer, for..	17	1146
process to enforce final; issue stayed.....	29	1148
pro confesso on default.....	16	1146
want of answer, plea or demurrer, for..	17	1146
summary process to enforce.....	36	1150
writs of seizin, etc., to enforce, issued....	34	1149
Demurrer, time for filing.....	17	1146
hearing on; time fixed on motion.....	19	1146
Equitable defenses in actions at law.....	20	1224
Exceptions to rulings of single justice.....	27	1148
adjudged frivolous, when; costs.....	37	1150
claim and allowance of.....	27	1148
jury trials, in.....	33	1149
proceedings for contempt, in.....	36	1150
Executor, etc., appearance in pending action	55	1230
Hearings, court always open, except.....	11	1144
authority and power of single justice....	21	1147
evidence at; oral or by depositions.....	20	1146
first, before a single justice.....	11	1144
held in any county.....	31	1148
motion for.....	19	1146
report of cause by single justice.....	25	1147
stenographer to take oral testimony.....	20	1146
verdicts, proceedings upon.....	33	1149
Indorsement of bill, when required.....	6	1197
Injunctions, authority to issue.....	35	1149
corporation doing business, against.....	82	799
dissolution of a corporation, upon.....	90	801

EQUITY PRACTICE AND PLEADING—continued.

Injunctions; perpetual, granted on final decree	35	1149
preliminary, on bond or hearing.....	35	1149
application for, in pleadings.....	35	1149
Judgment as to real estate recorded.....	30	1148
fee for recording.....	18	1448
Jury trial, when to be had.....	19	1146
county, in any.....	31	1148
framing of issues.....	33	1149
verdicts, proceedings upon.....	33	1149
appeals and exceptions.....	33	1149
Masters in chancery, appointment.....	10	1144
jurisdiction and tenure.....	10	1144
Notice of suit, by record in registry of deeds	13	1145
decree or judgment, of.....	30	1148
fee for recording.....	18	1448
Flea; time for filing.....	17	1146
hearing on; time fixed on motion.....	19	1146
Record as court may order.....	11	1174
Replication, time for filing.....	18	1146
hearing after filing of.....	19	1146
Reports of cases to law court.....	25	1147
Reviews, when granted; procedure.....	38	1150
Rule days, establishment of.....	11	1145
Rules of practice authorized.....	40	1151
Subpoena; issue and service.....	12	1145
Writs of seizin and execution issued.....	34	1149

EQUITY OF REDEMPTION.

Attachment, subject to.....	57	1208
creditor may redeem prior encumbrance..	62	1209
demand for statement of debt due.....	63	1209
form of release; effect.....	63	1209
debtor redeeming, effect on attachment...	59	1208
another provision.....	62	1209
record of.....	60	1208
Levy of execution upon.....	30	1134
redemption from.....	31	1135
payments on mortgage recovered.....	31	1135
Sale on execution; mortgaged real estate...	32	1135
adjournment; notice.....	37	1136
demand on mortgagee for statement.....	34	1135
deposition to compel disclosure.....	35	1136
descent, rights by, not barred.....	9	1125
executors or administrators may act.....	46	1138
expenses are part of execution.....	45	1137
notice of sale, by officer.....	33	1135
proceedings at sale.....	36	1136
adjournment; notice.....	37	1136
after return day, valid.....	38	1136
railroad mortgage; rights of purchasers..	50	960
redemption from.....	41	1137
death of owner, after; tender.....	28	1303
purchaser paying mortgage, from.....	33	1304
right of redemption from sale or levy, of	42	1137
creditor may redeem before sale.....	43	1137
suspension by prior attachment.....	25	1261
attachment removed; proceedings.....	26	1261
time of seizure, day of notice deemed to be	38	1136

ERROR, WRITS OF.

Authority to issue.....	5	1141
supreme judicial court, from.....	1	1361
Administrator de bonis non, by or against..	6	1283
Any defendant may bring in name of all....	6	1362
security to codefendant.....	6	1362
Bond to stay or supersede execution.....	2	1361
filing in clerk's office, effect; procedure...	3	1361
Costs to prevailing party.....	4	1361
double, when judgment affirmed.....	4	1361
Criminal cases, in; issued of course.....	12	1363
exception of life imprisonment cases.....	11	1363
notice to state's attorney.....	11	1363

ERROR, WRITS OF.

Criminal cases, in.	
judgment reversed; proceedings.....	30 1562
stay of sentence or execution, order for..	12 1363
admission to bail.....	12 1363
Damages when judgment affirmed.....	4 1361
Evidence on trial.....	8 1362
Execution, no stay or supersedeas unless...	2 1361
notice to officer, stay upon.....	3 1361
Form of writ.....	7 1362
Indorsement of writ, when required.....	6 1197
Judgment reversed; new action when brought	94 1217
real action, in case of.....	11 1380
wrong joinder of counts, not for.....	49 1229
Levy on execution, reversal avoids when....	5 1361
Limitation of; exception.....	10 1363
Proceedings, how regulated.....	9 1362
References by agreement of parties, upon..	5 1394
Sale on execution, reversal affects not.....	5 1361
recovery by original defendant.....	5 1361
Specification of errors.....	8 1362
Superior courts, to reverse judgments of...	97 1164
Transcript of record is evidence; amendment	8 1362
Vessels, in actions to enforce liens on.....	19 1312

ERRORS.

Amendment of; in civil cases.....	11 1222
criminal cases, in.....	13 1543
liquor cases, in.....	45 1509
Correction; by sup. jud. court.....	3 1141
Election returns, in.....	53 164
primary elections, at.....	16 137
soldiers' votes, of.....	84 171
Lien claims, in; not fatal.....	32 1314
Poor debtor's citation, in.....	53 1411
proceedings before commissioner, in.....	23 1404
Tax lists, in; amendment.....	10 82
supplemental assessment.....	36 237
Town records, in; amendment.....	10 82
Vital statistics, in records of; correction...	38 1018
See Amendment.	

ESCAPES.

Arrest of accused person after.....	5 1550
County farm, from a; punishment.....	45 1598
Delay in execution of process, by.....	13 1474
Fine, etc., before payment of; penalty.....	4 1575
Jail, from; sheriff or jailer liable.....	43 1190
action for reimbursement.....	44 1190
proceedings upon.....	45 1190
attempt to.....	16 1474
negligence of jailer, by; liability.....	48 1191
another provision; penalty.....	15 1474
prisoners, of; aiding in; penalty.....	17 1474
assisting after an escape.....	17 1474
negligence, through; penalty.....	15 1474
reward for apprehension.....	8 1583
secretory or harboring after an escape..	17 1474
voluntarily permitting; penalty.....	14 1474
punishment.....	16 1474
reimbursement by county com'rs.....	44 1190
Jailer, by negligence of.....	15 1474
voluntary act, by.....	14 1474
Limitation of action for.....	86 1216
Prisoners, of; aiding.....	17 1474
negligence of officer, by.....	15 1474
reward for capture authorized.....	8 1583
voluntary act of officer, by.....	14 1474
Punishment for.....	16 1474
Reformatory for women, from; return.....	67 1603
arrest and detention.....	67 1603
another provision.....	66 1602
committed to jail, not to be.....	67 1603
Removal by board of health, not.....	83 445

ESCAPES—continued.

School for feeble-minded, from; aiding.....	52 1629
State school for boys, from; aiding, etc.....	15 1611
State school for girls, from; aiding.....	30 1615
arrest by officer without warrant.....	30 1615
custody during detention.....	30 1615
trial on original complaint.....	23 1614
State prison, aiding convicts sentenced to..	39 1597
harboring or aiding after.....	46 1598
officers or employees aiding in.....	38 1597
reward for capture authorized.....	8 1583
warden, by.....	46 1598
Work-jail, from a; punishment.....	45 1598

ESCHEAT.

Personal estate, of.....	20 1128
Real estate, of.....	1 1124
Recovery of, by state.....	11 1335
defenses not available.....	12 1335
judgment for defendant; costs.....	13 1335
after-acquired title, upon.....	14 1335
state, for; rents and profits.....	14 1335

ESTATES OF DECEASED PARTNERS.

See Partners, Estates of Deceased.

ESTATES OF DECEASED PERSONS.**I. Intestate.***Bonds of Administrators.***II. Testate.***Bonds of Executors.***III. Insolvent.****IV. Partition.****V. Sales of Real Estate.****Intestate.**

Administration, granting of.....	1 1047
appointment of administrator.....	18 1051
agents of non-residents.....	44 1057
name and address in notice.....	44 1057
removal from state, appointed upon..	44 1058
service upon agent or attorney.....	44 1057
no agent or attorney in state, when	15 1285
auctioneer's license not required by...	8 680
bond required upon.....	22 1052
not required, when.....	20 1052
petition, notice on.....	41 1057
certain corporations not to act as.....	84 833
civilly dead, on estate of person.....	19 1051
de bonis non.....	24 1053
bond of.....	28 1054
not required, when.....	20 1052
petition, notice on.....	41 1057
guardian of interested minors, not to be	1 1086
insurance of property of estate.....	60 1061
limit for granting original letters.....	1 1047
exception; additional property.....	2 1047
marriage of feme sole, effect of.....	26 1053
mortgage, in respect to redemption of..	8 1298
oaths, before whom taken.....	19 1038
refusal or delay, proceedings.....	21 1052
register, disqualification of.....	30 1041
estates not fully administered.....	17 1038
special, with reference to mortgage....	8 1298
will annexed, with; appointment.....	23 1053
bond of.....	28 1054
not required, when.....	20 1052
petition, notice on.....	41 1057
death of sole executor, on.....	27 1054
foreign will, upon allowance of.....	16 1051
removal or resignation of executor, on	24 1053

ESTATES OF DECEASED PERSONS—continued.

Accounts of administrators; contents.....	53	1059
bond, rendered agreeably to.....	57	1060
chargeable with what property.....	58	1060
real estate, with income of.....	59	1061
counsel fees allowed in.....	43	1044
distribution, allowed without notice on...	21	1077
notice on, after one year.....	21	1077
examination and allowance of.....	57	1060
inheritance tax first paid.....	21	1070
insolvent estates, in case of.....	21	1085
distribution, after.....	25	1086
non-resident, failure of, to render.....	24	1053
public administrator, by.....	30	1054
removal, upon.....	69	1062
Advancements, allowance for, in distribution	5	1124
death of recipient, leaving issue.....	6	1124
gifts, when to be treated as.....	4	1124
intestate estate, treated as part of.....	4	1124
realty or personality, as to.....	6	1124
refunding of excess, no.....	5	1124
value of, how ascertained.....	5	1124
Allowance to husband from wife's estate...	19	1076
minors, to.....	18	1076
estate of adopter, from.....	40	1095
monuments and burial lots, for.....	61	1061
perpetual care of.....	64	1061
special administrator, by.....	35	1055
widow, to, from personal estate of husband	14	1075
action on bond to collect.....	15	1111
burial expenses of, for.....	61	1061
mortgage debt, of; assignment.....	15	1075
pew, of one.....	14	1075
quarantine for ninety days, during.....	17	1076
temporary, during litigation.....	16	1076
Appraisers, appointment and duties of.....	46	1058
additional inventories, for.....	49	1058
articles to be omitted by.....	50	1059
chooses in action, valuation of.....	48	1058
fees of.....	44	1044
partners, estates of deceased.....	1	1100
revocation of warrant to.....	47	1058
specific property for distribution, of.....	22	1077
Claims, arbitration or compromise of.....	54	1060
disputed, referred to commissioners.....	55	1060
bribery of com'rs; punishment.....	10	1473
execution issued on report.....	166	1249
no action after reference, unless.....	55	1060
filed in probate office.....	5	1082
presentation of.....	14	1284
private, allowance of.....	66	1062
verification by affidavit, if required.....	65	1062
Debts, payment of, generally.....	1	1081
affidavit may be required.....	65	1062
expenses of last sickness preferred.....	1	1081
married women, of.....	62	1061
mutual debts of husband and wife.....	63	1061
neglect to pay constitutes waste.....	56	1060
real estate liable for.....	20	1107
levy of execution authorized.....	47	1138
Distribution of personal estate.....	21	1077
advancements, allowance for.....	4	1124
alienage no bar to right.....	21	1077
bond to refund may be required.....	25	1078
deposit of unclaimed shares.....	21	1077
payment by county treasurer.....	24	1078
general rule for.....	20	1128
insolvent estates, of.....	24	1085
lands taken on execution, personal assets	28	1079
death of administrator before sale.....	30	1079
disposal of, if not redeemed.....	31	1079
sale of, as personalty.....	29	1079
lien for debt due estate.....	20	1076

ESTATES OF DECEASED PERSONS—continued.

Distribution.		
mortgages are personal assets.....	28	1079
disposal of land, if not redeemed.....	31	1079
sale of, as personalty.....	29	1079
foreclosure, after; upon license.....	1	1103
non-resident estates, of.....	32	1079
insolvent, proceedings when.....	33	1080
debts, order of payment.....	33	1080
proceeds of land sold under foreign will	35	1080
residue, distribution of.....	34	1080
non-resident guardian, delivery of estate to	28	1092
order of distribution issued.....	21	1077
neglect to execute; proceedings.....	21	1077
probate bond, action on, to enforce.....	15	1111
specific property, of; appraisal.....	22	1077
assignment of debts.....	23	1077
collection in name of administrator..	23	1077
Embezzlement, complaint for.....	71	1063
citation and examination.....	71	1063
commitment upon refusal.....	73	1063
damages, also liable for.....	73	1063
person entrusted with estate, of.....	72	1063
Fees; administrators.....	43	1044
appraisers, commissioners, etc.....	44	1044
inheritance tax, as to.....	28	1072
non-residents, in estates of.....	41	1044
payment of, in general.....	44	1044
witnesses, of.....	9	1443
Inheritance tax, payment of.....	9	1067
action of debt for.....	11	1068
appraisal of property, subject to.....	8	1067
bond, liability on, for.....	11	1068
definitions of "person," "property".....	29	1072
exemption from.....	1	1064
personal property of non-resident.....	1	1065
property of resident, in another state..	4	1066
fees of judges and registers of probate...	28	1072
interest on.....	9	1067
inventory, copy sent attorney-general....	7	1067
neglect or refusal to file; penalty.....	20	1070
jurisdiction relating to.....	5	1066
legacy, deducted from.....	14	1069
charged on real estate, collection.....	15	1069
limited period, for; procedure.....	16	1069
liability of personal representative.....	11	1068
non-residents, on property of.....	22	1070
bank and corporation stock; transfer...	25	1071
property in Maine corporation.....	24	1071
securities of; not transferred until payment	26	1071
shares in interstate corporation.....	23	1071
notice to attorney-general.....	18	1069
payment before final settlement.....	21	1070
procedure in court, relating to.....	5	1066
petition by attorney-general.....	10	1068
petition for administration not filed....	12	1068
proceedings for recovery of tax.....	13	1069
will not offered for probate, when.....	12	1068
valuation of property.....	8	1067
property subject to.....	1	1064
bequests to executors or trustees.....	3	1065
remainder after antecedent estate.....	2	1065
value of, how determined.....	8	1067
rate of.....	1	1064
reimbursement for.....	19	1070
sale of real estate for payment.....	17	1069
Inventory, making and return of.....	45	1058
additional may be required.....	49	1058
articles omitted from.....	50	1059
attached personal property, of.....	54	1207
attorney-general, copy sent to.....	7	1067
bond, action on, for failure to return.....	18	1112
limit of time allowed for return.....	45	1058

ESTATES OF DECEASED PERSONS—continued.

Inventory; partnership property included...	1	1100
surviving partner to exhibit.....	5	1100
Joint contracts, liable as on joint and several	44	1229
Jurisdiction of probate court.....	9	1036
incontestable, except on appeal.....	16	1037
judge interested, when.....	17	1038
register interested, when.....	17	1038
retention of, by court first taking.....	16	1037
Lands taken on execution, personal assets..	28	1079
death of administrator before sale.....	30	1079
disposal of, if not redeemed.....	31	1079
sale as personalty.....	29	1079
trust, held under foreign will in.....	35	1080
Liability of administrator.....	53	1059
estate received, for all.....	58	1060
neglecting to collect money and pay debts	56	1060
real estate, for income of.....	59	1061
taxes collected by deceased, for.....	46	264
Life insurance money, disposal of.....	21	1128
Loan and building assoc'ns; disposal of shares	114	840
Mortgages of real estate, control of.....	13	1299
declaration in action on.....	12	1299
disposal of land, if not redeemed.....	31	1079
personal assets, are deemed.....	28	1079
redemption by administrators.....	28	1303
sale of, as personalty.....	29	1079
foreclosure, after, upon license.....	1	1103
Notice of appointment of administrator....	42	1057
deceased a non-resident, when.....	42	1057
legal, essential to limitation of actions..	21	1286
non-resident administrator, of.....	44	1057
agent's name and address inserted.....	44	1057
proof of; by affidavit.....	43	1057
Partners, administration of estate of.....	1	1100
bond to be given.....	4	1100
actions on.....	20	1112
form of.....	2	1100
remedies on.....	3	1100
claims, settlement of disputed.....	6	1101
death of administrator, proceedings.....	8	1101
insolvent, proceedings when.....	6	1101
property included in inventory.....	1	1100
survivor to exhibit.....	5	1100
sale of real estate authorized.....	7	1101
use of survivor's name.....	4	1100
Personal estate, rule for distribution of....	20	1128
foreign administrator licensed to receive	70	1062
life insurance, disposal of.....	21	1128
loan and building ass'ns; disposal of shares	114	840
sale of.....	52	1059
choses in action due deceased, of.....	52	1059
collection of, by assignee.....	52	1059
Public administrators, appointment of.....	29	1054
bond of, and conditions.....	29	1054
special conditions, if heirs appear.....	30	1054
duties of, in general.....	29	1054
estate, disposal of.....	31	1054
balance when forfeited to state.....	33	1055
notice of amount to treasurer of state..	32	1054
remedy on bond for.....	32	1054
state responsible to claimants.....	31	1054
license to sell real estate.....	1	1103
revocation of powers by judge.....	30	1054
sales of real estate by.....	1	1102
surrender of letters and accounting.....	30	1054
Real estate, descent of intestate.....	1	1123
adopted child takes as by birth.....	38	1094
minor dying unmarried without issue..	38	1094
curtesy in wife's real estate abolished....	8	1125
release of, bars right by descent.....	16	1127

ESTATES OF DECEASED PERSONS—continued.

Real estate.		
degrees of kindred, how computed.....	2	1124
dower, right of, abolished.....	8	1125
release of, bars right by descent.....	16	1127
dower; widow entitled to, only, when....	18	1127
half blood, inheritance by kindred of....	2	1124
husband's rights in wife's real estate....	1	1123
barred by deed.....	9	1125
marriage settlement, by.....	8	1031
refusal to release; proceedings.....	19	1128
illegitimate children, rights of inheritance	3	1124
acknowledgment in writing by father..	3	1124
adoption by father into family.....	3	1124
lands of Penobscot tribe, in case of.....	35	292
lien on share to secure debt of heir.....	7	1124
married women, property of.....	8	1031
minor, unmarried; descent of property....	1	1123
mortgaged lands, deemed personalty.....	28	1079
authority of administrators, as to.....	13	1299
declaration in action on.....	12	1299
disposal of land, if not redeemed....	31	1079
redemption by administrators.....	28	1303
sale of, as personalty.....	29	1079
foreclosure, after, upon license.....	1	1103
proceedings to bar rights by descent....	19	1128
property not disposed of by will.....	2	1120
settler's lot purchased of state.....	12	185
state, escheat to the.....	1	1124
recovery of, by state.....	11	1335
defenses not available.....	12	1335
judgment for defendant; costs.....	13	1335
after-acquired title, upon.....	14	1335
state, for; rents and profits.....	14	1335
taxation of.....	22	234
widow, rights in husband's real estate...	1	1123
barred by deed.....	9	1125
jointure, by.....	10	1125
waiver of, when permitted.....	12	1125
marriage settlement, by.....	8	1031
pecuniary provision, by.....	11	1125
waiver of, when permitted.....	12	1125
mortgaged property, in; redemption....	17	1127
quarantine, right of.....	17	1076
right of dower only, when.....	18	1127
release of, bars right by descent.....	16	1127
wild land, descent of intestate.....	1	1123
Removal of administrator, grounds for....	24	1053
accountability upon.....	69	1062
affects not prior acts.....	69	1062
bond, failure to give new.....	51	1059
failure of non-resident to account.....	24	1053
one of several is removed, when.....	67	1062
Resignation of administrator.....	24	1053
one of several resigns, when.....	67	1062
Special administrators, appointment.....	34	1055
actions by creditors, not liable to, except	37	1056
limitations of, when begin to run.....	37	1056
advancement to widow, etc., by.....	35	1055
bonds of, actions on.....	20	1112
conditions of.....	34	1055
French spoliation claims, in case of....	39	1056
compensation of.....	36	1055
duties and powers of.....	35	1055
cessation of.....	36	1055
executor, pending appeal, may qualify....	38	1056
French spoliation claims, in case of....	39	1056
mortgage subject to redemption, as to....	8	1298
real estate, to care for.....	35	1055

ESTATES OF DECEASED PERSONS—continued.

State, when escheat to.....	1	1124
recovery of, by state.....	11	1335
defenses not available.....	12	1335
judgment for defendant; costs.....	13	1335
after-acquired title, upon.....	14	1335
state, for; rents and profits.....	14	1335
Taxation of personal estate.....	14	232
<i>Bonds of Administrators.</i>		
Actions on; commencement.....	6	1110
abate not, by vacancy in office of judge..	6	1110
authority of judge, without.....	11	1111
costs apportioned in certain cases.....	16	1111
creditor of insolvent estate, by.....	13	1111
solvent estate, of a.....	14	1111
execution, how issued.....	16	1111
inheritance tax, for.....	11	1068
necessary allegations.....	11	1111
next of kin, for distributive share, by..	15	1111
persons authorized to institute.....	11	1111
costs against, in case of failure.....	12	1111
widow, by a.....	15	1111
costs, none awarded against judge.....	6	1110
actions without authority, in.....	12	1111
apportioned, when.....	16	1111
express authority of judge, by.....	17	1112
inventory, on failure to return.....	18	1112
judgment and execution on.....	19	1112
neglect or mismanagement, for.....	18	1112
inheritance tax, for.....	11	1068
judgment for penalty.....	10	1110
authority of judge, in actions without..	16	1111
express authority, in actions by.....	19	1112
limitation of; fraud an exception.....	9	1110
principal not a party, summoned.....	7	1110
process; judgment.....	8	1110
unfaithful administration, for.....	23	1286
Additional may be required.....	51	1059
Administrator, of; conditions.....	22	1052
Appeals in insolvent estates, on.....	12	1083
supreme court of probate, to.....	32	1042
Approval of judge necessary.....	1	1109
Arrest of principal, when authorized.....	8	1110
Bond to refund may be required.....	25	1078
retention of assets, to avoid.....	17	1285
Breach of, in case of insolvent estates.....	21	1085
Corporate suretyship authorized.....	156	889
estoppel, as to denial of corporate power	159	890
expenses allowed in account.....	157	890
list of authorized companies.....	158	890
reduction of bond.....	5	1110
De bonis non, of.....	28	1054
Deceased partners, on estates of.....	4	1100
Inheritance tax, for payment of.....	11	1068
Judgment on, to be for penalty.....	10	1110
authority of judge, in actions without..	16	1111
express authority, in actions by.....	19	1112
New required, if sureties insufficient.....	2	1109
administrator required to give.....	51	1059
failure to give, cause for removal.....	4	1110
Public, of; general conditions.....	29	1054
real estate, for sale of.....	3	1104
special conditions.....	30	1054
Real estate, for sale of.....	3	1104
damages for misconduct recovered on...	26	1108
non-residents, of.....	12	1106
partnership estates, of.....	7	1101
partnership estates, in; actions upon....	20	1112
prevent sale, to.....	5	1104
private sale, at.....	9	1105
specific performance of contracts, for...	15	1107
Reduction of penal sum.....	5	1110

ESTATES OF DECEASED PERSONS—continued.

Special administrator, of.....	34	1055
actions upon.....	20	1112
French spoliation claims, in case of.....	39	1056
Specific performance of contracts, for.....	15	1107
Sureties, discharge of.....	3	1109
insufficient, new bond required.....	2	1109
another provision.....	51	1059
failure to give, cause for removal.....	4	1110
Will annexed, of administrator with.....	28	1054
<i>Testate.</i>		
Accounts of executors; contents.....	53	1059
bond, rendered agreeably to.....	57	1060
chargeable with what property.....	58	1060
real estate, with income of.....	59	1061
counsel fees allowed in.....	43	1044
distribution, allowed without notice on...	21	1077
notice on, after one year.....	21	1077
examination and allowance of.....	57	1060
inheritance tax first paid.....	21	1070
insolvent estates, in case of.....	21	1085
distribution, after.....	25	1086
non-resident, failure of, to render.....	24	1053
removal, upon.....	69	1062
Allowance to husband from wife's estate...	19	1076
minors, to.....	18	1076
monuments and burial lots, for.....	61	1061
perpetual care of.....	64	1061
widow, to; from personal estate of husband	14	1075
action on bond to collect.....	15	1111
burial expenses of, for.....	61	1061
mortgage debt, of; assignment.....	15	1075
pew, of one.....	14	1075
quarantine for ninety days, during.....	17	1076
temporary, during litigation.....	16	1076
Appraisers, appointment and duties.....	46	1058
additional inventories, for.....	49	1058
articles to be omitted by.....	50	1059
choses in action, valuation of.....	48	1058
fees of.....	44	1044
partners, estate of deceased.....	1	1100
revocation of warrant to.....	47	1058
specific property for distribution, of....	22	1077
Children, provisions as to omitted.....	9	1121
contribution to compensate.....	11	1121
posthumous, rights of.....	8	1121
contribution to compensate.....	11	1121
Claims, arbitration or compromise of.....	54	1060
disputed, may be referred to commissioners	55	1060
bribery of com'rs; punishment.....	10	1473
execution issued on report.....	166	1249
no action after reference, unless.....	55	1060
filed in probate office.....	5	1082
presentation of.....	14	1284
private, allowance of.....	66	1062
verification by affidavit, if required.....	65	1062
Debts, order of payment.....	1	1081
affidavit may be required.....	65	1062
expenses of last sickness preferred.....	1	1081
married women, of.....	62	1061
mutual between husband and wife.....	63	1061
neglecting to pay, guilty of waste.....	56	1060
real estate liable for.....	20	1107
levy on execution authorized.....	47	1138
undivided realty first applied to.....	13	1121
Devise, after-acquired lands pass by.....	5	1120
death of devisee before testator, effect...	10	1121
disseizin of testator not to bar.....	4	1120
entire estate of testator passes by.....	16	1122
land in which right of entry, of.....	4	1120
recorded in registry of deeds.....	24	1040
fees for.....	39	1043

ESTATES OF DECEASED PERSONS—continued.

Distribution of personal estate.....	21	1077
advancements, allowance for.....	4	1124
alienage no bar to right.....	21	1077
bond to refund may be required.....	25	1078
deposit of unclaimed shares.....	21	1077
payment by county treasurer.....	24	1078
estate undisposed of by will, of.....	2	1120
insolvent estates, of.....	24	1085
lands taken on execution, personal assets	28	1079
death of executor before sale.....	30	1079
disposal of, if not redeemed.....	31	1079
sale of, as personalty.....	29	1079
lien for debt due estate.....	20	1076
mortgages are personal assets.....	28	1079
disposal of land, if not redeemed.....	31	1079
sale of, as personalty.....	29	1079
foreclosure, after, upon license.....	1	1103
non-resident estates, distribution of.....	32	1079
insolvent, proceedings when.....	33	1080
debts, order of payment.....	33	1080
proceeds of land sold under foreign will	35	1080
residue, distribution of.....	34	1080
non-resident guardian, may deliver estate to	28	1092
order of distribution issued.....	21	1077
neglect to execute; proceedings.....	21	1077
probate bond, action on, to enforce.....	15	1111
specific property, of; appraisal.....	22	1077
assignment of debts.....	23	1077
collection in name of executor.....	23	1077
Embezzlement, complaint for.....	71	1063
citation and examination.....	71	1063
commitment upon refusal.....	73	1063
damages, also liable for.....	73	1063
person entrusted with estate, of.....	72	1063
Executors, appointment of.....	8	1049
agents of non-residents, appointment.....	44	1057
name and address in notice.....	44	1057
removal from state, appointed upon.....	44	1058
service upon agent or attorney.....	44	1057
no agent or attorney in state, when.....	15	1285
auctioneer's license not required by.....	8	680
bond, only those giving, to act.....	12	1050
neglect to give, deemed non-acceptance	8	1049
death of sole, proceedings on.....	27	1054
de son tort, liabilities of.....	40	1056
set-off for debts paid by.....	40	1056
disputes between; determination of.....	68	1062
executor of, succeeds not in trust.....	27	1054
guardian of interested minors, not to be..	1	1086
insurance of property of estate.....	60	1061
majority, powers and liabilities of.....	12	1050
marriage of feme sole, effect of.....	26	1053
minority of, proceedings in case of.....	23	1053
oaths by, before whom taken.....	19	1038
trustees by operation of law, becoming..	13	1098
Fees of executors.....	43	1044
appraisers, commissioners, etc.....	44	1044
inheritance tax, as to.....	28	1072
payment of, in general.....	44	1044
register of deeds, for recording will.....	39	1043
probate, of; for copy of will.....	39	1043
non-residents, in estates of.....	41	1044
witnesses, of.....	9	1443
Inheritance tax, payment of.....	9	1067
action of debt for.....	11	1068
appraisal of property, subject to.....	8	1067
bond, liability on, for.....	11	1068
definitions of "person," "property".....	29	1072
exemption from.....	1	1064
personal property of non-resident.....	1	1065
property of resident, in another state..	4	1066
fees of judges and registers of probate...	28	1072

ESTATES OF DECEASED PERSONS—continued.

Inheritance tax; interest on.....	9	1067
inventory, copy sent attorney-general....	7	1067
neglect or refusal to file; penalty.....	20	1070
jurisdiction relating to.....	5	1066
legacy, deducted from.....	14	1069
charged on real estate, collection.....	15	1069
limited period, for; procedure.....	16	1069
liability of personal representative.....	11	1068
non-residents, on property of.....	22	1070
bank and corporation stock; transfer..	25	1071
property in Maine corporation.....	24	1071
securities of; not transferred until payment	26	1071
shares in interstate corporation.....	23	1071
notice to attorney-general.....	18	1069
payment before final settlement.....	21	1070
procedure in court, relating to.....	5	1066
petition by attorney-general.....	10	1068
petition for administration not filed....	12	1068
proceedings for recovery of tax.....	13	1069
will not offered for probate, when.....	12	1068
valuation of property.....	8	1067
property subject to.....	1	1064
bequests to executors or trustees.....	3	1065
remainder after antecedent estate.....	2	1065
value of, how determined.....	8	1067
rate of.....	1	1064
reimbursement for.....	19	1070
sale of real estate for payment.....	17	1069
Inventory, making and return of.....	45	1058
additional may be required.....	49	1058
articles omitted from.....	50	1059
attached personal property, of.....	54	1207
attorney-general, copy sent to.....	7	1067
bond, action on for failure to return.....	18	1112
limit of time allowed for return.....	45	1058
partnership property included.....	1	1100
surviving partner to exhibit.....	5	1100
Joint contracts, liable as on joint and several	44	1229
Jurisdiction of probate court.....	9	1036
incontestable, except on appeal.....	16	1037
judge interested, when.....	17	1038
register interested, when.....	17	1038
retention of, by court first taking.....	16	1037
Lands taken on execution, personal assets..	28	1079
death of executor before sale.....	30	1079
disposal of, if not redeemed.....	31	1079
sale of, as personalty.....	29	1079
trust, held under foreign will in.....	35	1080
Legacy, action for.....	27	1078
payable, when.....	26	1078
probate bond, on.....	14	1111
refunding bond may be required.....	25	1078
unaffected by chapter 92.....	23	1286
Letters testamentary, issue of.....	8	1049
appeal pending, while.....	38	1056
bond required upon.....	11	1049
foreign wills, on.....	16	1051
refusal to accept.....	8	1049
time within which issued.....	1	1047
Liability of executors.....	53	1059
estate received, for all.....	58	1060
neglecting to collect money and pay debts	56	1060
real estate, for income of.....	59	1061
taxes collected by deceased, for.....	46	264
Life insurance, disposal of.....	21	1128
Loan and building assoc'ns; disposal of shares	114	840
Mortgages of real estate, control of.....	13	1299
declaration in action on.....	12	1299
disposal of land, if not redeemed.....	31	1079
personal assets, are deemed.....	28	1079
redemption by executors.....	28	1303

ESTATES OF DECEASED PERSONS—continued.

Mortgages; sale of, as personalty.....	29	1079
foreclosure, after, upon license.....	1	1103
Notice of appointment of executor.....	42	1057
deceased a non-resident, when.....	42	1057
legal, essential to limitation of actions..	21	1286
non-resident executor, of.....	44	1057
agent's name and address inserted.....	44	1057
proof of; by affidavit.....	43	1057
Partners, administration of estate of.....	1	1100
bond to be given.....	4	1100
actions on.....	20	1112
form of.....	2	1100
remedies on.....	3	1100
claims, settlement of disputed.....	6	1101
death of executor, proceedings.....	8	1101
insolvent, proceedings when.....	6	1101
property included in inventory.....	1	1100
survivor to exhibit.....	5	1100
sale of real estate authorized.....	7	1101
use of survivor's name.....	4	1100
Personal estate, sale of.....	52	1059
choses in action due deceased, of.....	52	1059
collection of, by assignee.....	52	1059
foreign executor licensed to receive.....	70	1062
Removal of executor, grounds for.....	24	1053
accountability upon.....	69	1062
affects not prior acts.....	69	1062
bond, failure to give new.....	51	1059
failure of non-resident to account.....	24	1053
one of several is removed, when.....	67	1062
Resignation of executor.....	24	1053
one of several resigns, when.....	67	1062
Taxation of personal estate.....	14	232
real estate, of.....	22	234
Wills, presentation for probate.....	4	1048
abstract recorded in registry of deeds....	24	1040
allowance and probate of.....	7	1048
bond, when not required.....	10	1049
depositions may be taken, when.....	6	1048
essential to effectiveness.....	15	1122
execution, conclusive proof of.....	15	1122
letters testamentary issued when.....	8	1049
limit of time for.....	1	1047
lost wills, proof of.....	9	1049
made in another state.....	13	1050
notice to be given on presentation for..	5	1048
witness, when one only required.....	7	1048
claim of interest by descent.....	14	1127
contribution under, for debts.....	6	1120
child, in favor of omitted.....	9	1121
posthumous, of.....	8	1121
rights and liabilities of, as to.....	11	1121
contribution; executor of legatee liable...	12	1121
jurisdiction in cases of.....	14	1121
party unable to contribute, effect.....	12	1121
specific bequests, exception as to.....	7	1120
foreign, administration granted on.....	16	1051
allowance, when made in another state	13	1050
probate in another state, after.....	14	1050
letters testamentary issued on.....	16	1051
validity and effect of.....	15	1051
notice ordered on.....	5	1048
nuncupative, allowance of; notice.....	17	1051
effect limited unless three witnesses...	20	1122
limit of time for proof; evidence.....	19	1122
making of; where and when.....	18	1122
soldier, or mariner at sea, of.....	18	1122
proceedings to compel production of....	4	1048
waiver of; limit of time.....	13	1126
construction of will doubtful, when....	13	1126

ESTATES OF DECEASED PERSONS—continued.**Wills.**

waiver; copy filed in registry of deeds...	15	1127
share in estate, entitles to.....	14	1126

Bonds of Executors.

Actions on; commencement.....	6	1110
abate not, by vacancy in office of judge..	6	1110
authority of judge, without.....	11	1111
costs apportioned in certain cases....	16	1111
creditor of insolvent estate, by.....	13	1111
solvent estate, of a.....	14	1111
execution, how issued.....	16	1111
inheritance tax, for.....	11	1068
legatee of a solvent estate, by.....	14	1111
residuary legatee, by.....	15	1111
necessary allegations.....	11	1111
next of kin, for distributive share, by..	15	1111
persons authorized to institute.....	11	1111
costs against, in case of failure.....	12	1111
widow, by a.....	15	1111
costs, none awarded against judge.....	6	1110
actions without authority, in.....	12	1111
apportioned, when.....	16	1111
express authority of judge, by.....	17	1112
inventory, on failure to return.....	18	1112
judgment and execution on.....	19	1112
neglect or mismanagement, for.....	18	1112
general provisions for.....	20	1112
inheritance tax, for.....	11	1068
judgment for penalty.....	10	1110
authority of judge, in actions without..	16	1111
express authority, in actions by.....	19	1112
limitation of; fraud an exception.....	9	1110
majority, for act of.....	12	1050
principal not a party, summoned.....	7	1110
process; judgment.....	8	1110
unfaithful administration, for.....	23	1286
Additional may be required.....	51	1059
Appeals in insolvent estates, on.....	12	1083
supreme court of probate, to.....	32	1042
Approval by judge necessary.....	1	1109
Arrest of principal, when authorized.....	8	1110
Bond to refund may be required.....	25	1078
retention of assets, to avoid.....	17	1285
Breach of, in case of insolvent estates....	21	1085
Corporate suretyship authorized.....	156	889
estoppel, as to denial of corporate power	159	890
expenses allowed in account.....	157	890
list of authorized companies.....	158	890
reduction of bond.....	5	1110
Executors, of; conditions.....	11	1049
Deceased partners, on estates of.....	4	1100
Inheritance tax, for payment of.....	11	1068
Judgment on, to be for penalty.....	10	1110
authority of judge, in actions without...	16	1110
express authority, in actions by.....	19	1112
Legatee, etc., to give, for early payment...	25	1078
New required, if sureties insufficient....	2	1109
executor required to give.....	51	1059
failure to give, cause for removal.....	4	1110
Real estate, for sale of.....	3	1104
damages for misconduct recovered on....	26	1108
non-residents, of.....	12	1106
partnership estates, of.....	7	1101
actions upon.....	20	1112
prevent sale, to.....	5	1104
private sale, at.....	9	1105
Reduction of penal sum.....	5	1110
Specific performance of contracts, for.....	15	1107

ESTATES OF DECEASED PERSONS—continued.

Sureties, discharge of.....	3	1109
insufficient, new bond required.....	2	1109
another provision.....	51	1059
failure to give, cause for removal.....	4	1110
Will may prescribe or exempt from.....	10	1049

Insolvent.

Accounts, settlement of.....	21	1085
distribution, after.....	25	1086
Actions pending, disposal of.....	19	1085
after decree, only on preferred claim....	19	1085
Affidavit to claims.....	5	1082
Allowance to minors from.....	18	1076
wards, to.....	23	1085
widows, to.....	14	1075
Appeals from decision on claims.....	12	1083
bond and notice.....	12	1083
costs, payment and allowance of.....	18	1084
examination of creditor.....	17	1084
final judgment, proceedings upon.....	18	1084
limit of time for.....	12	1083
proceedings on.....	14	1084
claim allowed, upon; by leave of court..	15	1084
disallowed, upon; by leave of court....	13	1083
specifications of claim; set-off.....	16	1084
referees, determination by.....	17	1084
supreme judicial court, application to...	13	1083
claim allowed, by creditor upon.....	15	1084
Application of chap. 71.....	23	1085
Bonds, remedy of creditor on.....	13	1111
action on, in general.....	20	1112
Claims, presentation of.....	5	1082
disallowance, effect of.....	20	1085
failure to present, barred by.....	20	1085
further assets, except in case of.....	20	1085
false testimony declared to be perjury...	6	1082
filed in probate office.....	5	1082
interest on.....	8	1082
refusal to submit to examination.....	6	1082
secured, proceedings as to.....	7	1082
Commissioners, appointment of.....	3	1081
appeals from decisions of.....	12	1083
bribery of; punishment.....	10	1473
claims, presentation and proof of.....	5	1082
filed in probate office.....	5	1082
death of one, proceedings upon.....	4	1082
duties in general.....	3	1081
examination of claimant.....	5	1082
perjury by claimant at.....	6	1082
fees of, paid by administrator.....	8	1083
forfeiture of.....	9	1083
report of.....	8	1082
revocation of warrant.....	3	1081
Contingent claims, proof of.....	10	1083
distributive share reserved.....	10	1083
payment of.....	11	1083
Debts, application to payment of.....	1	1081
lots in cemeteries exempt from.....	7	462
land held for family ground, also.....	13	463
priority, order of.....	1	1081
Decree dissolves attachment.....	47	1138
Distribution, decree of.....	24	1085
assets, in case of further.....	24	1085
Executors, in hands of.....	23	1085
Exorbitant claims, award added to list.....	26	1086
Guardian, in hands of.....	23	1085
allowance to ward.....	23	1085
Lots in cemeteries exempt from debts.....	7	462
land held for family ground, also.....	13	463
Non-residents, as to estates of.....	33	1080
Partnership estates, as to.....	6	1101

ESTATES OF DECEASED PERSONS—continued.

Proof of claim, required formalities.....	5	1082
appeal from allowance.....	12	1083
commissioners, appointment of.....	3	1081
death of one, proceedings.....	4	1082
duties in general.....	3	1081
claims filed in probate office, on.....	5	1082
examination of claimant under oath....	5	1082
refusal to submit; consequence.....	6	1082
report of.....	8	1082
neglect to render.....	9	1083
revocation of warrant.....	3	1081
valuation of security.....	7	1082
contingent claims, how proved.....	10	1083
dividends on.....	11	1083
exorbitant claims, award added to list....	26	1086
interest on claims allowed.....	8	1082
judgment on appeal added to list.....	18	1084
limit of time for.....	4	1082
report of commissioners final, except....	26	1086
Referees, determination by.....	17	1084
Representation of insolvency.....	3	1081
unnecessary, when.....	2	1081
Secured claims, proceedings as to.....	7	1082
Set-off, in case of appeals.....	16	1084
disallowed claims, in case of.....	20	1085
Waste, liability for.....	22	1085
executors or administrators, by.....	17	1341
heirs or devisees, by.....	16	1341

Partition.

Appeal to supreme court of probate.....	13	1075
Attachment of share, proceedings upon....	7	1074
Commissioners, appointment; oath.....	3	1073
bribery of; punishment.....	10	1473
duties of, in general.....	3	1073
equal division impossible, when.....	5	1073
preferences in such case.....	5	1074
estate in different counties, when.....	4	1073
return of; proceedings upon.....	13	1075
record of.....	13	1075
revocation of warrant.....	10	1074
Conveyance of shares, proceedings upon....	6	1074
Equal division, when impossible.....	5	1073
preferences in such case.....	5	1074
Estate included in, what.....	8	1074
counties, when in different.....	4	1073
Expenses, payment of.....	45	1045
process to issue, if not paid.....	45	1045
Insane person, guardian for.....	11	1074
Jurisdiction in general.....	1	1073
alienation of share, affects not.....	6	1074
Land owned in common, of; proceedings....	12	1075
Minors, guardians appointed for.....	11	1074
assent by guardian of.....	18	1090
Non-residents, agents appointed for.....	11	1074
Notice of partition.....	9	1074
land is held in common, when.....	12	1075
Petitioners, who may be.....	9	1074
Preferences in case of unequal division....	5	1074
Reversions and remainders, of.....	2	1073
Warrants, issuance of.....	4	1073
revocation of.....	10	1074

Sales of Real Estate.

Authorization in general.....	1	1102
appeals allowed, from decree.....	2	1104
Adjournment of sale, limit; notice.....	17	1107
Advantageous offer, to accept.....	9	1105
Bond required; conditions.....	3	1104
damages for misconduct recovered on....	26	1108
license barred by, to pay debts, etc.....	5	1104
private sale, in case of.....	9	1105

ESTATES OF DECEASED PERSONS—continued.

Bond; renewal of license, upon.....	16	1107
specific performance of contracts, on....	15	1107
Contracts of deceased, for.....	14	1106
notice on petition; bond.....	15	1107
Costs may be awarded to prevailing party..	23	1108
Damages for misconduct as to.....	26	1108
Deed, effect of.....	20	1107
Execution, of lands taken on.....	1	1103
Foreign will, held in trust under.....	35	1080
Fraudulent conveyances, claims for.....	20	1107
Jurisdiction of courts.....	2	1104
Lands liable to sale, specified.....	20	1107
undevised first applied to debts.....	13	1121
Land warrants, of interest in.....	1	1103
License, authorization of.....	1	1102
bond to pay debts, etc., bar to.....	5	1104
costs may be awarded on petition.....	23	1108
duration of.....	16	1107
estate in two or more counties.....	18	1107
examination as to facts in petition.....	8	1105
notice required, unless.....	4	1104
sale, before.....	6	1104
order of sale, may prescribe.....	19	1107
renewal of; new bond.....	16	1107
specific performance of contracts, for....	14	1106
notice on petition; bond.....	15	1107
specific portions, may prescribe sale of..	19	1107
supreme judicial court may grant.....	2	1104
certificate from judge of probate.....	7	1105
examination as to allegations.....	8	1105
Limitation of action to recover land sold...	27	1108
Lots in cemeteries exempt from, for debts..	7	462
land held for family ground, also.....	13	463
Mortgage, held in, after foreclosure.....	1	1103
Non-residents, of.....	12	1106
appointment of administrator, etc.; proof	13	1106
Notice before license granted.....	4	1104
sale, before.....	6	1104
adjournment of, in case of.....	17	1107
private sale, in case of.....	9	1105
return of notice; affidavit.....	24	1108
specific performance of contracts, on.....	15	1107
Oath before sale, evidence of.....	25	1108
Partnership, of a.....	7	1101
Private sale, at, authorized.....	9	1105
public sale, sales at, under same license..	9	1105
Public administrators, by.....	1	1103
Public auction, to be at.....	2	1104
Surplus proceeds, disposal of.....	21	1107
Validity of, irregularities not to affect....	28	1108
person claiming under deceased, by.....	28	1108
adversely to deceased, person claiming	29	1109
Wood and timber standing, of.....	1	1103

ESTATES TAIL.

Barring of, by conveyance.....	10	1115
Levy of execution on.....	6	1130
debtor's entire estate passes, unless.....	8	1130

ESTOPPEL.

Abutter, to dispute boundary of way.....	106	509
Surety companies, of; to deny corporate power	159	890
Town, to dispute settlement of pauper.....	34	559
answer, failing to return.....	36	559
Way, as to boundary of.....	106	509

ESTRAYS.

Action for damages caused by.....	19	1350
lien on animals.....	19	1350
Appraisal before use, when.....	12	1349

ESTRAYS—continued.

Notice of taking up; contents.....	11	1349
fee for recording.....	20	1449
penalty for neglect to give.....	17	1350
Restitution to owner, when.....	13	1349
six months, within; if not sold.....	16	1350
Sale by finder, owner not appearing.....	15	1350
disposal of proceeds.....	16	1350
Taking from finder, without paying charges	18	1350

EVICITION.

Action by tenant, for price of premises.....	30	1372
New partition to evicted parties, when.....	27	1291
Widow endowed anew upon.....	12	1367

EVIDENCE.

- I. In General.
- II. Civil Actions.
- III. Criminal Cases.

In General.

Births, marriages and deaths, of.....	37	1018
Copies; record of discharge from U. S. service	7	1174
County commissioners, rules before.....	119	1241
Courts-martial, rules before.....	99	328
courts of inquiry; proceedings admitted..	132	349
Discharge from state school for boys as....	8	1609
Equity appeals, in; presentation.....	32	1149
hearing before single justice, in.....	20	1146
Insane person, of; trial for ill treatment...	36	1625
Justices of the peace, authority of.....	51	60
Marriage, copy of record of.....	15	1013
town clerk's record of.....	37	1018
Notaries public, authority of.....	51	60
Nuncupative will, to prove a.....	19	1122
Poor debtor's disclosure, on.....	72	1415
disclosure commissioner, before.....	36	1407
Probate courts, rules before.....	119	1241
Probate sales, affidavit of notice of.....	25	1108
Public utilities commission, before.....	59	925
Trial justices, authority of.....	51	60

Civil Actions.

Account annexed; plaintiff's affidavit is....	127	1242
Acts and resolves admitted as.....	129	1242
Adjutant general, certificate of.....	134	1244
Atheist, a competent witness.....	111	1239
Auditors, rules in proceedings before.....	119	1241
report admissible in.....	90	1236
prima facie evidence.....	88	1235
Burden of proof; when death follows injury	48	1229
insurance policies, in actions on.....	38	1227
Consular records, copies received as.....	133	1244
Contradiction of complaint or codefendant..	116	1240
Conviction of offense, effect of.....	124	1242
Copies of consular records admissible.....	133	1244
ancient town records, of.....	19	282
coroner's bond, of.....	53	1192
custom house records, of.....	133	1244
deeds, of; from registries.....	131	1243
land office, from.....	4	184
Penobscot Indians, of.....	38	292
records of, in certain counties.....	132	1243
laws, of, when printed.....	129	1242
protests, etc., of notaries public.....	28	675
sheriff's bond, of.....	18	1185
statutes, of.....	129	1242
Coroner's bond, copy when admissible.....	53	1192
Corporation; election of clerk.....	24	787
insurance; certificate of organization.....	63	865
Custom house records; copies received as..	133	1244

EVIDENCE—continued.

Deeds; office copies when admissible.....	131	1243
copies of records in certain counties.....	132	1243
former testimony of deceased witness to land office, copies from.....	135	1244
magistrate taking acknowledgment, of...	135	1244
unacknowledged; execution of.....	28	1117
Deposition of absent party, how taken.....	115	1240
consequences of refusal to give.....	115	1240
Discharge in bankruptcy; certificate as.....	73	1223
Enlistment and discharge from U. S. service	134	1244
Error, on writs of; transcript of record....	8	1362
Execution of written instruments, of.....	114	1240
attested, when.....	126	1242
Executor or administrator; rule when party	117	1240
Flowage cases, com'r's' report admissible...	12	1328
Foreign laws, how proved.....	130	1243
Gambling, in actions for losses by.....	9	1496
Heir of deceased party, when party is.....	117	1241
Husband or wife may testify.....	112	1239
Indorser on writs, of liability of.....	7	1197
Insane, rule when party is.....	118	1241
Interest of witness affects credibility only..	112	1239
Libel, in mitigation of damages for.....	46	1229
truth a justification.....	45	1229
unproved allegation of; effect.....	47	1229
Liquors, in actions for damages by sale of..	38	1507
Parties, of; credibility.....	112	1239
exemption as to self-incrimination.....	113	1239
waiver of.....	113	1240
testimony not to be used criminally.....	113	1240
Poor debtor's bond, in action on.....	78	1416
Printed copies of laws, admissible.....	129	1242
Probate bonds, in actions on; for allowance	15	1111
creditor of solvent estate, by.....	14	1111
insolvent estate, of.....	13	1111
distributive share, for.....	15	1111
residuary legatee, by.....	15	1111
Protests and copies of notaries public.....	28	675
Pure food and drug law, under.....	20	643
Records of other courts, authenticated, are	128	1242
Referees, rules in proceedings before.....	119	1241
review of judgment of, in.....	1	1292
Review, upon petition for; allegations.....	4	1293
cumulative, admissible.....	4	1293
discovered, pending petition for.....	3	1293
Rules in special civil proceedings.....	119	1241
Seizin, of; in real action.....	4	1367
Sheriff's bond, copy when admissible.....	18	1185
Stallion, copies of record of certificate.....	17	662
Statutes, laws, etc., copies admissible.....	129	1242
Stenographer's notes, copy as evidence.....	171	1250
insolvency proceedings, taken in.....	12	1037
probate proceedings, taken in.....	12	1037
Survivors in joint actions, of.....	12	1284
Tax sales, in actions involving.....	87	275
wild land, of.....	66	246
Trial justice, transcribed record of.....	26	1255
records and papers, copies of.....	28	1256
incomplete, when.....	29	1256
Trustee disclosure, when admissible.....	56	1276
Truth, of; in actions for libel.....	45	1229
unproved allegation of; effect.....	47	1229
Unwritten law of other countries, proof....	130	1243
Weight of load, of; in highway damage cases	94	507

Criminal Cases.

Accused may testify.....	20	1559
Children; in cases for protection of.....	37	1461
Competency of woman, in cases of prostitution	20	1485
Counterfeiting and forgery, in prosecutions for	8	1469
Embezzlement, in prosecutions for.....	9	1466
Failure to testify, not evidence of guilt....	20	1559

EVIDENCE—continued.

Gambling; prima facie evidence of.....	11	1497
Game laws, of violation of.....	44	603
participants, by; compulsory.....	90	619
testimony not to be used criminally....	90	619
Houses of ill fame; reputation admitted....	20	1485
Husband or wife of accused may give.....	20	1559
Ice, in prosecutions for injury to.....	6	1524
Inland fish and game laws, under.....	90	619
Intent to defraud, of.....	14	1543
Intoxicating liquors, sale of; delivery.....	45	1508
Islands, of illegal hunting on.....	12	1340
Lobsters, of violation of law as to.....	35	713
Lottery, in prosecutions for.....	18	1534
Milk, of impure or diluted.....	3	1531
Ownership, of; when sufficient.....	12	1543
ice, in case of malicious injury to.....	6	1524
Poisonous drugs, under law as to.....	28	460
Possession of logs, etc., without marks....	3	735
Prostitute, acceptance of money from.....	16	1484
Timber or logs, for conversion of.....	3	735
Tramps, in prosecutions of.....	24	1535
non-residents, in cases of.....	29	1536
Treason, of; against United States.....	3	8
state constitution, under.....	12	18
Unlawful assembly, in cases of.....	3	1477
U. S. revenue tax; effect of payment.....	29	1503
Variance, when not material.....	13	1543
Written instrument, of.....	13	1543
See Depositions, Witness.		

EXAMINATION.

Accused persons, before magistrate, of....	9	1551
adjournment.....	10	1551
failure to appear at.....	11	1552
capias may issue.....	10	1551
procedure before magistrate.....	12	1552
discharge of respondent.....	13	1552
complaint adjudged frivolous.....	13	1552
finding of probable cause.....	13	1552
trial and sentence.....	13	1552
returned to county attorney.....	19	1553
witnesses, recognizance of.....	16	1553
minors, in case of.....	17	1553
Complaint for security to keep the peace, on	3	1539
discharge of respondent.....	5	1539
Coroner, of bond of; annually.....	53	1192
county attorney to move for.....	19	1176
Fugitives from justice, of.....	11	1584
Habeas corpus, upon.....	14	1353
allegations by prisoner.....	16	1353
custody of prisoner pending.....	24	1355
inmate of insane hospital, of.....	38	1625
notice to interested parties.....	15	1353
attorney-general or county attorney, to	15	1353
prisoner sick or infirm, when.....	13	1353
Insane criminals, of.....	6	1579
Insane hospitals, of; by trustees.....	4	1618
patient before commitment, of.....	18	1621
Jails, of; by county commissioners.....	19	1171
Jurors, of; as to opinion, etc.....	99	1237
Probate proceedings, in; for embezzlement..	71	1063
real estate, upon petition for license to sell	8	1105
ward's estate; for embezzlement of.....	33	1093
Records of clerk of courts, of.....	13	1175
action on bond in case of deficiency.....	13	1175
appropriation of amount recovered.....	14	1175
Registration as voters, for.....	15	121
naturalized citizens, when.....	16	121
Sheriff, of bond of; annually.....	3	1182
county attorney to move for.....	19	1176
new bond required, when.....	4	1182
failure to furnish; consequences.....	5	1183

EXAMINATION—continued.

State prison, of; by inspectors.....	7	1590
conduct of the officers, of.....	9	1591
disorderly conduct of the prisoners, of...	10	1591
State school for boys, of; by trustees.....	13	1611
books of superintendent, of.....	11	1610
Taxpayer, of; on presentation of list.....	76	248
refusal to answer bars appeal.....	76	248
Trustee in trustee process, of.....	14	1269
additional allegations filed.....	30	1271
jury trial upon.....	31	1271
answers of trustee deemed true.....	30	1271
appointment of commissioner to take....	11	1268
corporation, by; by whom made.....	8	1268
declaration of facts by trustee.....	29	1271
defendant summoned as trustee of plaintiff	56	1276
costs in first action.....	57	1276
examination at first term.....	14	1269
false answer deemed perjury; penalty...	77	1280
inferior courts, in.....	81	1280
sworn to, in open court, or before justice	15	1269
commissioner, before a.....	11	1268
justice of the peace, when before.....	10	1268
consent, by.....	12	1268
examination in court, upon.....	27	1271
taken before justice of the peace by consent	12	1268
taxes due trustee may be set off.....	9	1268
trustee about to leave the state, of.....	10	1268
See Titles of Boards of Examination and Registration, Poor Debtors, Schools, Teachers.		

EXCAVATIONS.

Ways, conditions of making near.....	109	509
--------------------------------------	-----	-----

EXCEPTIONS.

Abatement of taxes, in proceedings for....	83	250
Attorney, on summary proceedings against	33	1179
Audita querela, at trial on writ of.....	5	1358
Costs, to taxation of, in term.....	158	1248
Criminal cases, in; recognizance.....	27	1560
Demurrers, to rulings on; proceedings.....	36	1227
vacation, in.....	37	1227
Dilatory plea, to; postpone not trial.....	58	1157
Equity cases, in; claim and allowance.....	27	1148
adjudged frivolous, when; costs.....	37	1150
jury trials, in.....	33	1149
proceedings for contempt, in.....	36	1150
Establishment of.....	55	1156
Improvement of marshes, in proceedings for	37	549
Law court, entered and heard in.....	46	1152
failure to enter; treble costs.....	48	1153
Mandamus, in proceedings on writ of.....	18	1364
case to proceed notwithstanding.....	17	1364
Opinion as to facts, expression by judge of	102	1238
Presentation and allowance of.....	55	1156
certified as frivolous, when.....	55	1156
overruled for want of prosecution, when	57	1157
death or disability of presiding justice..	56	1156
Public utilities com'n, from.....	55	924
order not stayed by.....	56	924
Railroads, on proceedings to locate ways over	30	490
damages for land taken, for.....	36	938
transportation, as to rates for.....	56	942
Referees, to acceptance of award of.....	5	1394
Reserved lands, in proceedings to locate...	27	189
Superior courts, procedure in.....	93	1163
criminal cases, in.....	100	1165
filing stays not proceedings, when.....	94	1164
Trustee process, on disclosure in.....	79	1280
entire case examined on.....	79	1280
Vacation, allowance at hearings in.....	37	1227
Vessels, in actions to enforce liens on.....	19	1812

EXCHANGE.

Bills of; acceptance in writing.....	4	1395
damages on protest.....	60	1231
days of grace abolished; exception.....	34	676
waiver of demand and notice.....	4	1395

EXCISE DUTIES.

Congress has power to lay and collect.....	8	4
--------------------------------------------	---	---

EXECUTIONS.

- I. In General.
 - II. Issue.
 - III. Levy on Personalty.
 - IV. Levy on Real Estate.
- Appraisal and Set-off.*
Sale.

In General.

Arrest on, when permitted.....	45	1409
capias annexed, upon.....	38	1407
proceedings in such case.....	40	1408
disclosure without bond.....	46	1409
proceedings before justices.....	48	1410
six months' bond, on.....	51	1410
citation, form of.....	51	1410
errors in, amendable.....	53	1411
service of.....	52	1411
examination; scope of.....	53	1411
certificate of discharge; form.....	58	1412
avoided by fraudulent transfer...	63	1413
effect of.....	59	1413
indorsement on execution.....	61	1413
conduct of; when in writing.....	54	1411
oath, when administered; form....	55	1411
personal estate; lien how preserved	63	1413
fraudulent concealment.....	63	1413
property appraised and set off....	56	1412
creditor not accepting or absent...	57	1412
real estate; lien how preserved....	62	1413
poll-tax, for; not on execution.....	64	268
wilful trespass, on judgment for.....	80	1417
Corporate franchises and property, liable on	75	798
foreign corporations, in case of.....	80	799
Dead body not to be taken on; penalty.....	41	1489
Demand on indorser, return of.....	7	1197
Exemption; articles enumerated.....	64	1210
baggage subject to innkeeper's lien.....	15	576
benefits of casualty assessment companies	169	895
fraternal beneficiary assoc'ns, of.....	17	903
burying-ground, in general, of.....	5	461
family burying-grounds, of.....	6	461
another provision.....	13	463
lots in cemeteries.....	7	462
public cemeteries, property of.....	19	464
shares in.....	19	464
claims under workmen's compensation act	24	771
homestead, of; when.....	65	1211
certificate filed in registry of deeds....	66	1211
liens for labor and material not affected	68	1211
set-off, when value exceeds \$500.....	67	1211
widow and minor children, rights of....	68	1211
life and accident policies, of.....	143	886
lien of creditors for excess premiums..	143	886
militia, outfit of active member.....	114	332
partnership property, of.....	64	1211
property exempt at common law.....	24	1201
settler's lot purchased of the state.....	11	185
shares in loan and building assoc'ns, two	101	837
public cemeteries, in.....	19	464
teachers' pensions.....	174	396
trustee process, on.....	55	1275

EXECUTIONS—continued.

Exemption from arrest on holidays.....	82	1215
election days, on.....	83	1215
military training, election, etc., on days of	82	1215
Gambling, for money lost by; form.....	8	1496
Land taken by executor, etc.; personal assets	28	1079
death of executor before sale.....	30	1079
disposal of, if not redeemed.....	31	1079
sale of, as personalty.....	29	1079
Municipal courts, from; real estate taken on	58	1208
Notice by subsequent attaching officer.....	23	1261
Police court, from; real estate taken on....	58	1208
Replevin of goods taken on.....	8	1343
Sale of real estate taken on, by executors, etc.	1	1103
Set-off, when allowed.....	27	1262
excepted cases.....	28	1262
Supersedeas issued on review.....	5	1293
judgment in superior courts, of.....	97	1164
Suspension of service; lien preserved.....	25	1261
attachment removed; proceedings.....	26	1261
Town, against; issue.....	30	1262
notice of sale of lands; proceedings.....	31	1262
satisfaction upon property of inhabitants	30	1262
owner may recover against town.....	32	1263
Trustee, limit of time for service on.....	73	1279
demand on executor, etc., of.....	41	1273
non-resident, on.....	75	1279
removal from county, in case of.....	83	1281

Issue.

Absent defendant on default, against.....	5	1221
stayed for one year, unless.....	5	1221
attachment preserved.....	5	1221
bond; conditions of.....	5	1221
deposit with clerk.....	6	1221
mistake, issued by; effect.....	7	1222
review, petition for.....	6	1221
Alias or pluries, when issued.....	162	1248
Attorney, against an, for money collected..	35	1180
Bail, names, etc., noted on.....	5	1264
notice by officer to bail; fees.....	6	1264
return of avoidance; satisfaction.....	8	1264
Bond to vacate attachment, in action on....	36	1204
Bonds and contracts in penal sum, on.....	51	1230
Coroner's bond, in actions on.....	53	1192
Costs in probate court, for.....	38	1043
appeals from com'r's of insolvency, in....	18	1085
Error, stay on writ of; bond.....	2	1361
notice to officer, stay upon.....	3	1361
Executors and administrators, against.....	2	1282
estates in their hands, when against....	1	1282
scire facias for waste, in.....	3	1282
trustee process, on.....	42	1273
Exorbitant claims against estates, on.....	166	1249
Form when unnecessary number of actions	153	1247
Interest collected on.....	164	1249
Issued in twenty-four hours after judgment	160	1248
not after one year, except.....	161	1248
Judgment in favor of deceased creditor, on	24	1286
contents and recitals of.....	25	1286
real estate taken on, how held.....	25	1286
Liens, to enforce; generally.....	66	1323
mechanics' liens.....	43	1317
Lost; new issued for unpaid portion.....	165	1249
Mortgage, upon decree for redemption from	22	1301
Poor debtor's disclosure, for costs of.....	70	1415
renewal by commissioner.....	41	1408
Probate bonds, on judgment on.....	16	1111
costs, for.....	12	1111
failure of executor, etc., to account, for..	17	1112
neglect of executor, etc., for.....	18	1112
trust, in; for interested parties.....	19	1112

EXECUTIONS—continued.

Property only, when to run against.....	20	1403
disclosure on mesne process, after.....	6	1400
judgment, before.....	9	1401
released on bond, when.....	18	1403
poll-tax, on judgment for.....	64	268
Real actions, in; after death of party.....	19	1369
land, for value of.....	27-29	1371
Recognizance on appeal, on.....	51	1230
Returnable within three months.....	160	1248
Scire facias to show cause against.....	163	1248
Sheriffs, against; issue.....	19	1185
office vacated for non-payment, when....	19	1185
proceedings upon.....	19	1185
Sheriffs' bonds, in actions on.....	17	1185
State prison, none on actions against.....	22	1594
Stay of; against absent defendant, on default	5	1221
attachment preserved.....	5	1221
bond; conditions of.....	5	1221
deposit with clerk.....	6	1221
execution issued by mistake.....	7	1222
review, petition for.....	6	1221
Trespass; memorandum of wilful.....	59	1231
disclosure thereon restricted.....	80	1417
Trial justices, issued by.....	22	1255
commission expired, after.....	30	1256
death of justice, after.....	27	1255
debtor in another county, against.....	23	1255
judgment for plaintiff, upon.....	16	1254
defendant, for.....	17	1254
non-appearance of justice, after.....	14	1253
renewal, if unsatisfied.....	31	1256
returnable, when.....	22	1255
use of, in place of record.....	29	1256
Trustee process, in; how issued.....	34	1272
Warden of state prison, against.....	25	1595
Waste and trespass on real estate, in cases of	19	1341

Levy on Personalty.

Authorization in general.....	1	1257
Adjournment; time, notice.....	5	1258
another place, to.....	6	1258
warrant of distress, on.....	24	1261
All chattels, liable to be taken, except.....	1	1257
Bank-notes, etc., upon.....	2	1257
Buildings on leased land, on.....	11	1258
rents and profits, on.....	11	1258
Current coin liable.....	2	1257
Debts due manufacturing corporation, on....	77	798
Franchise of a corporation, upon; notice....	17	1259
county, where held.....	24	1261
manner of sale.....	18	1260
possession delivered by officer.....	18	1260
purchaser to take tolls.....	19	1260
railroads, of; notice.....	21	1260
redemption within three months.....	20	1260
warrant of distress, on.....	24	1261
Mortgaged or pledged property, of.....	29	1262
notice to officer before action.....	45	1206
Notice by subsequent attaching officer.....	23	1261
Redemption of buildings sold as chattels... 11	11	1258
franchise of corporations, of.....	20	1260
Sale authorized unless debtor redeems.....	3	1257
adjournment; time, notice.....	5	1258
another place, to.....	6	1258
application of proceeds.....	10	1258
mortgaged or pledged property, of.....	29	1262
several attachments, when.....	22	1261
notice of subsequent attachment.....	23	1261
description of articles in return.....	9	1258
fraud by officer; penalty.....	9	1258
goods to be kept at least four days.....	3	1257
limit of time for sale.....	3	1257
mortgaged or pledged property, of.....	29	1262
notice of sale.....	4	1258

EXECUTIONS—continued.

Sale; resales and notice of; proceeds.....	8	1258
towns, on process against.....	30	1262
warrant of distress, on.....	24	1261
Security for officer.....	7	1258
Shares, authorized sale of.....	12	1259
aqueducts, in.....	6	997
certificate of number given to officer.....	14	1259
copy of execution left with clerk, when..	13	1259
dividends go to purchaser.....	15	1259
notice of sale, how given.....	16	1259
subsequent attaching officer, by.....	23	1261
officer to leave copy of execution and return purchaser entitled to certificate.....	15	1259
Suspension by prior attachment.....	25	1261
attachment removed; proceedings.....	26	1261
Towns, against; issue and levy.....	30	1262
notice and proceedings.....	31	1262
owner may recover of town.....	32	1263
Trustee process, of goods held on.....	44	1273
Warrant of distress, by.....	24	1261
towns, against; issue and levy.....	30	1262
notice and proceedings.....	31	1262
owner may recover of town.....	32	1263

Levy on Real Estate.*Appraisement and Set-off.*

Authorization in general.....	1	1129
equities of redemption, on.....	30	1134
payments on mortgage recovered.....	31	1135
estates in joint tenancy or in common, on	7	1130
estates tail, on.....	6	1130
lands conveyed by virtue of a contract, on	49	1138
conveyance to assignee, on; sale.....	50	1138
enforcement of creditors' rights.....	50	1138
alleged assignee made party.....	51	1138
leased premises, on; disposal of rent.....	12	1131
life estate, upon a.....	11	1131
pews, on; record of.....	38	1119
real estate of deceased persons, on.....	47	1138
not subject to second.....	47	1138
rents and profits, on; possession.....	9	1130
indivisible, when premises are.....	10	1130
life estate, of a.....	11	1131
undivided part, when on.....	10	1130
Alias execution, when proceedings invalid..	19	1132
name of assignee of the judgment, in....	20	1132
Appraisers; their appointment.....	1	1129
fees of.....	5	1440
oath of; certificate on execution.....	2	1129
date of, deemed time of commencement	22	1133
return of; detailed contents.....	3	1129
signed by two, when valid.....	4	1130
several parcels, for.....	4	1130
view of land by.....	2	1129
Assigned judgment, action of debt on.....	21	1132
estate levied on, held in trust by creditor	15	1131
scire facias, on; levy invalid.....	20	1132
Creditor holds estate in trust for assignee..	15	1131
Debtor's entire interest passes, unless.....	8	1130
Descent, rights by, not barred.....	9	1125
Error in amount, correction; overlay.....	23	1133
redemption; levy made before April 10, 1856	24	1133
Executors or administrators may act.....	46	1138
Expenses are part of execution.....	45	1137
detailed statement of fees.....	5	1440
Land fraudulently conveyed, on.....	14	1131
Notice to debtor, to choose appraisers.....	1	1129
justice of the peace on redemption, to choose	26	1134
Record of execution and officer's return....	16	1131
fee for recording.....	18	1447
unrecorded, when void.....	17	1131
waiver, if not recorded, no.....	18	1132

EXECUTIONS—continued.

Redemption, debtor's right in general.....	25	1133
amount, how ascertained.....	26	1134
deeds of release upon payment.....	25	1133
writ of entry on failure to release...	27	1134
payment to clerk of courts.....	25	1133
bill in equity, without tender.....	28	1134
costs, regulation of.....	29	1134
non-resident defaulted defendant, by...	53	1139
levies on rights of redemption.....	31	1135
payments on mortgage recovered.....	31	1135
levy made before April 10, 1856, as to...	24	1133
non-resident defaulted defendant, by.....	52	1139
sale of right on another execution.....	42	1137
creditor may redeem before sale.....	43	1137
tender, after death of party entitled.....	28	1303
Rent of leased premises, disposal of.....	12	1131
Return of officer; detailed contents.....	5	1130
limit of time for making; record.....	16	1131
neglect to record; consequences.....	17	1131
waiver if not recorded, no.....	18	1132
Reversal on writ of error avoids, when...	5	1361
Scire facias, if invalid; when issued.....	19	1132
assigned judgment, upon an.....	20	1132
Seizin, delivery of; assignment of right...	13	1131
momentary, when delivered.....	14	1131
Several parcels, appraisal of.....	4	1130
Suspension by prior attachment.....	25	1261
attachment removed; proceedings.....	26	1261
Time of making, deemed what.....	22	1133
Title not defeated by trust without notice..	18	1116
record in registry of deeds is notice.....	18	1116
Void; judgment reversed on review.....	14	1295

Sale.

Authorization in general.....	32	1135
improvement on state lands, for.....	18	1336
lands held in mortgage by banks, etc., of	39	1136
redemption from.....	41	1137
transfer after notice, void.....	40	1137
mill acts, for damages under.....	18	1329
redemption from.....	19	1329
railroad franchises, of.....	44	1137
real estate attachable, of.....	32	1135
deceased persons, of.....	47	1138
not subject to second.....	47	1138
rights of conveyance by contract, of....	32	1135
conveyance after attachment; levy.....	49	1138
assignee, to; sale.....	50	1138
enforcement of creditor's rights.....	50	1138
alleged assignee made party.....	51	1138
rights of redemption from sale or levy...	42	1137
creditor may redeem before sale.....	43	1137
state, on execution in favor of.....	48	1138
Adjournment; notice.....	37	1136
town, on execution against.....	31	1262
Demand on mortgagee for statement.....	34	1135
deposition to compel disclosure.....	35	1136
Descent, rights by, not barred.....	9	1125
Executors or administrators may act.....	46	1138
Expenses are part of execution.....	45	1137
detailed statement of fees.....	5	1440
Mechanics' liens, to enforce.....	43	1317
Notice of sale by officer.....	33	1135
railroad franchises, etc., of.....	21	1260
state, on execution in name of.....	48	1138
town, on execution against.....	31	1262
Proceedings at sale.....	36	1136
adjournment; notice.....	37	1136
after return day, valid.....	38	1136
town, on execution against.....	31	1262
Redemption from.....	41	1137
non-resident defaulted defendant, by....	52	1139
sale of right on another execution.....	42	1137
town, on execution against.....	31	1262

EXECUTIONS—continued.

Reversal on writ of error affects not.....	5	1361
Seizure effective from what time.....	60	1208
return to registry of deeds essential.....	60	1208
unrecorded, recorded deed takes precedence	60	1209
Suspension by prior attachment.....	25	1261
attachment removed; proceedings.....	26	1261
Time of seizure, day of notice deemed to be	38	1136
Towns, against; sale.....	30	1262
notice of sale; proceedings.....	31	1262
owner may recover of town.....	32	1263

EXECUTORS.

- I. In General.
- II. Administration and Accounting.
Insolvent Estates.
- III. Actions Against.
- IV. Actions Between.
- V. Actions By.
- VI. Bonds.
- VII. Sale of Real Estate.

In General.

Agents of non-residents, appointment.....	44	1057
name and address in notice.....	44	1057
removal from state, appointed upon.....	44	1058
service upon agent or attorney.....	44	1057
no agent or attorney in state, when....	15	1285
Auctioneer's license not required by.....	8	680
Bond, only those giving, to act.....	12	1050
neglect to give, deemed non-acceptance...	8	1049
not required, when.....	10	1049
Business, may carry on.....	54	1060
Contracts within statute of frauds, what...	1	1394
Death of sole, proceedings on.....	27	1054
Debts attachable on trustee process.....	36	1272
De son tort, liabilities of.....	40	1056
set-off for debts paid by.....	40	1056
Disputes between; determination of.....	68	1062
Executor of, succeeds not in trust.....	27	1054
Foreign, licensed to receive personalty....	70	1062
Foreign wills, letters testamentary on....	16	1051
Guardians of interested minors, not to be..	1	1086
Insurance of property of estate.....	60	1061
Jurisdiction of probate court.....	9	1036
incontestable, except on appeal.....	16	1037
judge interested, when.....	17	1038
register interested, when.....	17	1038
retention of, by court first taking.....	16	1037
Letters testamentary, issue of.....	8	1049
appeal pending, while.....	38	1056
bond required upon.....	11	1049
foreign wills, on.....	16	1051
refusal to accept.....	8	1049
time within which issued.....	1	1047
lost or suppressed wills, in case of.....	9	1049
Lien actions, to be summoned in.....	63	1323
Majority, powers and liabilities of.....	12	1050
Marriage of feme sole, effect of.....	26	1053
Minority of, proceedings in case of.....	23	1053
Name of, used by assignee of debt.....	23	1077
Notice of appointment.....	42	1057
deceased a non-resident, when.....	42	1057
legal, essential to limitation of actions...	21	1286
non-resident executor, of.....	44	1057
agent's name and address inserted.....	44	1057
proof of; by affidavit.....	43	1057
Oaths by, before whom taken.....	19	1038
Pauper, of; liable to town for support.....	43	560
Removal, grounds for.....	24	1053
accountability upon.....	69	1062
affects not prior acts.....	69	1062
bond, failure to give new.....	51	1059
failure of non-resident to account.....	24	1053
one of several is removed, when.....	67	1062

EXECUTORS—continued.

Resignation of, accepted by judge.....	24	1053
one of several resigns, when.....	67	1062
Stockholder's liability of.....	93	801
Trustees, becoming, by operation of law....	13	1098
Wills, presentation for probate.....	4	1048
abstract recorded in registry of deeds....	24	1040
notice ordered on.....	5	1048
proceedings to compel production of.....	4	1048

Administration and Accounting.

Accounts, contents of.....	53	1059
bond, rendered agreeably to.....	57	1060
chargeable with what property.....	58	1060
real estate, with income of.....	59	1061
counsel fees allowed in.....	43	1044
distribution, allowed without notice on...	21	1077
notice on, after one year.....	21	1077
examination and allowance of.....	57	1060
inheritance tax first paid.....	21	1070
insolvent estates, in case of.....	21	1085
distribution, after.....	25	1086
non-resident, failure of, to render.....	24	1053
removal, upon.....	69	1062
Allowance to husband from wife's estate...	19	1076
minors, to.....	18	1076
monuments and burial lots, for.....	61	1061
perpetual care of.....	64	1061
widow, to, from personal estate of husband	14	1075
action on bond to collect.....	15	1111
burial expenses of, for.....	61	1061
mortgage debt, of; assignment.....	15	1075
pew, of one.....	14	1075
quarantine for ninety days, during.....	17	1076
temporary, during litigation.....	16	1076
Appraisers, appointment and duties.....	46	1058
additional inventories, for.....	49	1058
articles to be omitted by.....	50	1059
choses in action, valuation of.....	48	1058
fees of.....	44	1044
partners, estates of deceased.....	1	1100
revocation of warrant to.....	47	1058
specific property for distribution, of.....	22	1077
Articles not administered as assets.....	50	1059
Bond, refunding, may be required.....	25	1078
Burial lot and monuments, expense of.....	61	1061
perpetual care, for.....	64	1061
Choses in action due deceased, sale of.....	52	1059
collection of, by assignee.....	52	1059
Claims, arbitration or compromise of.....	54	1060
disputed, may be referred to commissioners	55	1060
no actions after reference, unless.....	55	1060
presentation of.....	14	1284
verification by affidavit, if required.....	65	1062
Counsel fees allowed when necessary.....	43	1044
Debts, order of payment.....	1	1081
affidavit may be required.....	65	1062
married women, of; what paid.....	62	1061
mutual between husband and wife.....	63	1061
neglecting to pay, guilty of waste.....	56	1060
publication of list not libelous.....	8	1538
undisposed realty first applied to.....	13	1121
Distribution of personal estate by.....	21	1077
advancements, allowance for.....	4	1124
alienage no bar to right.....	21	1077
bond to refund may be required.....	25	1078
deposit of unclaimed shares.....	21	1077
payment by county treasurer.....	24	1078
estate undisposed of by will, of.....	2	1120
insolvent estates, of.....	24	1085
lands taken on execution, personal assets	28	1079
death of executor before sale.....	30	1079
disposal of, if not redeemed.....	31	1079
sale of, as personalty.....	29	1079
lien for debt due estate.....	20	1076

EXECUTORS—continued.

Distribution; mortgages are personal assets	28	1079
disposal of land, if not redeemed.....	31	1079
sale of, as personalty.....	29	1079
foreclosure, after, upon license.....	1	1103
non-resident estates, distribution of.....	32	1079
insolvent, proceedings when.....	33	1080
debts, order of payment.....	33	1080
proceeds of land sold under foreign will	35	1080
residue, distribution of.....	34	1080
non-resident guardian, may deliver estate to	28	1092
order of distribution issued.....	21	1077
neglect to execute; proceedings.....	21	1077
probate bond, action on, to enforce.....	15	1111
specific property, of; appraisal.....	22	1077
assignment of debts.....	23	1077
collection in name of executor.....	23	1077
Embezzlement, complaint for.....	71	1063
citation and examination.....	71	1063
commitment upon refusal.....	73	1063
damages, also liable for.....	73	1063
person entrusted with estate, of.....	72	1063
Exorbitant claims, adjustment of.....	55	1060
bribery of com'rs; punishment.....	10	1473
execution issued on report.....	166	1249
insolvent, award added to list, if estate..	26	1086
Fees of.....	43	1044
appraisers, commissioners, etc.....	44	1044
inheritance tax, as to.....	28	1072
payment of, in general.....	44	1044
register of deeds, for recording will....	39	1043
probate, of; for copy of will.....	39	1043
non-residents, in estates of.....	41	1044
witnesses, of.....	9	1443
Inheritance, notice of, to attorney-general..	18	1069
tax, to be paid before final settlement....	21	1070
Inheritance tax, payable by.....	9	1067
action of debt for.....	11	1068
appraisal of property, subject to.....	8	1067
bond, liability on.....	11	1068
definitions of "person," "property".....	29	1072
exemption from.....	1	1064
personal property of non-resident.....	1	1065
property of resident, in another state..	4	1066
fees of judges and registers of probate...	28	1072
interest on.....	9	1067
inventory, copy sent attorney-general....	7	1067
neglect or refusal to file; penalty.....	20	1070
jurisdiction relating to.....	5	1066
legacy, deducted from.....	14	1069
charged on real estate, collection.....	15	1069
limited period, for; procedure.....	16	1069
liability of executor.....	11	1068
non-residents, on property of.....	22	1070
bank and corporation stock; transfer..	25	1071
property in Maine corporation.....	24	1071
securities of; not transferred until payment	26	1071
shares in interstate corporation.....	23	1071
notice to attorney-general.....	18	1069
payment before final settlement.....	21	1070
procedure in court, relating to.....	5	1066
petition by attorney-general.....	10	1068
petition for administration; not filed...	12	1068
proceedings for recovery of tax.....	13	1069
will not offered for probate, when.....	12	1068
valuation of property.....	8	1067
property subject to.....	1	1064
bequests to executors or trustees.....	3	1065
non-resident, of.....	22	1070
remainder after antecedent estate.....	2	1065
stocks and bonds of Maine corporation	24	1071
value of, how determined.....	8	1067
rate of.....	1	1064

EXECUTORS—continued.

Inheritance tax; reimbursement for.....	19	1070
sale of real estate for payment.....	17	1069
Insolvent estates, limit of settling.....	21	1085
Insurance of property of estate.....	60	1061
Inventory, to make and return an.....	45	1058
additional may be required.....	49	1058
articles omitted from.....	50	1059
attached personal property, of.....	54	1207
attorney-general, copy sent to.....	7	1067
bond, action on, for failure to return....	18	1112
limit of time allowed for return.....	45	1058
partnership property included.....	1	1100
surviving partner to exhibit.....	5	1100
Lands taken on execution, personal assets..	28	1079
death of executor before sale.....	30	1079
disposal of, if not redeemed.....	31	1079
sale of, as personalty.....	29	1079
trust, held under foreign will in.....	35	1080
Last sickness, expenses of, preferred.....	1	1081
married woman, of.....	62	1061
Legacy, action for.....	27	1078
payable, when.....	26	1078
probate bond, on.....	14	1111
refunding bond may be required.....	25	1078
unaffected by chapter 92.....	23	1286
Liability of, for value of inventory.....	53	1059
estate received, for all.....	58	1060
neglecting to collect money and pay debts	56	1060
real estate, for income of.....	59	1061
taxes collected by deceased, for.....	46	264
Married women, payment of their debts....	62	1061
husband, debts to and from, paid.....	63	1061
Monuments and lot, allowance for.....	61	1061
Mortgages of real estate, authority as to...	13	1299
declaration in action on.....	12	1299
disposal of land, if not redeemed.....	31	1079
personal assets, are deemed.....	28	1079
redemption by executors.....	28	1303
sale of, as personalty.....	29	1079
foreclosure, after, upon license.....	1	1103
Non-residents, distribution of estates of....	32	1079
insolvent, proceedings when.....	33	1080
debts, order of payment.....	33	1080
residue, distribution of.....	34	1080
proceeds of land sold under foreign will..	35	1080
Non-resident guardian, may deliver estate to	28	1092
Partition, payment of expenses of.....	45	1045
Partners, administration of estates of.....	1	1100
bond to be given.....	4	1100
actions on.....	20	1112
form of.....	2	1100
remedies on.....	3	1100
claims, settlement of disputed.....	6	1101
death of executor, proceedings.....	8	1101
insolvent, proceedings when.....	6	1101
property included in inventory.....	1	1100
survivor to exhibit.....	5	1100
sale of real estate authorized.....	7	1101
use of survivor's name.....	4	1100
Personal estate, sale of.....	52	1059
foreign executor licensed to receive.....	70	1062
Private claims, allowance of.....	66	1062
Removal, accountability upon.....	69	1062
Stenographer, payment of.....	46	1045
Taxation of personalty held by.....	14	232
Taxes collected by deceased, liable for.....	46	264
Widow, payment of her burial expenses....	61	1061
<i>Insolvent Estates.</i>		
Account, settlement of.....	21	1085
distribution, after.....	25	1086

EXECUTORS—continued.

Actions pending, disposal of.....	19	1085
after decree only on preferred claim.....	19	1085
Affidavit to claims.....	5	1082
Allowance to minors from.....	18	1076
wards, to.....	23	1085
widows, to.....	14	1075
Appeals from decision on claims.....	12	1083
bond and notice.....	12	1083
costs, payment and allowance of.....	18	1084
examination of creditor.....	17	1084
final judgment, proceedings upon.....	18	1084
limit of time for.....	12	1083
proceedings on.....	14	1084
claim allowed, upon, by leave of court..	15	1084
disallowed, upon, by leave of court..	13	1083
specifications of claim; set-off.....	16	1084
referees, determination by.....	17	1084
supreme judicial court, application to...	13	1083
claim allowed, by creditor upon.....	15	1084
Application of chapter 71.....	23	1085
Bonds , remedy of creditor on.....	13	1111
action on, in general.....	20	1112
Claims , presentation of.....	5	1082
disallowance, effect of.....	20	1085
failure to present, barred by.....	20	1085
further assets, except in case of.....	20	1085
false testimony declared to be perjury...	6	1082
filed in probate office.....	5	1082
interest on.....	8	1082
refusal to submit to examination.....	6	1082
secured, proceedings as to.....	7	1082
Commissioners , appointment of.....	3	1081
appeals from decision of.....	12	1083
bribery of; punishment.....	10	1473
claims, presentation and proof of.....	5	1082
filed in probate office.....	5	1082
death of one, proceedings upon.....	4	1082
duties in general.....	3	1081
examination of claimant.....	5	1082
perjury by claimant at.....	6	1082
fees of, paid by executor.....	8	1083
forfeiture of.....	9	1083
report of.....	8	1082
revocation of warrant.....	3	1081
Contingent claims , proof of.....	10	1083
distributive share reserved.....	10	1083
payment of.....	11	1083
Debts , application to payment of.....	1	1081
lots in cemeteries exempt from.....	7	462
land held for family ground, also.....	13	463
priority, order of.....	1	1081
Decree dissolves attachment.....	47	1138
Distribution , decree of.....	24	1085
assets, in case of further.....	24	1085
Executors , in hands of.....	23	1085
Exorbitant claims , award added to list.....	26	1086
Guardian , in hands of.....	23	1085
allowance to ward.....	23	1085
Lots in cemeteries , exempt from debts.....	7	462
land held for family ground, also.....	13	463
Non-residents , as to estates of.....	33	1080
Partnership estates , as to.....	6	1101
Proof of claim , required formalities.....	5	1082
appeals from allowance.....	12	1083
commissioners, appointment of.....	3	1081
death of one, proceedings.....	4	1082
duties in general.....	3	1081
claims filed in probate office, on.....	5	1082
examination of claimant under oath....	5	1082
refusal to submit, consequence.....	6	1082
report of.....	8	1082
neglect to render.....	9	1083

EXECUTORS—continued.

Proof of claim.	
commissioners; revocation of warrant....	3 1081
valuation of security.....	7 1082
contingent claims, how proved.....	10 1083
dividends on.....	11 1083
exorbitant claims, award added to list....	26 1086
interest on claims allowed.....	8 1082
judgment on appeal added to list.....	18 1084
limit of time for.....	4 1082
report of commissioners final, except....	26 1086
Referees , determination by.....	17 1084
Representation of insolvency.....	3 1081
necessary, when not.....	2 1081
Secured claims , proceedings as to.....	7 1082
Set-off , in case of appeals.....	16 1084
disallowed claims, in case of.....	20 1085
Waste , liability for.....	22 1085
executors or administrators, by.....	17 1341
heirs or devisees, by.....	16 1341
Actions Against.	
Authority to bring, generally.....	8 1283
Agents of non-residents, appointment.....	44 1057
name and address in notice.....	44 1057
removal from state, appointed upon.....	44 1058
service upon agent or attorney.....	44 1057
no agent or attorney in state, when....	15 1285
Appearance in pending action.....	55 1230
Arbitration or compromise of.....	54 1060
Case , recovery in action of trespass on the..	11 1283
Claims filed in probate office, on.....	18 1285
not filed in probate office, when.....	19 1285
presentation of.....	14 1284
Collection of effects, for non.....	56 1060
Continuance when brought within one year	15 1284
Contract for sale of land, to enforce.....	13 1397
against executors, etc., after death of obligor	13 1397
decree; legal effect.....	14 1398
enforcement of.....	15 1398
obligee dying, proceedings.....	16 1398
proceedings by executor, etc., effect.....	17 1398
Costs , liability for.....	2 1282
actions brought within one year.....	15 1284
allowance in account.....	2 1282
unmatured debts, in actions on bond for..	18 1285
Death of only defendant; proceedings.....	7 1283
one of several, of; proceedings.....	12 1284
Defense by heirs, etc., upon leave granted..	13 1284
Evidence , rules of.....	117 1240
Executions to run against estates.....	1 1282
executor personally, when against.....	2 1282
scire facias on suggestion of waste, in...	3 1282
Insolvent estates , on claims against.....	12 1083
bond and notice.....	12 1083
costs, payment and allowance of.....	18 1084
examination of creditor.....	5 1082
referees, before.....	17 1084
final judgment, proceedings upon.....	18 1084
limit of time for.....	14 1084
proceedings on.....	14 1084
claim allowed, upon, by leave of court..	15 1084
disallowed, upon, by leave of court..	13 1083
specifications of claims; set-off.....	16 1084
referees, determination by.....	17 1084
supreme judicial court, application to...	13 1083
claim allowed, by creditor upon.....	15 1084
Legacy , action for.....	27 1078
payable in one year.....	26 1078
unaffected by chapter 92.....	23 1286
Limitation of, general rules as to.....	15 1284
action for legacy not affected.....	23 1286
equitable relief granted when.....	22 1286

EXECUTORS—continued.**Limitation of action.**

extension upon death before limit expires	95	1217
new assets, in case of.....	16	1285
payments not disturbed by judgment...	16	1285
notice of appointment essential.....	21	1286
notice of appointment not given, when...	21	1286
runs from grant of usual letters.....	37	1056
unmatured claims filed in probate office...	17	1285
action upon, when bond not given.....	18	1285
assets retained, or bond given.....	17	1285
bond given; action upon.....	18	1285
claim not filed, liability for.....	19	1285
Mechanics' liens, to enforce.....	34	1315
Mill acts, complaint under.....	30	1331
Replevin, judgment in; return.....	11	1283
Scire facias, on suggestion of waste.....	3	1282
Set-off of claims, when allowed.....	82	1234
Survival of actions, general rule as to.....	8	1283
death of only defendant; proceedings.....	7	1283
one of several, of; proceedings.....	12	1284
survivors may testify.....	12	1284
suggestion of death.....	12	1284
Trespass, recovery in action of.....	11	1283
Trustee process, liability on.....	42	1273
appearance by.....	38	1272
citation to; proceedings.....	38	1272
death of trustee, liability.....	37	1272
demand upon, after judgment.....	41	1273
judgment on default; payment upon.....	39	1272
scire facias upon neglect.....	40	1272
costs in discretion of court, when...	40	1273
remedy on bond against.....	43	1273
Unfaithful administration, for.....	23	1286
waste, when guilty of; on account of....	56	1060
Unmatured debts, upon bond for.....	18	1285
bond not given, when.....	18	1285
claims not filed in probate office, on....	19	1285
filed in probate office, may be.....	17	1285
Waste by tenant, actions for.....	4	1339
unfaithful administration, by.....	56	1060
Writs to run against estates.....	1	1282

Actions Between.

Account, upon refusal to.....	67	1062
Jurisdiction of supreme judicial court....	68	1062
Removal or resignation of one, after.....	67	1062
Unfaithful administration, for.....	67	1062

Actions By.

Appearance in pending action.....	55	1230
Arbitration or compromise of.....	54	1060
Authority to bring, generally.....	8	1283
Choses in action; suits on, in name of....	52	1059
assigned on distribution, when.....	23	1077
Contract by deceased for sale of land, upon	17	1398
Costs, liability for.....	2	1282
allowance in account.....	2	1282
Death of only plaintiff; proceedings.....	7	1283
one of several, of; proceedings.....	12	1284
Employers' liability law, under.....	50	777
Evidence, rules of.....	117	1240
Execution on judgment in favor of deceased	24	1286
contents and recitals of.....	25	1286
real estate taken on, how held.....	25	1286
Injuries causing death, for.....	9	1283
assessment of damages; limitation.....	10	1283
Limitation not run at death of testate, if...	95	1217
Set-off by defendant; procedure.....	81	1234
estate insolvent, when.....	83	1234
Steamboat, for loss of life on.....	15	982
Survival of actions, general rule as to.....	8	1283
death of only plaintiff; proceedings.....	7	1283

EXECUTORS—continued.**Survival of actions.**

death of one of several; proceedings.....	12	1284
survivors may testify.....	12	1284
suggestion of death.....	12	1284

Bonds.

Actions on; commencement.....	6	1110
abate not, by vacancy in office of judge...	6	1110
authority of judge, without.....	11	1111
costs apportioned in certain cases.....	16	1111
creditor of insolvent estate, by.....	13	1111
solvent estate, of a.....	14	1111
execution, how issued.....	16	1111
inheritance tax, for.....	11	1068
legatee of a solvent estate, by.....	14	1111
residuary legatee, by.....	15	1111
necessary allegations.....	11	1111
next of kin, for distributive share, by..	15	1111
persons authorized to institute.....	11	1111
costs against, in case of failure.....	12	1111
widow, by a.....	15	1111
costs, none awarded against judge.....	6	1110
actions without authority, in.....	12	1111
apportioned, when.....	16	1111
express authority of judge, by.....	17	1112
inventory, on failure to return.....	18	1112
judgment and execution on.....	19	1112
neglect or mismanagement, for.....	18	1112
general provisions for.....	20	1112
inheritance tax, for.....	11	1068
judgment for penalty.....	10	1110
authority of judge, in actions without..	16	1111
express authority, in actions by.....	19	1112
limitation of; fraud an exception.....	9	1110
majority, for act of.....	12	1050
principal not a party, summoned.....	7	1110
process; judgment.....	8	1110
unfaithful administration, for.....	23	1286
Additional may be required.....	51	1059
Appeals in insolvent estates, on.....	12	1083
supreme court of probate, to.....	32	1042
Approval by judge necessary.....	1	1109
Arrest of principal, when authorized.....	8	1110
Bond to refund may be required.....	25	1078
retention of assets, to avoid.....	17	1285
Breach of, in case of insolvent estates.....	21	1085
Corporate suretyship authorized.....	156	889
estoppel, as to denial of corporate power	159	890
expense allowed in account.....	157	890
list of authorized companies.....	158	890
reduction of bond.....	5	1110
Executors, of; conditions.....	11	1049
Deceased partners, on estates of.....	4	1100
Inheritance tax, for payment of.....	11	1068
Judgment on, to be for penalty.....	10	1110
authority of judge, in actions without....	16	1110
express authority, in actions by.....	19	1112
Legatee, etc., to give, for early payment...	25	1078
New required, if sureties insufficient.....	2	1109
executor or administrator required to give	51	1059
failure to give, cause for removal.....	4	1110
Real estate, for sale of.....	3	1104
damages for misconduct recovered on....	26	1108
non-residents, of.....	12	1106
partnership estates, of.....	7	1101
actions upon.....	20	1112
prevent sale, to.....	5	1104
private sale, at.....	9	1105
Reduction of penal sum.....	5	1110
Specific performance of contracts, for.....	15	1107

EXECUTORS—continued.

Sureties, discharge of.....	3	1109
insufficient, new bond required.....	2	1109
another provision.....	51	1059
failure to give, cause for removal.....	4	1110
Will may prescribe, or exempt from.....	10	1049

Sale of Real Estate.

Authorization in general.....	1	1102
appeals allowed from decree.....	2	1104
Adjournment of sale; limit; notice.....	17	1107
Advantageous offer, to accept.....	9	1105
Bond required; conditions.....	3	1104
damages for misconduct recovered on....	26	1108
license barred by, to pay debts, etc.....	5	1104
private sale, in case of.....	9	1105
renewal of license, upon.....	16	1107
specific performance of contracts, on....	15	1107
Contracts of deceased, for.....	14	1106
notice on petition; bond.....	15	1107
Costs may be awarded to prevailing party..	23	1108
Damages for misconduct as to.....	26	1108
Deed, effect of.....	20	1107
Execution, of lands taken on.....	1	1103
Foreign will, held in trust under.....	35	1080
Fraudulent conveyances, claims for.....	20	1107
Jurisdiction of courts.....	2	1104
Lands liable to sale, specified.....	20	1107
undevise, first applied to debts.....	13	1121
Land warrants, of interest in.....	1	1103
License, authorization of.....	1	1102
bond to pay debts, etc., bar to.....	5	1104
costs may be awarded on petition.....	23	1108
duration of.....	16	1107
estate in two or more counties.....	18	1107
examination as to facts in petition.....	8	1105
notice required, unless.....	4	1104
sale, before.....	6	1104
order of sale, may prescribe.....	19	1107
renewal of; new bond.....	16	1107
specific performance of contracts, for....	14	1106
notice on petition; bond.....	15	1107
specific portions, may prescribe sale of..	19	1107
supreme judicial court may grant.....	2	1104
certificate from judge of probate.....	7	1105
examination as to allegations.....	8	1105
Limitation of action to recover land sold..	27	1108
Lots in cemeteries exempt from, for debts..	7	462
land held for family ground, also.....	13	463
Mortgage, held in, after foreclosure.....	1	1103
Non-residents, of.....	12	1106
appointment of executor, etc.; proof.....	13	1106
Notice before license granted.....	4	1104
sale, before.....	6	1104
adjournment, in case of.....	17	1107
private sale, in case of.....	9	1105
return of notice; affidavit.....	24	1108
specific performance of contracts, on....	15	1107
Oath before sale, evidence of.....	25	1108
Partnership, of a.....	7	1101
Private sale, at, authorized.....	9	1105
public sale, sales at, under same license..	9	1105
Public auction, to be at.....	2	1104
Surplus proceeds, disposal of.....	21	1107
Validity of; irregularities not to affect....	28	1108
person claiming under deceased, by.....	28	1108
adversely to deceased, person claiming	29	1109
Wood and timber standing, of.....	1	1103

EXECUTORY DEVISE.

Alienability of estate subject to.....	3	1112
sale or mortgage of, by license of court..	4	1113
disposal of proceeds.....	6	1114
next friend, appointment of.....	5	1114

EXECUTORY DEVISE—continued.

Alienability; order of notice on petition....	5	1114
trustee to give bond.....	6	1114

EXEMPTION.

Arrest, from; congress, members of.....	6	3
electors, on election day.....	2	20
executive councilors.....	2	28
legislature, members of.....	8	26
married women.....	4	1030
poor debtors, as.....	21	1403
poor debtor, after disclosure.....	37	1407
sheriffs.....	19	1185
warden of state prison.....	25	1595
Arrest, on holidays, from.....	82	1215
election days, on.....	83	1215
military training, election, etc., on days of	82	1215
Attachment, from; articles enumerated....	64	1210
baggage subject to innkeeper's lien.....	15	576
benefit of casualty assessment companies	169	895
fraternal beneficiary assoc'ns, of.....	17	903
burying-grounds, in general, of.....	5	461
family burying-grounds, of.....	6	461
another provision.....	13	463
lots in cemeteries.....	7	462
public cemeteries, property of.....	19	464
shares in.....	19	464
claims under workmen's compensation act	24	771
homestead, of; when.....	65	1211
certificate filed in registry of deeds....	66	1211
liens for labor and material not affected	68	1211
set-off, when value exceeds \$500.....	67	1211
widow and minor children, rights of....	68	1211
life and accident policies, of.....	143	886
lien of creditors for excess premiums..	143	886
militia; outfit of active member.....	114	332
partnership property, of.....	64	1211
property exempt at common law.....	24	1201
settler's lot purchased of the state.....	11	185
shares in loan and building assoc'ns, two	101	837
public cemeteries, in.....	19	464
teachers' pensions.....	174	396
trustee process, on.....	55	1275
Educational test of voters, from.....	3	117
Jury service, from; enumeration.....	3	1383
enginemen included.....	3	562
Military duty, from; const.....	5	31
statutory provision.....	1	296
burden of proof to establish.....	3	297
penalty for false statement.....	4	297
Negligence, from; contracts invalid.....	57	779
Taxes, from; enumeration.....	6	227
deposits in savings banks.....	62	222
trust and banking companies, in.....	74	225
illegal, restrained by injunction.....	6	1142
inheritance tax, from.....	1	1064
investments of corporations.....	19	233
insurance companies, of.....	20	233
loan and building associations, dues of...	66	223
public cemeteries, property of.....	19	464
shares of stock therein, also.....	19	464
United States, lands purchased by.....	13	53
water companies, of.....	6	229
Wages, on poor debtor's disclosure, of.....	28	1405
trustee process, on.....	55	1275

EXHIBITIONS.

See Public Exhibitions.

EXPENDITURES.

Appropriation, not to exceed; penalty.....	103	71
money applied solely to object of.....	100	71

EXPLOSIVE SUBSTANCES.

Authorized regulations for keeping.....	20	565
publication of.....	23	565
Damages caused by explosion of.....	21	565
Fireworks, sale regulated.....	16	1533
Fish, use in taking, forbidden.....	24	597
sea and shore fisheries law, under.....	86	728
Sale prohibited by militia commander.....	79	321
Search warrant for.....	22	565
Toy pistols, sale prohibited.....	17	1533

EXPORTS.

Congress may not tax, from states.....	9	5
Duties on, states may not lay, except.....	10	6

EX POST FACTO LAW.

Congress forbidden to pass.....	9	5
Legislature forbidden to pass.....	11	18
States not to pass.....	10	6

EXPOSURE.

Child, of; with intent to abandon.....	28	1459
Person, of; indecent, punishment.....	5	1482

EXPRESS COMPANIES.

Annual license of.....	43	216
neglect to apply for, penalty.....	43	216
Baggage; wanton injury to.....	33	1529
jurisdiction of offenses.....	34	1529
Employee, removal of liquor from car by...	20	1500
Excise tax on.....	43	216
action of debt for; interest.....	75	225
assessment of tax, basis.....	44	216
return, when no.....	75	225
lieu of other taxes, in; exception.....	45	217
returns to board of state assessors.....	44	216
neglect to make, penalty.....	46	217

EXPRESS COMPANIES—continued.

Game; transportation for non-resident.....	61	611
Live stock; sale of, when authorized.....	20	984
record kept; open to inspection.....	21	985
Municipal tax, on.....	45	217
Perishable property, sale of, authorized....	19	984
record kept; open to inspection.....	21	985
Property in dispute, transportation of.....	22	985
carrier relieved from liability.....	22	985
Service of writs on.....	22	1201
Transportation, equal facilities for.....	13	951
Unclaimed goods, sale to pay charges.....	17	983
disposal of proceeds.....	18	983
notice of sale.....	18	983
place of sale designated.....	18	983
record kept; open to inspection.....	21	985

EXTORTION.

Crime and punishment.....	21	1458
Fees, by taking illegal; penalty.....	27	1476

EXTRADITION.

Constitutional provision.....	2	9
Appointment of agent to another state....	7	1583
expenses to be paid by state.....	7	1583
Authority to surrender to another state....	9	1583
arrest on warrant of any magistrate.....	10	1584
bail pending examination.....	11	1584
costs and expenses, payment of.....	13	1584
proceedings upon examination.....	11	1584
adjournment, upon.....	12	1584
Reward for arrest and return of.....	8	1583

EXTREME CRUELTY.

Divorce, cause for.....	2	1026
-------------------------	---	------

F.**FACTORIES AND WORKSHOPS.**

Commissioner of labor may enter.....	12	750
dangerous conditions to be remedied....	12	750
penalty for non-compliance.....	12	750
Doors in, regulation of.....	37	568
Fire escapes upon, required.....	38	568
See State Factory Inspector.		

FACTORS.

Contracts for advances made by; validity..	1	663
Depository from, rights of.....	2	663
Merchandise, when deemed owner of.....	1	663

FAIRFIELD, TOWN OF.

Voting precincts, divided into two.....	note	152
-----------------------------------------	------	-----

FAIRS.

See Agricultural Institutions.

FALSEHOOD.

Credit, to obtain; punishment.....	3	1517
Wilful, to influence voters; punishment....	119	178

FALSE IMPRISONMENT.

Limitation of action for.....	87	1216
Recovery of penalties no bar, when.....	31	1356
See Malicious Prosecution.		

FALSE PEDIGREE.

Animals, of; giving; penalty.....	14	1520
-----------------------------------	----	------

FALSE PERSONATION.

Board of registration, before; penalty.....	32	126
Larceny by.....	6	1465
Voter, of; penalty.....	32	126
Voting in name of another; penalty.....	108	176

FALSE PRETENSES.

Advertisements in form of bank-bills, by...	9	1519
Animals, false registration of.....	14	1520
Assignments, by fraudulent.....	4	1518
Badge of G. A. R. or S. of V., by use of....	10	1519
benevolent, etc., corporations, of.....	11	1005
Bills of lading, by false; penalty.....	19	1521
Burning property for insurance.....	22	1522
Certificates, by false.....	9	1469
stock, of; by issuing or pledging.....	10	1470
Cheating by; crime and punishment.....	1	1517
Check, by fraudulent.....	13	1520
defrauding innkeeper by.....	18	577
Conspiracies, fraudulent, in general.....	24	1522
prosecute innocent persons, to.....	23	1522
restraint of trade, in.....	26	1522
monopoly, to form a.....	27	1523
Conveyances, by fraudulent; penalty.....	4	1518