

SIXTH REVISION

ТНЕ

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

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.

April 2, 1917.

J. A. M.

E.

EARNEST.		1	ELECTIONS—continued.		
Sale of goods, to bind; when required	5	1395	In General.	2	30
· · · · · · · · · · · · · · · · · · ·			Adjutant general, of	3 viii	37
EARNINGS.			Arrest, exemption on election day	2	20
House of correction, by inmates of	14	1606	statutory provision	83	1215
Tramps, etc., committed to workhouse, etc., of	32	1536	Attorney-general, of	11	32
EARTH.			Ballot, shall be by written; const	1	19
Removal from land of another	23	1527	Biennial elections, amendment		35
Trespass, with intent to dig up and remove	19	1527	Bribery at, enactment of laws as to	13	$\frac{33}{144}$
			Caucus, compulsory method of holding	$\frac{40}{48}$	$144 \\ 146$
EASEMENT.			application limited bribery at	45	145
Acquisition by use	12	1380	penalty	47	145
notice to prevent	12	1380	challenges to voters; proceedings	43	145
service of; record	15	1381	check lists, use of	46	145
public, by; interruption by notice Extinguishment by obstruction	13 14	$\begin{array}{c}1381\\1381\end{array}$	omission of name bars not right to vote	46	145
notice to prevent	14	1381	enrolment a prerequisite for voting	37	143
service of; record	15	1381	method of enrolment	38	143
Title, summary petition to try	49	1375	caucus, at the	39 38	$144 \\ 143$
order of notice; service	50	1376	new enrolment penalty for false statement	47	145
proceedings upon appearance	51	1376	record of	39	144
	-		large cities, provisions applicable to	53	147
EASTERN MAINE STATE FAIR.			challenge of voter; proceedings	52	147
Entry fee, competitor holden for	31	627	disturbance of caucus, penalty	49	146
lien created to secure Powers and privileges of	31	627	misfeasance of officer	51	146
State aid to	$\frac{30}{18}$	627 624	unlawful participation, penalty	50	146
apportioned by com'r of agriculture	10	621	notices for; issue and posting	44	145
conditional on use of score-card system	21	625	hours for opening and closing polls	$\frac{44}{47}$	$145 \\ 145$
expenditure of	22	625	penalty for violation polls, time for opening and closing	44	145
form of application	23	625	restrictions upon voting	42	144
withheld unless returns are made	7	622	town clerk to record enrolment	39	144
certificate of treasurer is filed	19	624	stationery and books provided by	39	144
commissioner of agriculture, of	19	624	voting to be by ballot	41	144
premiunis paid on grade males, if	20	625	Check list, when used in town elections	45	128
EDUCATION.			Cities, in; general provisions	8 39	82 88
Constitution, fostered by	viii	31	 assessors and subordinate officers, of mayor has casting vote in city council 	35 41	89
Forestry, instruction in	56	196	warden and ward clerk, of	40^{-1}	88
See Schools.			where qualified voters may vote	4	117
			Citizens absent in military service	4	20
EELS.			county officers, may vote for	12	32
Commissioners may regulate taking of	27	598	statutory provision	82	171
Excepted as to methods of taking fish	24	597	applicable to primary elections	$\frac{26}{81}$	$140 \\ 170$
implements, also as to	25	597	presidential electors, may vote for conduct of elections	81	170
TCCC			state officers and legislators, for	82	171
EGGS.		000	applicable to primary elections	26	140
Birds, of; destruction forbidden Sales of preserved, as fresh; penalty	· 57 13	$\begin{array}{c} 609 \\ 1532 \end{array}$	conduct of elections	82	171
gales of preserved, as fresh, penalty	10	1002	correction of errors	84	171
ELDERS.			applicable to primary elections	26	140
Estates granted to minister, authority over	20	400	secretary of state to furnish poll lists.	83 26	$\frac{171}{140}$
conveyance of: validity	21	400	applicable to primary elections Clerk of courts, of		$\cdot 1173$
Presiding at camp-meeting; authority	33	1488	determination of result	53	164
			Congress, of representatives to	4	3
ELECTION CLERKS.			determination of result	53	164
Appointment, duties	13	153	meetings for, how conducted	40	160
Assistance to voter by	19	156	counting of ballots	41	160
penalty for wrongful	96	174	returns of votes	44	162 3
Candidates ineligible to be	$13 \\ 13$	$153 \\ 153$	senators, of	4 xvii	3 14
Vacancies filled by municipal officers	тэ	103	vacancy, election to fill	42	161
ELECTIONS.			return and canvass of votes	43	161
I. In General.			Contested elections, application to court	87	172
II. Registration of Voters.			petition, contents and filing	88	172
III. Primary Elections.			costs to prevailing party	91	173
IV. Conduct and Returns.			hearing; notice	88 88	$\frac{172}{172}$
V. Corrupt Practices Law. VI. Crimes and Offenses.			judgment appeal from; proceedings	00 89	$172 \\ 172$
YI. OTHIES and Onenses.			appear from, proceedings	50	

ELECTIONS-continued.		
Contested elections.		
judgment; order to carry into effect	90	173
enforcement	90 85	173
representatives to legislature, by notice of; procedure	$\frac{85}{85}$	$171 \\ 171$
petition, when presented	86	171
Councilors, of	2	28
amendmentx		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 County office, contest before sup. jud. court	$\frac{2}{87}$	$\frac{1167}{172}$
petition, contents and filing	88	$172 \\ 172$
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 Governor, of	1 3	$\frac{148}{27}$
biennial electionsx		27 35
date of	4	20
meetings, how and when called	22	157
cities, in	66	167
plurality vote elects x	xiv	36
soldiers, voting by	4	20
statutory provision	82	171
tenure of office	2	27
amendmentx		35
Judges of probate, of; const	-7	30
statutory provision	53 3	$164 \\ 1035$
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
	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
judgment	88 88	$172 \\ 172$
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 atparticipation, penalty for unlawful	51	146
Portland, elections in island wards	$50 \\ 69$	146 168
President and vice-president, of	xii	100
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 determination of result	63	167
accommentation of icault	53	164

1	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 votes for, casting and return of	65 50	$\begin{array}{c} 167 \\ 166 \end{array}$
	Qualifications of voters, under constitution	58 1	19
	educational, amendment		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 choice, proceedings when no	. 3	22
	cities, in	$\frac{39}{70}$	160 168
	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, unclassed town	56	165
	cities, in	70	168
	classed towns, in	72	168
	call of meetings for	73	169
	Beturns, distribution of blanks for state elections, of; how made	$\frac{56}{44}$	61 162
	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
1	meetings, how and when called	22	157
	cities, in	66	167
	soldiers, voting by	4	20
.	statutory provision	82	171
	summons to senators electvacancies, to fill	4 5	$\begin{array}{c} 24\\ 24\end{array}$
	amendment as to	722	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
1	applicable to primary elections	26	140
	presidential electors, for	81	170
	conduct of elections	81	170
	state officers and legislators, for	82	171
i	conduct of elections	82	171
	correction of errors	84	171

ELECTIONS-continued

ELECTIONS-continued.	
Soldiers absent from state.	
provision applicable to primary elections	26
secretary of state to furnish poll lists	83
applicable to primary elections	26
Soldiers' Home, right of inmates to vote	80
State auditor, of	81
determination of result	53
meeting for, how conducted	40
counting of ballots	41
return of ballots	44
State election, date under constitution	4
warrants for, when issued in towns	22
cities, in	66
Town meetings, general provisions	2
annual, for election of officers	12
check list, when used	45
park commissioner, of	84
road commissioner, of	16
Treasurer of state, of	1
amendment x	xiii
Village corporation, meetings of	9

Registration of Voters.

Annual town meeting, list of voters for	43	128	assessors, to; of errors
check list, when used at	45	128	injuring or defacing
penalty for neglect or refusal	46	128	, residence, change of
sessions for correction of list	44	128	sessions of boards of registration
Applicant's name announced aloud	15	121	municipal officers, of
personal appearance necessary	4	117	Obstructing registration; penalty
another provision	19	122	Plantations, lists prepared as in towns
transfer, but not for purpose of	19	122	applicable to primary elections
requirements to test qualifications	15	121	Primary elections, for
naturalized citizen, in case of	16	121	Record of names added or stricken from list
neglect to enforce	28	125	boards of registration, of; custodian
Assessors to annually make lists	- 9	119	Register of voters, to be kept
duties as to such lists		119	Selectmen, lists of voters, prepared by
penalty for making false entry	12	120	change, not to, except in open session
refusing information to, for	13	120	names added, at regular sessions
voters, to make lists of, in towns	34	126	posting list of voters
			penalty for neglect
Authority to make and revise lists in cities	5	118	revised list, to deposit in clerk's office
primary elections, at	12	134	sessions of, to correct lists
towns of more than 500 voters, in	40	127	Voters, assessors to make lists of, in towns
applicable to primary elections	12	134	deceased, clerk to furnish list of
small towns, in	41	127	name must be on list
applicable to primary elections	12	134	omitted, certificate given
Boards of registration, appointment	6	118	notice of change of residence
chairman, right to vote; duties	7	118	
compensation of members	22	124	Ward lists, preparation and posting
compulsory attendance of witnesses	8	119	caucus, copies to be furnished for
contempt, power to punish for	8	119	challenge of voters before board
fraud upon, penalty	32	126	election day, on, to be noted
lists of deceased voters furnished to	26	125	city clerk, custodian of duplicates for ballot clerks
majority may act	6	118	
neglect to enforce educational test	28	125	election day, no change on
notice to assessors, of errors	11	119	elections, to be used at
oaths, may administer	8	119	names added upon personal request only
orders of, disobedience to; penalty	33	126	names on, no right to vote unless
police officers to attend	27	125	omitted, how person may vote
polling districts, to prepare check lists for	12	152	preserved one year
qualifications of voters, to determine	8	119	street and number, entered on
record of proceedings	17	121	wardens to be governed by
records; city clerk, custodian of	21	123	•
register of voters, to keep	14	120	Primary Elections.
sessions of	19	122	Acceptance by nominee
notice of time and place	23	. 124	U. S. senate, by candidates for
voting lists, names to be entered on	11	120	failure to file deemed declination
ward lists, to prepare	18	121	Ballots, requisites of
not answerable for errors in	19	122	chapter 7, certain sections apply
witnesses, may summon	8	119	marking of
examination of	20	123	number to be supplied
fees of	22	124	secretary of state to furnish
oath of	8	119	Bribery to procure nomination

INDEX.

	ELECTIONS—continued.		
	Challenge, before board of registration	20	123
140	election day, on; to be noted	24	124
171	Cities, where qualified voter may vote in	4	117
140	City clerk, to post ward lists	18	121
$170 \\ 65$	custodian of records and lists deceased voters, to furnish lists of	$\frac{21}{26}$	123
65 164	City officer, neglect of duty by	26 29	$125 \\ 125$
160	Double registration; penalty	30	125
160	Elections, corrected lists to be used at	23	$120 \\ 124$
162	Fraudulent conduct as to; penalty	32	126
20	Meetings, to be open; time of closing	17	121
157	Municipal officers, registration by	40	127
167	notice of sessions	42	128
81	towns, in small	41	127
83 128	Names, added or stricken off, when	17	121
128 98	list, must be on municipal officers, by	$19 \\ 38$	$\frac{122}{127}$
84	omitted, certificate given	19	123
29	stricken off, without notice; penalty	107	176
35	fraudulently	108	176
82	Naturalized citizen, requirements of	16	121
	approval of papers by selectmen	39	127
	Notices relating to registration, where posted	25	124
128	assessors, to; of errors	11	120
128	injuring or defacing	31	125
128	, residence, change of	20	123
128	sessions of boards of registration	23	124
121	municipal officers, of	42	128
117	Obstructing registration; penalty Flantations, lists prepared as in towns	33 75	126 169
$\frac{122}{122}$	applicable to primary elections	26	140
121	Primary elections, for	25^{-5}	140
121	Record of names added or stricken from list	17	121
125	boards of registration, of; custodian	21	123
119	Register of voters, to be kept	14	120
119	Selectmen, lists of voters, prepared by	35	126
120	change, not to, except in open session	38	127
120	names added, at regular sessions posting list of voters	38 37	$127 \\ 126$
126	penalty for neglect	104	175
118	revised list, to deposit in clerk's office	37	126
$\begin{array}{c} 134 \\ 127 \end{array}$	sessions of, to correct lists	36	126
127 134	V oters, assessors to make lists of, in towns	34	126
$134 \\ 127$	deceased, clerk to furnish list of	26	125
134	name must be on list	19	122
118	omitted, certificate given	19	123
118	notice of change of residence	20	123
124	Ward lists, preparation and posting	18	121
119	.caucus, copies to be furnished for	46	145
119	challenge of voters before board election day, on, to be noted	$20 \\ 24$	$123 \\ 124$
126	city clerk, custodian of	21	123
125	duplicates for ballot clerks	13	153
$\frac{118}{125}$	election day, no change on	19	122
125 119	elections, to be used at	23	124
119	names added upon personal request only	19	122
126	names on, no right to vote unless	19	122
125	omitted, how person may vote	19	123
152	preserved one year	21	123
119	street and number, entered on wardens to be governed by	$20 \\ 19$	$123 \\ 122$
121		13	. 100
123	Primary Elections.		
$120 \\ 199$		17	107
$\frac{122}{124}$	Acceptance by nominee U. S. senate, by candidates for	$\frac{17}{20}$	137
120	failure to file deemed declination	$\frac{20}{17}$	$139 \\ 137$
	Ballots requisites of	±1	191

 $140 \\ 135$

 $\mathbf{14}$

ELECTIONS-continued.		1
Candidates for office nominated at	1	129
acceptance by nominee	17	137
U. S. senators, for	20	139
limitation of expenditures lists sent to towns by secretary of state	$\begin{array}{c} 21\\ 10 \end{array}$	139 133
published in newspapers	10	133
returns of expenditures	18	137
false, constitute perjury	18	138
U. S. senators, by candidates for	20 - 20	139
Certificate on nomination paper vacancy on ballot, for supplying	5 6	130 131
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 2	$129 \\ 129$
organization ofvailed	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 false. constitute perjury	18 18	$137 \\ 138$
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 5	$131 \\ 130$
nominations made bypreservation of	5 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 Political parties; definition	26 1	$140 \\ 129$
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 county committee elected at	2 2	$129 \\ 129$
district committee also	2	129
state committee also	2	129
certified to secretary of state	2	129
vacancies filled	3	130
Beturns of expenditures	18	137
failure to make; penalty	18 18	139 138
false, constitute perjury U. S. senators, by candidates for	20	$130 \\ 139$
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 names of committees certified to	$10 \\ 2$	$133 \\ 129$
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 return of votes, to furnish blanks for	$\frac{18}{15}$	$137 \\ 135$
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..... U. S. senators, for..... Voters, qualifications of..... enrolment necessary..... registration of..... warrants for; issue, form and posting.... expenses, for.....

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

ET.ECTIONS-continued

Certificates of nomination, contents	32	142	Polls, hours of opening and closing
amendment of	34	143	Plurality of votes decides
filing of	33	142	cities, in
opening, inspection and preservation	36	143	Primary elections, of
penalty for frauds as to	94	173	Returns of votes at state elections
vacancies, how supplied	35	143	canvass by governor and council
validity of	34	143	application of § 53
Check list used at state elections	28	158	delinquent, notice of
ballot clerks, duplicates for	13	153	duties of county attorneys
penalty for wilful neglect	105	175	lost, how supplied
preserved by town clerk	29	158	certificate, signed and sworn to
sealing and preservation	18	156	penalty for false
town elections, use of, in	45	128	sealed and forwarded
penalty for wilful neglect, etc	46	128	wilful neglect or refusal, penalty
wardens to be governed by	19	122	messenger sent for
Cities, state elections in	66	167	Shelves for voters, and guard rail
applicable to primary elections	26	140	applicable to primary elections
wardens, duties of	66	167	State elections, ballot box, use of
choice, pro tempore	67	167	check list must be used
applicable to primary elections	26	140	applicable to primary elections
island wards of Portland	68	167	penalty for wilful neglect
applicable to primary elections	26	$140 \\ 142$	date under constitution
Consent of nominee to be filed	33	142	presiding officers have powers of moderators
Counting of ballots	41	160	applicable to primary elections
Determination of result; method	53	164	return of votes
application of method	54	165	canvass by governor and council
jurisdiction of court unaffected	55	$\begin{array}{c} 165\\ 153\end{array}$	delinquent, notice of
Election clerks, appointment, duties	13	$133 \\ 140$	duties of county attorneys
applicable to primary elections	$\frac{26}{19}$	$140 \\ 156$	lost, how supplied
assistance to voter by penalty for wrongful	96	174	certificate, signed and sworn to
candidates ineligible to be	13	153	penalty for false sealed and forwarded
vacancies filled by municipal officers	13	153	wilful neglect or refusal, penalty
Instructions, cards of, to be provided	5	149	selectmen pro tem. may be chosen
applicable to primary elections	26	140	applicable to primary elections
distributed by secretary of state	8	150	presiding officer during choice
penalty for defacing, etc	93	173	applicable to primary elections
posted at voting places	10	151	sworn, powers of
town clerks, to	48	163	vote of person not qualified, refused
Islands, rights of voters on	74	169	voting place, when town divided
applicable to primary elections	26	140	applicable to primary elections
Portland, in	68	167	warrants for, when issued in towns
Portland, inapplicable to primary elections	$\frac{68}{26}$	$\begin{array}{c} 167 \\ 140 \end{array}$	warrants for, when issued in towns cities, in
applicable to primary elections	26	140	cities, in
applicable to primary elections conduct of meetings	26 69	140 168	cities, in "Stickers;" use authorized
applicable to primary elections conduct of meetings Meetings, hour of opening	26 69 21	140 168 157	cities, in "Stickers;" use authorized Unorganized places, rights of voters in
applicable to primary elections conduct of meetings Meetings, hour of opening Nomination papers, contents	26 69 21 32	140 168 157 142	cities, in "Stickers;" use authorized Unorganized places, rights of voters in applicable to primary elections
applicable to primary elections conduct of meetings Meetings, hour of opening Nomination papers, contents amendment of	26 69 21 32 34	140 168 157 142 143	cities, in "Stickers;" use authorized Unorganized places, rights of voters in applicable to primary elections Voter, announcement of name
applicable to primary elections conduct of meetings Meetings, hour of opening Nomination papers, contents amendment of filing of	26 69 21 32 34 33	$140 \\ 168 \\ 157 \\ 142 \\ 143 \\ 142 $	cities, in "Stickers;" use authorized Unorganized places, rights of voters in applicable to primary elections Voter, announcement of name applicable to primary elections
applicable to primary elections conduct of meetings Meetings, hour of opening Nomination papers, contents amendment of filing of opening, inspection and preservation penalty for frauds as to signatures to	26 69 21 32 34 33 36	140 168 157 142 143 142 143 173 141	cities, in "Stickers;" use authorized Unorganized places, rights of voters in applicable to primary elections Voter, announcement of name applicable to primary elections exhibition of ballot by, penalty
applicable to primary elections conduct of meetings Meetings, hour of opening Nomination papers, contents amendment of filing of opening, inspection and preservation penalty for frauds as to signatures to vacancies, how supplied	26 69 21 32 34 33 36 94 31 35	$140 \\ 168 \\ 157 \\ 142 \\ 143 \\ 142 \\ 143 \\ 173 \\ 141 \\ 143 \\ 144 \\ 143 \\ 143 \\ 144 \\ 143 \\ 144 \\ 143 \\ 144 \\ 143 \\ 144 \\ 143 \\ 144 \\ 143 \\ 144 \\ 143 \\ 144 \\ 143 \\ 144 \\ 143 \\ 144 \\ 143 \\ 144 \\ 143 \\ 144 \\ 143 \\ 144 \\ 143 \\ 144 \\ 143 \\ 144 \\ 143 \\ 144 \\ 143 \\ 144 $	cities, in "Stickers;" use authorized applicable to primary elections applicable to primary elections applicable to primary elections exhibition of ballot by, penalty falsehood as to inability to mark Voting apartments to have doors applicable to primary elections
applicable to primary elections conduct of meetings Meetings, hour of opening Nomination papers, contents amendment of filing of opening, inspection and preservation penalty for frauds as to signatures to vacancies, how supplied validity of	26 69 21 32 34 33 36 94 31 35 34	$140\\168\\157\\142\\143\\142\\143\\173\\141\\143\\143\\143$	cities, in "Stickers;" use authorized Onorganized places, rights of voters in applicable to primary elections Voter, announcement of name applicable to primary elections exhibition of ballot by, penalty falsehood as to inability to mark Voting apartments to have doors applicable to primary elections arrangement of shelves
applicable to primary elections conduct of meetings Meetings, hour of opening Nomination papers, contents amendment of opening, inspection and preservation penalty for frauds as to signatures to vacancies, how supplied validity of Nominations at primary elections	26 69 21 32 34 33 36 94 31 35 34 1	140 168 157 142 143 142 143 173 141 143 143 129	 cities, in
applicable to primary elections conduct of meetings Meetings, hour of opening Nomination papers, contents amendment of opening, inspection and preservation penalty for frauds as to signatures to vacancies, how supplied validity of Nominations at primary elections convention or caucus, by	26 69 21 32 34 33 36 94 31 35 34 1 29	140 168 157 142 143 142 143 173 141 143 143 129 141	cities, in
applicable to primary elections conduct of meetings Meetings, hour of opening Nomination papers, contents amendment of opening, inspection and preservation penalty for frauds as to signatures to vacancies, how supplied validity of Nominations at primary elections convention or caucus, by nomination papers, by	26 69 21 32 34 33 36 94 31 35 34 1 29 31	140 168 157 142 143 142 143 173 141 143 143 129 141 141	cities, in
applicable to primary elections conduct of meetings Meetings, hour of opening Nomination papers, contents amendment of opening, inspection and preservation penalty for frauds as to signatures to vacancies, how supplied validity of Nominations at primary elections convention or caucus, by nomination papers, by vacancies, how supplied	26 69 21 32 34 33 36 94 31 35 34 1 29 31 35	140 168 157 142 143 142 143 143 143 143 143 129 141 141 143	 cities, in
applicable to primary elections conduct of meetings Meetings, hour of opening Nomination papers, contents amendment of opening, inspection and preservation penalty for frauds as to signatures to vacancies, how supplied validity of Nominations at primary elections convention or caucus, by nomination papers, by vacancies, how supplied Plantations, elections, procedure at	26 69 21 32 34 33 36 94 31 35 34 1 29 31 35 77	140 168 157 142 143 142 143 143 143 143 129 141 141 143 169	cities, in
applicable to primary elections conduct of meetings Meetings, hour of opening Nomination papers, contents amendment of opening, inspection and preservation penalty for frauds as to signatures to vacancies, how supplied validity of Nominations at primary elections convention or caucus, by vacancies, how supplied vacancies, how supplied Plantations, elections, procedure at return of votes, and list of voters	26 69 21 32 34 33 36 94 31 35 34 29 31 35 77 77	140 168 157 142 143 143 143 143 143 143 143 143 141 141	 cities, in
applicable to primary elections conduct of meetings Meetings, hour of opening Nomination papers, contents amendment of opening, inspection and preservation penalty for frauds as to vacancies, how supplied validity of Nominations at primary elections convention or caucus, by nomination papers, by vacancies, how supplied Plantations, elections, procedure at return of votes, and list of voters applicable to primary elections	26 69 21 32 34 35 34 29 31 35 77 77 26	140 168 157 142 143 143 143 143 143 143 143 143 141 141	cities, in
applicable to primary elections conduct of meetings Meetings, hour of opening Nomination papers, contents amendment of opening, inspection and preservation penalty for frauds as to signatures to vacancies, how supplied validity of Nominations at primary elections convention or caucus, by nomination papers, by vacancies, how supplied vacancies, how supplied procedure at return of votes, and list of voters applicable to primary elections state elections, call for	26 69 21 32 34 33 36 94 31 35 34 1 29 31 35 77 77 26 76	140 168 157 142 143 143 143 143 143 143 143 129 141 143 169 169 140 169	cities, in
applicable to primary elections conduct of meetings Meetings, hour of opening Nomination papers, contents amendment of opening, inspection and preservation penalty for frauds as to vacancies, how supplied validity of Nominations at primary elections convention or caucus, by nomination papers, by vacancies, how supplied vacancies, how supplied return of votes, and list of voters applicable to primary elections state elections, call for	26 69 21 32 34 35 34 29 315 77 76 26	140 168 157 142 143 142 143 143 143 143 143 143 143 143 141 141	<pre>cities, in</pre>
applicable to primary elections conduct of meetings Meetings, hour of opening Nomination papers, contents amendment of opening, inspection and preservation penalty for frauds as to signatures to vacancies, how supplied validity of Nominations at primary elections convention or caucus, by nomination papers, by vacancies, how supplied Plantations, elections, procedure at return of votes, and list of voters applicable to primary elections applicable to primary elections voters in unorganized	26 69 21 324 33 36 94 35 34 29 31 35 77 76 26 74	140 168 157 142 143 142 143 143 143 143 143 143 143 141 143 169 169 140 169 140	 cities, in
applicable to primary elections conduct of meetings Meetings, hour of opening Nomination papers, contents amendment of opening, inspection and preservation penalty for frauds as to signatures to vacancies, how supplied validity of Nominations at primary elections convention or caucus, by vacancies, how supplied vacancies, how supplied vatancies, how supplied vatancies, how supplied state elections, procedure at return of votes, and list of voters applicable to primary elections voters in unorganized votes received and allowed as in towns	269 212 324 336 941 315 341 291 315 777 266 7626 764 78	140 168 157 142 143 142 143 143 143 143 143 143 143 143 143 141 143 169 140 169 140 169 140 169	cities, in
applicable to primary elections conduct of meetings Meetings, hour of opening Nomination papers, contents amendment of opening, inspection and preservation penalty for frauds as to vacancies, how supplied validity of Nominations at primary elections convention or caucus, by vacancies, how supplied vacancies, how supplied Plantations, elections, procedure at return of votes, and list of voters applicable to primary elections state elections, call for voters in unorganized votes received and allowed as in towns applicable to primary elections	$\begin{array}{c} 26\\ 69\\ 21\\ 32\\ 34\\ 33\\ 36\\ 94\\ 31\\ 35\\ 34\\ 1\\ 29\\ 31\\ 35\\ 77\\ 77\\ 26\\ 76\\ 26\\ 74\\ 78\\ 26\\ \end{array}$	140 168 157 142 143 142 143 143 143 143 143 143 143 143 141 141	 cities, in
applicable to primary elections conduct of meetings Meetings, hour of opening Nomination papers, contents amendment of opening, inspection and preservation penalty for frauds as to vacancies, how supplied validity of Nominations at primary elections convention or caucus, by nomination papers, by vacancies, how supplied vacancies, how supplied Plantations, elections, procedure at return of votes, and list of voters applicable to primary elections voters in unorganized votes received and allowed as in towns applicable to primary elections rejected, when	$\begin{array}{c} 26\\ 69\\ 21\\ 32\\ 34\\ 33\\ 36\\ 94\\ 31\\ 35\\ 34\\ 1\\ 29\\ 31\\ 35\\ 77\\ 76\\ 76\\ 26\\ 76\\ 26\\ 76\\ 26\\ 74\\ 78\\ 826\\ 79\\ \end{array}$	140 168 157 142 143 142 143 143 143 143 143 143 143 143 141 143 169 140 169 140 169 140 169 140 169	 cities, in
applicable to primary elections conduct of meetings Meetings, hour of opening Nomination papers, contents amendment of opening, inspection and preservation penalty for frauds as to signatures to vacancies, how supplied validity of Nominations at primary elections convention or caucus, by nomination papers, by vacancies, how supplied Plantations, elections, procedure at return of votes, and list of voters applicable to primary elections voters in unorganized votes received and allowed as in towns applicable to primary elections rejected, when applicable to primary elections rejected, when	$\begin{array}{c} 26\\ 69\\ 21\\ 32\\ 34\\ 33\\ 36\\ 94\\ 31\\ 29\\ 35\\ 35\\ 35\\ 35\\ 77\\ 77\\ 26\\ 6\\ 76\\ 26\\ 74\\ 78\\ 26\\ 79\\ 26\\ \end{array}$	140 168 157 142 143 142 143 143 143 143 143 143 143 143 143 169 140 169 140 169 170 140	<pre>cities, in</pre>
applicable to primary elections conduct of meetings Meetings, hour of opening Nomination papers, contents amendment of opening, inspection and preservation penalty for frauds as to signatures to vacancies, how supplied validity of Nominations at primary elections convention or caucus, by nomination papers, by vacancies, how supplied Plantations, elections, procedure at return of votes, and list of voters applicable to primary elections voters in unorganized voters received and allowed as in towns applicable to primary elections rejected, when applicable to primary elections rejected, when and how defined	26 69 21 32 34 33 36 94 31 29 31 35 35 37 77 76 66 74 78 26 79 26 79 26 74 78 26 79 21 21 21 29 21 20 21 20 21 20 21 20 21 20 21 20 20 20 20 20 20 20 20 20 20	$\begin{array}{c} 140\\ 168\\ 157\\ 142\\ 143\\ 142\\ 143\\ 173\\ 141\\ 143\\ 129\\ 141\\ 143\\ 169\\ 169\\ 140\\ 169\\ 140\\ 169\\ 140\\ 169\\ 140\\ 169\\ 140\\ 169\\ 140\\ 152 \end{array}$	<pre>cities, in</pre>
applicable to primary elections conduct of meetings Meetings, hour of opening Nomination papers, contents amendment of opening, inspection and preservation penalty for frauds as to signatures to vacancies, how supplied validity of Nominations at primary elections convention or caucus, by vacancies, how supplied vacancies, how supplied vatancies, and list of voters applicable to primary elections voters in unorganized voters received and allowed as in towns applicable to primary elections applicable to primary elections	26 69 21 32 34 33 36 94 31 5 35 34 1 29 31 5 5 77 77 26 6 76 76 26 74 78 26 79 26 21 10 10 10 10 10 10 10 10 10 10 10 10 10	$\begin{array}{c} 140\\ 168\\ 157\\ 142\\ 143\\ 142\\ 143\\ 173\\ 141\\ 143\\ 129\\ 141\\ 143\\ 129\\ 141\\ 143\\ 169\\ 169\\ 169\\ 169\\ 169\\ 169\\ 169\\ 169$	<pre>cities, in</pre>
applicable to primary elections conduct of meetings Meetings, hour of opening Nomination papers, contents amendment of opening, inspection and preservation penalty for frauds as to signatures to vacancies, how supplied validity of Nominations at primary elections convention or caucus, by nomination papers, by vacancies, how supplied Plantations, elections, procedure at return of votes, and list of voters applicable to primary elections voters in unorganized voters received and allowed as in towns applicable to primary elections rejected, when applicable to primary elections rejected, when and how defined	26 69 21 32 34 33 36 94 31 29 31 35 35 37 77 76 66 74 78 26 79 26 79 26 74 78 26 79 21 21 21 29 21 20 21 20 21 20 21 20 21 20 21 20 20 20 20 20 20 20 20 20 20	$140\\168\\157\\142\\143\\173\\141\\143\\129\\141\\143\\129\\141\\143\\169\\140\\169\\140\\169\\140\\169\\140\\169\\140\\169\\140\\169\\140\\152\\33\\152$	<pre>cities, in</pre>
applicable to primary elections conduct of meetings	$\begin{array}{c} 26\\ 69\\ 21\\ 32\\ 34\\ 33\\ 36\\ 94\\ 31\\ 35\\ 34\\ 1\\ 29\\ 31\\ 35\\ 77\\ 76\\ 26\\ 76\\ 26\\ 76\\ 26\\ 79\\ 26\\ 26\\ 79\\ 26\\ 12\\ 16\\ 12\\ \end{array}$	$\begin{array}{c} 140\\ 168\\ 157\\ 142\\ 143\\ 142\\ 143\\ 173\\ 141\\ 143\\ 129\\ 141\\ 143\\ 129\\ 141\\ 143\\ 169\\ 169\\ 169\\ 169\\ 169\\ 169\\ 169\\ 169$	<pre>cities, in</pre>

INDEX.

~	ELECTIONS—continued.	0.7	
2	Polls, hours of opening and closing	21	157
3	Plurality of votes decides	41	161
2	cities, in	71	168
3	Primary elections, of	$\frac{26}{44}$	$\begin{array}{c} 140 \\ 162 \end{array}$
3 3	Returns of votes at state elections canvass by governor and council	44 53	164
3	application of § 53	54	165
8	delinquent, notice of	49	163
3	duties of county attorneys		- 177
อี	lost, how supplied	50	163
8	certificate, signed and sworn to	51	163
6	penalty for false	110	176
8	sealed and forwarded	52	163
8	wilful neglect or refusal, penalty	109	176
2	messenger sent for	46	162
7	Shelves for voters, and guard rail	14	154
0	applicable to primary elections	26	140
7	State elections, ballot box, use of	32	159
7	check list must be used	28	158
0	applicable to primary elections	26	140
7	penalty for wilful neglect	105	175
D	date under constitution	4	20
$\frac{2}{0}$	presiding officers have powers of moderators	23	157
u 4	applicable to primary elections	26	$140 \\ 162$
5	return of votes	$\frac{44}{53}$	164
5	canvass by governor and council delinguent, notice of	49	163
3	duties of county attorneys	114	177
õ	lost, how supplied	50	163
6	certificate, signed and sworn to	51	163
4	penalty for false	110	176
3	sealed and forwarded	52	163
3	wilful neglect or refusal, penalty	109	176
9	selectmen pro tem. may be chosen	24	157
0	applicable to primary elections	26	140
0	presiding officer during choice	25	157
3	applicable to primary elections	26	140
1	sworn, powers of	26	$157 \\ 157$
3 9	vote of person not qualified, refused voting place, when town divided	$\frac{23}{27}$	157
0	applicable to primary elections	26	140
7	warrants for, when issued in towns	22	157
0	cities, in	66	167
8	"Stickers;" use authorized	16	155
7	Unorganized places , rights of voters in	74	169
2	applicable to primary elections	26	140
3	Voter, announcement of name	28	158
2	applicable to primary elections	26	140
3	exhibition of ballot by, penalty	92	173
3	falsehood as to inability to mark	92	173
1 3	Voting apartments to have doors	14	$\begin{array}{c} 154 \\ 140 \end{array}$
а З	applicable to primary elections arrangement of shelves	$\begin{array}{c} 26 \\ 14 \end{array}$	$140 \\ 154$
9	Voting machines, adoption of	36	160
1	bond to keep in order	37	160
1	examination and approval	35	159
3	instructions for use of	38	160
9	regulations for use of	38	160
9			
0	Corrupt Practices Law.		
9	Acts constituting violation of law	132	181
0	Application of law	124	179
9	Candidates may pay personal expenses	127	180
0	statement of disbursements, to file	130	181 181
0	penalty for failure	130	101

ELECTIONS—continued.		
Contribution of money regulated	126	179
Definitions	125	179
conveyance charges	128	180
Political agent; appointment in writing	125	179
candidate may designate himself	125	179
construction of term	125	179
contribution of money to, by candidate	126	179
payment of expenses by, alone	127	180
restricted to specified purposes	128	180
statement of disbursements, to file	129	180
penalty for failure	129	180
preservation of statements	131	181
secretary of state to furnish blanks	131	181
Primary election; construction of term	124	179
Treasurer; appointment in writing	125	179
construction of term	125	179
contribution of money to, by candidate	126	179
payment of expenses by, alone	127	180
restricted to specified purposes	128	180
statement of disbursements, to file	129	180
penalty for failure	129	180
preservation of statements	131	181
secretary of state to furnish blanks	131	181
Violations of the law defined	132	181
penalty	132	181
<u> </u>		

Crimes and Offenses.

Assessors making false entries	12	120
refusing information to	13	120
Ballot boxes, evasion of law as to	34	159
state ballot boxes, violation of law as to	100	175
Ballot clerk, wrongfully assisting voter	96	174
Ballots, defacing or destroying	94	173
defacing, etc., specimen	93	173
delaying delivery of	94	173
endeavoring to induce voter to exhibit	92	173
exhibition of, by voter	92	173
failure to send to sec'y of state	112	176
false statement as to inability to mark	92	173
forgery of official indorsement	94	173
inspection of, permitting	92	173
interference with voter in marking	92	173
receiving prohibited	105	175
penalty, how recovered	106	176
removal before close of polls	94	173
tampering with seals or packages	112	176
town officer receiving folded	37	88
examination, not to permit	37	88
Betting on election prohibited	121	178
conveyances for, void	123	178
party may recover wager	122	178
penalty, how recovered	121	178
Bribe, accepting a	119	178
Bribery and corruption at elections	119	178
caucus, at a	45	148
constitutional provision	13	33
primary elections, at	19	139
Candidates, defacing, etc., list of	93	17:
Caucus, violation of law as to	47	14
large cities, in; disturbance of	49	14(
misfeasance of officer	51	14(
unlawful participation	50	14
voting before challenge determined	52	14'
Certificates of nomination, frauds as to	94	17
lost election returns, of; false	110	17
Check list, neglect or refusal to keep and use	105	17
penalty, how recovered	106	17
refusal to use, in town elections	46	12
refusal to furnish copy	29	15
City officer, neglect of duty as to registration	ı 29	12
·		

. 1	ELECTIONS—continued.		
179	Corrupt practices act, violations of	132	181
179	failure of candidate to file statement	130	181
180	political agent or treasurer, of	129	180
179	Disobedience to orders of board of registration	33	126
179	Educational test, neglect to enforce	28	125
179	Election clerk, wrongfully assisting voter	96	174
179	Election officers, duty of	92	173
180	False answer, relating to registration	32	126
180	representation of another	32	126
180	statement as to registration	31	125
180	Instructions, defacing, etc., cards of	93	173
181	Military parades on election day	117	177
181	penalty, how recovered	118	178
179	Name, fraudulently erasing, etc., from list	108	. 176
179	striking from list without notice	107	176
179	voting in assumed or wrong	108	176
179	National election, neglect to issue warrant for	101	175
180	Neglect, declared to be wilful, when	115	177
180	Nomination papers, frauds as to	94	173
180	Notice as to registration, injuring or defacing	31	125
180	Obstructing registration	33	126
181	Officer pro tem., neglect or misfeasance of	99	174
181	Primary elections, offenses at	26	140
181	returns of expenditures, false	18	138
181	failure to make	18	138
	Public officer, interference with	31	125
	neglect of duty by	95	174
	ballots, as to handling and sealing	112	176
120	Registration, not being qualified voter	32	126
120	illegal	30	125
159	Beturn, making false certificate of lost	110	176
175	neglect to deliver to secretary of state	113	177
174	prosecutions for	114	176
173	neglect to supply lost	109	175
173	Sale of vote	97	174
173	copy of law to be posted	98	174
173	Seals of packages of ballots, breaking	112	176
173	Specimen ballots, defacing, etc	93	173
176	State elections, neglect to issue warrant for	101	175
173	Supplies furnished voter, destruction of	93	173
173	Town officer, neglect or misfeasance of	99	174
173	Voters, disturbing or hindering	119	178
173	misconduct of	116	177
175	penalty how recovered	118	178
176	neglect to deposit or post list of	104	175
173	penalties recovered by, when	102	175
176	Votes, fraudulently receiving illegal	105	175
88		106	176
88	Voting in wrong place, knowingly	120	178
178	in wrong name	108	176
178	wilfully hindering	93	173
178	Voting lists, injuring or defacing	31	125
178	ward, registration in more than one	30	125
178	That motes, familie to prodot for the first	21	123
178	Warrant, neglect of constable to serve	103	175
145	municipal officers, of, to issue	101	175
33			
139	ELECTORS.		

See Voters.

ELECTORS, PRESIDENTIAL. See Presidential Electors.

141	ELECTRICITY.		
173	Transmission beyond state limits forbidden	1	985
176	penalty for violation	2	986
175			
176	ELECTRIC LIGHT AND POWER COMPANI	ES.	
128	Authorized organization	3	986
158	consent of public utilities com'n, when with	3	986
125	hearing before commission, only after	4	986

INDEX.

•

consent; Maine corporation, only to5986physical connection of lines may be ordered6988Bonds secured by mortgage, issue				
physical connection of lines may be ordered6986Bonds secured by mortgage, issue	Authorized organization.			E P
Bonds secured by mortgage, issue.37913Certificate of organization, contents.7987construction over ways of towns named in10987another company, not to take lines of.11987Construction of lines; limitations.10987bridge, of; not authorized.15989nuisance, when declared to be a.14988ornamental trees not to be destroyed.15989poles, lines and fixtures, of.15988repairs, for; granted without notice.13988public travel not interrupted.14988liable to town upon failure.14988liable to town upon failure.14988liable to town upon failure.16989Duties payable on organization.6782current, diversion of, penalty.101525urrent, diversion of.111525current, diversion of.111525praches, mortgage of.22990proceedings upon; expense.22990gongulcation for inspection.19889application for inspection.101479Meters; apparatus for testing provided.19889application for inspection.22990proceedings upon; expense.22990gondintent; salary.20990duties		5	986	
Gertificate of organization, contents		6	986	
construction over ways of towns named in another company, not to take lines of.10987construction of lines; limitations.10987bridge, of; not authorized.15989nuisance, when declared to be a.14988poles, lines and fixtures, of.15988streets and ways authorized, under.13988permits required.13988repairs, for; granted without notice.13988public travel not interrupted.14988likable to town upon failure.14988likable to town upon failure.14988current, diversion of; penalty.111525Damages, to reimburse towns for payments of notice of suit for, to have.16989Duties payable on organization.16989pixtures, malicious injury to; penalty.101525transmission lines, to.121525transmission lines, to.121525transmission lines, to.13988application for inspection of.19989application for inspection of.19989application for inspection of.19989application for inspection of.19989application for inspection of, scept by386dottes22990proceedings upon; expense.22990dottes386finders, alteration in, nay be required.386Piaces already occupied, excluded from.3966finamed in cert			- 1	
another company, not to take lines of. 11 987 Gonstruction of lines; limitations				
Construction of lines; limitations.10987bridge, of; not authorized.15989nuisance, when declared to be a.14988poles, lines and fixtures, of.15988poles, lines and fixtures, of.13988permits required.13988repairs, for; granted without notice.13988repairs, for; granted without notice.14988liable to town upon failure.14988Current, diversion of; penalty.111525Damages, to reimburse towns for payments of6989notice of suit for, to have.16989Duties payable on organization.6782Fixtures, malicious injury to; penalty.101525transmission lines, to.121525transmission lines, to.121525transmission lines, to.121525pranchise, mortgage of.39999application for inspection22990proceedings upon; expense.22990motects of; appointment; salary.20990mdutes111525Physical connection of lines, may be ordered988Physical connection of lines, may be ordered989application for presticed to.7986consent of public utilities com'n, except by386consent of public utilities com'n, except by386rendings, wires affixed, without consent.393construction upon public ways.27<				
bridge, of; not authorized.15989nuisance, when declared to be a				
nuisance, when declared to be a				
ornamental trees not to be destroyed.15988poles, lines and fixtures, of		-	1	_
poles, lines and fixtures, of				P
streets and ways authorized, under.13988permits required.13988repairs, for; granted without notice.14988public travel not interrupted.14988repair, to be put in good.14988liable to town upon failure.14988Current, diversion of; penalty.111525Damages, to reimburse towns for payments of6989notice of suit for, to have.16989Duties payable on organization.6782current, diversion of.111525current, diversion of.111525current, diversion of.111525rancher provision.111525ranchers; apparatus for testing provided.19Meters; apparatus for testing provided.19989application for inspection22990proceedings upon; expense.22990guilcious injury to.111525111525Physical connection of lines, may be ordered69862990malicious injury to.11152511Physical connection, only after.49863named in certificate, restricted to.7986named in certificate, restricted to.7986named in certificate, restricted to.7986named in certificate, restricted to.7987consent of public utilities com'n, except by <t< td=""><td></td><td>-</td><td></td><td></td></t<>		-		
permits required.13988repairs, for; granted without notice.13988public travel not interrupted.14988liable to town upon failure.14988liable to town upon failure.14988liable to town upon failure.14988natice of suit for, to have.16989puties payable on organization.6782puties payable on organization.111525another provision.111525current, diversion of.111525current, diversion of.111525transmission lines, to.121525franches, mortgage of.7919Intimidation of workmen; penalty.101479Meters; apparatus for testing provided.19989compulsory inspection of.19989application for inspection.22990groceedings upon; expense.22990duties111525Physical connection of lines, may be ordered6Places already occupied, excluded from386consent of public utilities com/n, except by386named in certificate, restricted to.7splication for permission to erect.27splication for permission to erect.27splication for permission to erect.27splication for permission to erect.27splication for permission to erect.393application for permit.27splication of selectmen, etc.<			1	T
repairs, for; granted without notice 13 988 public travel not interrupted 14 988 repair, to be put in good 14 988 1 liable to town upon failure 14 988 1 Current, diversion of; penalty 1525 Damages, to reimburse towns for payments of 6 989 1 notice of suit for, to have				W
public travel not interrupted.14988repair, to be put in good.14988liable to town upon failure.14988Current, diversion of; penalty.111525Damages, to reimburse towns for payments of6989Duties payable on organization.6782Fixtures, malicious injury to; penalty.101525another provision.111525current, diversion of.111525transmission lines, to.121525Franchise, mortgage of.37919Intimidation of workmen; penalty.101479Meters; apparatus for testing provided.19989compulsory inspection of.19989application for inspection.22990broceedings upon; expense.22990duties21990duties21990malicious injury to.111525Physical connection of lines, may be ordered986consent of public utilities com'n, except by386named in certificate, restricted to.7986paplication for permission to erect.27991application for permission to erect.27992application for permission to erect.27992application for permits.27991alteration in location and height.27992applead from adjudication.27992appeal from adjudication.27992appeal from in proceed	1			¥1
repair, to be put in good			1	
liable to town upon failure.149881Current, diversion of; penalty.111525Damages, to reimburse towns for payments of6989notice of suit for, to have.16989Duties payable on organization.6782Fixtures, malicious injury to; penalty.101525another provision.111525current, diversion of.111525transmission lines, to.121525transmission lines, to.121525Franchise, mortgage of.37919Intimidation of workmen; penalty.101479Meters; apparatus for testing provided.19989compulsory inspection of.19989compulsory inspection of.22990inspector of; appointment; salary.20990dutes21990consect of public utilities com'n, except by386Phaces already occupied, excluded from			1	Ξ
Current, diversion of; penalty	liable to town upon failure			īV
Damages, to reimburse towns for payments of16989notice of suit for, to have			1	
notice of suit for, to have.16989Duties payable on organization.6782Fixtures, malicious injury to; penalty.101525another provision.111525current, diversion of.111525meters, tampering with.111525transmission lines, to.121525transmission lines, to.121525Franchise, mortgage of.37919Intimidation of workmen; penalty.101479Meters; apparatus for testing provided.19989compulsory inspection of.22990proceedings upon; expense.22990duties21990duties21990duties21990duties21990duties21990duties oright upon; expense.22oonsent of public utilities com'n, except by3hearing before com'n, only after.4986986named in certificate, restricted to.7991991buildings, wires affixed, without consent.36995construction upon public ways.27991application for permit.27992application for selectmen, etc.30993construction upon public ways.27991notice before granting: record.27992application of selectmen, etc.30993construction of selectmen, etc.30994appeal	namages, to reimburse towns for payments of	16	989	E
Fixtures, malicious injury to; penalty.101525another provision111525another provision111525current, diversion of111525transmission lines, to121525transmission lines, to121525Tranchise, mortgage of37919Intimidation of workmen; penalty101479Meters; apparatus for testing provided19989compulsory inspection of19989compulsory inspection of22990inspector of; appointment; salary20990duties21990malicious injury to21990malicious injury to111525Physical connection of lines, may be ordered6Phese al cender do not public utilities com'n, except by386consent of public utilities com'n, except by386named in certificate, restricted to7application for permission to erect27application for permission to erect27application for permit27application of permit27application of permit27application for permit27application of permit27application for permit28application for permit27application for permit27application for permit28application for permit27application for permit27application for permit28gampal from adjudica		16	989	A
Fixtures, malicious injury to; penalty.101525another provision111525current, diversion of.111525meters, tampering with.111525transmission lines, to.121525Franchise, mortgage of.37919Intimidation of workmen; penalty.101479Meters; apparatus for testing provided.19989compulsory inspection of.19989compulsory inspection of.22990inspector of; appointment; salary.20990duties21990duties21990duties21990duties consent of public utilities com'n, except by386consent of public utilities com'n, except by386named in certificate, restricted to.7986pole lines, alteration in, may be required.27application for permission to erect.27application for permission to erect.27application for permit.27public utilities cord.27public utilities.27application for permit.27publication for permit.27public utilities.27public utilities.27splication for permit.27public utilities.27public utilities.27public utilities.27public utilities.27public utilities.27public utilities.27public utilities. <t< td=""><td></td><td>6</td><td>782</td><td>\mathbf{J}</td></t<>		6	782	\mathbf{J}
current, diversion of	Fixtures, malicious injury to; penalty	10	1525	B
meters, tampering with.111525transmission lines, to.121525Franchise, mortgage of.37919Intimidation of workmen; penalty.101479Meters; apparatus for testing provided.19989compulsory inspection of.19989application for inspection.22990proceedings upon; expense.22990duties21990duties21990duties21990malicious injury to.111525Fhysical connection of lines, may be ordered6Physical connection of lines, may be ordered6Maine corporation, only after.4986Maine corporation, only to.5Maine corporation, only to.5986named in certificate, restricted to.7991polication for permission to erect.27991application for permit.27991notice before granting.27991notice before granting.27991notice before granting.27992appleal from adjudication.27993damages, assessment of.28993costs, regulation of.28993relovery of.28993gpeal from; proceedings.37994atpael from; proceedings.37995assessment of.28993gpeal from; proceedings.37994appeal from; proceedings.37	another provision	11	1	
transmission lines, to				E
Pranchise, mortgage of	meters, tampering with		1	в
Intimidation of workmen; penalty101479Meters; apparatus for testing provided19989compulsory inspection of19989application for inspection				E
Meters; apparatus for testing provided19989compulsory inspection of19989application for inspection				
compulsory inspection of.19989application for inspection22990proceedings upon; expense.22990inspector of; appointment; salary.20990duties21990malicious injury to.111525Physical connection of lines, may be ordered6986986Places already occupied, excluded from.3986986hearing before com'n, only after4986Maine corporation, only to.5986named in certificate, restricted to.7986991application for permission to erect.27992application for permission to erect.27991buildings, wires affixed, without consent.36992application for permits.27991notice before granting.27992appeal from adjudication.27993damages, assessment of.28993costs, regulation of.28993surface of ways, below.3984cutting or removal, notice required.31993penalty for, without notice.393datages, and and; proceedings.37996surface of ways, below.393appeal from ip proceedings.37995surface of ways, below.393costs, regulation of.26993costs, regulation of.393penalty for, without notice.393penalty for, without notice.				
application for inspection22990proceedings upon; expense.22990inspector of; appointment; salary20990duties21990malicious injury to111525Physical connection of lines, may be ordered6986Places already occupied, excluded from3986hearing before com'n, only after4986Maine corporation, only to5986named in certificate, restricted to7986Pole lines, alteration in, may be required27991buildings, wires affixed, without consent36construction upon public ways27991alteration in location and height27992application for permits27991notice before granting; record27992appeal from adjudication27992appeal from adjudication27992award, recovery of28993costs, regulation of28993railroads, along; proceedings37996surface of ways, below31988cutting or removal, notice required31993duties and liabilities as to, extent of26993costs, regulation of28993railroads, along; proceedings37996surface of ways, below31993datas ecovery of expense31993costs, regulation of26991owners liable only for negligence27 <td></td> <td></td> <td></td> <td></td>				
proceedings upon; expense.22990inspector of; appointment; salary.20990duties21990malicious injury to.111525Physical connection of lines, may be ordered6986Flaces already occupied, excluded from3986hearing before com'n, only after.4986Maine corporation, only to.5986named in certificate, restricted to.7986Pole lines, alteration in, may be required.27991buildings, wires affixed, without consent.36995construction upon public ways.27991alteration for permit.27992application for permit.27991notice before granting.27991proceedings at hearing; record.27992appeal from adjudication.27992appeal from growth.28993costs, regulation of selectmen, etc.30993damages, assessment of.28993costs, regulation of.28993costs, regulation of.28993costs, regulation of.398993duties and liabilities as to, extent of.26991owners liable only for negligence.37992enjoyment of privileges gives not right.29993costs, regulation of.26991owners liable only for negligence.27992enjoyment of privileges gives not right.29993				
inspector of: appointment; salary20990duties21990malicious injury to			1	I
duties21990malicious injury to111525Physical connection of lines, may be ordered6986Flaces already occupied, excluded from3986consent of public utilities com'n, except by3986hearing before com'n, only after4986Maine corporation, only to5986named in certificate, restricted to7992application for permission to erect27991buildings, wires affixed, without consent36construction upon public ways27991alteration in location and height27992application for permit27991notice before granting27991notice before granting; record27992appeal from adjudication27992award, recovery of28993costs, regulation of28993costs, regulation of28993costs, regulation of398993costs, regulation of398cutting or removal, notice required31993duties and liabilities as to, extent of26991owners liable only for negligence27992enjoyment of privileges gives not right32993costs, regulation of26991out before granting398993costs, regulation of26993costs, regulation of27992surface of ways, below31988c			1	0
malicious injury to111525Physical connection of lines, may be ordered6986Places already occupied, excluded from3986consent of public utilities com'n, except by3986Maine corporation, only after4986Maine corporation, only to				F
Physical connection of lines, may be ordered6986Places already occupied, excluded from3986consent of public utilities com'n, except by3986hearing before com'n, only after4986Maine corporation, only to			1	2 03
Flaces already occupied, excluded from3986consent of public utilities com'n, except by3986hearing before com'n, only after4986Maine corporation, only to			1	2
consent of public utilities com'n, except by3986hearing before com'n, only after			986	N V
hearing before com'n, only after.4986Maine corporation, only to.5986named in certificate, restricted to.7986Pole lines, alteration in, may be required.27992application for permission to erect.27991buildings, wires affixed, without consent.36995construction upon public ways.27991alteration in location and height.27991alteration for permit.27991notice before granting.27991proceedings at hearing; record.27992appeal from adjudication.27992award, recovery of.28993costs, regulation of.28993costs, regulation of.28993costs, regulation of.39988cutting or removal, notice required.31993duties and liabilities as to, extent of.26991owners liable only for negligence.27992enjoyment of privileges gives not right.32993notice splace for premese.31993duties and liabilities as to, extent of.26991owners liable only for negligence.27992enjoyment of privileges gives not right.32993legal structures, declared to be.27992joint use of poles may be ordered.33994revocation of permit.27992joint use of poles may be ordered.33994		3	986	
Maine corporation, only to		4	986	
Pole lines, alteration in, may be required.27992application for permission to erect.27991buildings, wires affixed, without consent.36995construction upon public ways.27991alteration in location and height.27992application for permit.27991notice before granting.27991proceedings at hearing; record.27991appeal from adjudication.27992compensation of selectmen, etc.30993damages, assessment of.28993appeal from; proceedings.29993costs, regulation of.28993railroads, along; proceedings.37996surface of ways, below.13988cutting or removal, notice required.31993penalty for, without notice.31993recovery of expense.31993owners liable only for negligence.27992entry upon private property without consent36995legal structures, declared to be.27992location of lines; procedure.27992joint use of poles may be ordered.33994revocation of permit.33994		5	986	E
Pole lines, alteration in, may be required27992application for permission to erect27991buildings, wires affixed, without consent36995construction upon public ways27991alteration in location and height27991application for permit			1	c
buildings, wires affixed, without consent36995construction upon public ways				
construction upon public ways				
alteration in location and height27992application for permit				
application for permit.27991notice before granting.27991proceedings at hearing; record.27992appeal from adjudication.27992compensation of selectmen, etc.30993damages, assessment of.28992award, recovery of.28993costs, regulation of f.28993costs, regulation of.28993costs, regulation of.28993costs, regulation of.28993railroads, along; proceedings.37996surface of ways, below.13988cutting or removal, notice required.31993recovery of expense.31993recovery of expense.31993owners liable only for negligence.27992enjoyment of privileges gives not right.32993legal structures, declared to be.27992location of lines; procedure.27992joint use of poles may be ordered.33994revocation of permit; procedure.33994			1	1
appeal from adjudication27991proceedings at hearing; record.27992appeal from adjudication27992compensation of selectmen, etc.30993damages, assessment of28992award, recovery of28993appeal from; proceedings.29993costs, regulation of.28993costs, regulation of.28993costs, regulation of.28993costs, regulation of.28993costs, regulation of.37996surface of ways, below13988cutting or removal, notice required31993penalty for, without notice.31993recovery of expense.31993duties and liabilities as to, extent of26991owners liable only for negligence.27992enjoyment of privileges gives not right.32993legal structures, declared to be27992location of lines; procedure.27992joint use of poles may be ordered33994revocation of permit; procedure.33994				
proceedings at hearing; record				
appeal from adjudication				1
compensation of selectmen, etc				
damages, assessment of				1
award, recovery of		28	992	
appeal from; proceedings29993costs, regulation of		28	993	
railroads, along; proceedings		29	993	
surface of ways, below13988cutting or removal, notice required31993penalty for, without notice31993recovery of expense31993duties and liabilities as to, extent of26991owners liable only for negligence27992enjoyment of privileges gives not right32993entry upon private property without consent36995legal structures, declared to be27992location of lines; procedure27991alteration of permit27992joint use of poles may be ordered33994revocation of permit; procedure	costs, regulation of	28	993	
cutting or removal, notice required31993penalty for, without notice	railroads, along; proceedings	37	996	
penalty for, without notice	surface of ways, below			1
recovery of expense	cutting or removal, notice required			l
duties and liabilities as to, extent of26991owners liable only for negligence27992enjoyment of privileges gives not right32993entry upon private property without consent36995legal structures, declared to be27992location of lines; procedure27991alteration of permit27992joint use of poles may be ordered33994revocation of permit; procedure33994	penalty for, without notice		-	
owners liable only for negligence27992enjoyment of privileges gives not right32993entry upon private property without consent36995legal structures, declared to be27992location of lines; procedure27991alteration of permit27992joint use of poles may be ordered33994revocation of permit; procedure33994	recovery of expense			
enjoyment of privileges gives not right.32993entry upon private property without consent36995legal structures, declared to be	duties and habilities as to, extent of			
entry upon private property without consent36995legal structures, declared to be	owners maple only for negligence			1
legal structures, declared to be	enjoyment of privileges gives not right.			ľ
location of lines; procedure	entry upon private property without consent			
alteration of permit	location of lines: procedure			
joint use of poles may be ordered 33 994 revocation of permit; procedure 33 994				
revocation of permit; procedure 33 994				1
	revocation of permit; procedure			

	ELECTRIC LIGHT AND POWER COMPANIE	S—co	ont'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 Towns , reimbursement of damages paid by	8	987
	Transmission of current restricted to state	16	989
ļ	penalty for violation	1	985
	Way, opening without permit, forbidden	2	986
	wires placed under surface of	12	988
1	whes placed dider suitace of	13	988
	ELEVATORS.		
	Management of, regulated	99	750
l	management of, regulated	33	756
	ELOIGNMENT.		
	Action of personal replevin, in	-	1000
	Judgment upon issue of	7	1360
	Return of; production of plaintiff's body	8	1360
l	ischarm of, production of plantin s body	9	1360
I	EMBEZZLEMENT.		
1	Bailee, by	10	1466
	Estate of deceased person, of; complaint	71	1063
l	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 Ward's estate, of; examination	5	689
	guardian, by; penalty	33	1093
	guardian, by, penalty	34	1093
	EMBLEMS.		
	Charitable organization, of; use protected	9	1005
1	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.		
1	In General.		
}	Authorized procedure	11	998
2	damages, estimation of; security	13	999
3	appeal from award; proceedings	17	1000
8	application within three years	13	999
\$	notice to adverse party	14	999
;	owner, proceedings by	19	1000
3	trespass, action of; after three years	13	999
3	failure by owner to apply, no waiver	21	1001
3	deposit of award, after proceedings	18	1000
3	guardian may release for ward	13	999
L	report of com'rs; contents	16	1000
2	notice of	16	1000
3	terms and conditions of use prescribed	15	999
5	appeal, not open on	15	999
2	unpaid, use of land enjoined	19	1000
1	service of injunction	20	1001
2	violation of injunction; proceedings	20	1001
4	description of location; map	12	998
4	correction of; to cure defects	12	998

filing of.....

.

-

12

998

.

EMINENT DOMAIN, TAKING BY-continue	eđ.	
Constitutional provision for compensation	v	1
state constitution, under	21	1
Defective proceedings, how cured	22	100
Governor and council, for public uses, by	8	5
compensation for	10	5
survey and location thereof; plan	9	5
Limitation of action for damages	108	122
Proceedings recorded in registry of deeds	18	28
State highway commission may take by	11	51
damages, assessment of	11	51
vacate lands taken, may	11	51
Trees and shrubs along parkways, of	90	10
Trees at or near crossings, of; removal	111	51
United States, by; for public uses	14	5
cession of jurisdiction	12	5
lands ceded to	· 6	5
Water districts, by; necessity determined	23	100
application by owner; proceedings	24	100
commissioners, proceedings before	25	100
district, proceedings by	26	100

Particular Takings.

Burying-ground, for enlargement of	8	46
acceptance by town necessary	10	462
assessment of damages upon complaint	11	46
dwelling-house, not within twenty-five rods of	8	46
notice of hearing and service	9	46
proceedings by municipal officers	10	46
Coast survey, for	17	5
assessment of damages	18	5
report of commissioners; proceedings	19	5
tender of damages	20	5
Ditches along roads, for construction of	26	47
proceedings and assessment of damages	27	47
Fish culture, locations for	50	71
Fish hatcheries	8	58
Grade crossings, for abolishment of	34	49
appeal from assessment	36	49
Highways, application to county com'rs	1	48
adjudication of common convenience	4	48
hearing, proceedings at	4	48
notice of hearing; service	2	48
parties interested may appear	59	49
substantial conformity to petition	1	48
appeal from decision on petition	59	49
committee appointed; proceedings	60	49
compensation of	61	49
oath administered before view	62	49
judgment on report of committee	60	49
effect of, and procedure thereon	61	49
proceedings before county com'rs stayed	59	49
damages, action for	49	49
assessment by county com'rs	7	48
complaint for increase	8	48
determination; costs	8	48
judgment certified to county com'rs	8	48
notice of appeal	5	48
joint boards, proceedings by; notices	12	48
appeals may be taken	14	48
proceedings on	15	48
proceedings before county com'rs	13	48
judgment affected by increase of damages	6	48
lands, etc., taken by mun. officers	74	50
railroad company, over lands of; notice	29	48
lands used for station purpuses, over	32	49
tracks, over; proceedings	30	48
adjudication of railroad com'rs	33	49
appeal from	30	48
expense of building and maintenance	31	49
unincorporated places, in	50	49
decision, if adverse, final for one year	54	49
expenses of making and opening	50	49

INDEX.

1	69
1	กส

11	EMINENT DOMAIN, TAKING BY-continued Highways.	1.	
19	unincorporated places; notice of hearing	51	496
001	procedure after hearing	52	496
52	appeal and proceedings thereon	53	496
52	ways partly in, and in towns	55	497
52	Houses for care of infected persons	75	444
220	safe-keeping of infected goods, for	77	444
281	town to pay just compensation	80	444
518	Library building, for public	87	445 99
519	proceedings by municipal officers	88	99
519	complaint for damages, upon	89	100
100	Lumber roads, for; no trespass by using, if	55 56	497
510	bond for payment of damages	56	
53	amount fixed by county com'rs	50 57	497
53	given before entry	57	$497 \\ 497$
52	names of owners unknown, if	57	497
001	damages how ascertained	58	
002	tender of, its effect		498
002	waiver of	58	498
002		58	498
001	Marshes, for improvement of	32	548
	assessment of damages	33	548
462	Mines and quarries, for drainage of	30	472
462	report of committee, acceptance	31	472
462	record of	32	472
462	Municipal buildings, for	87	99
462	proceedings by municipal officers	88	99
462	complaint for damages, upon	89	100
54	Parks and squares, for public	87	99
54	proceedings by municipal officers	88	99
54	complaint for damages, upon	89	100
55	Playgrounds, for public	87	99
471	proceedings by municipal officers	88	99
471	complaint for damages, upon	89	100
717	Public drains, for construction of	2	466
586	proceedings and assessment of damages	3	466
491	Public landings, location of	21	487
492	Bailroads, by; authority for	24	934
481	additional for certain purposes	26	935
482	necessity for taking, determination	26	935
482	certificate by railroad com'rs	26	935
482	burying-grounds, not without consent	29	936
498	change of location, for	28	936
481	crossings of ways, to facilitate	64	944
498	damages unpaid, injunction to issue	38	438
498	service of injunction	39	938
499	violation, proceedings for	40	939
499	personal liability for	40	939
498	dwelling-houses, not without consent	29	936
499	entry, none, until damages secured	29	936 936
498	meeting-houses, not without consent	29 57	943
495	station grounds not to be taken	24	934 934
483	width limited	24	352
483	Schoolhouse lots and playgrounds, for	3 4	352
483	application for increase of damages erroneous location, in case of	5	352
483	appraisal, notice of	6	352
482	appeal to county com'rs	9	353
485	collection of appraisal	7	353
485	tender allowed in part payment	8	353
485	Street railroads, by; authority for	15	974
485	additional purposes, for	17	974
483	assessment of damages	18	975
502			
489	Swamps and meadows, for drainage of report of committee, acceptance	30 31	472 472
490		31	472
489	record of Telegraph or telephone companies, by	34 17	412 989
490		17 24	541
489		24	542
490 496		20	542
496	-	24	541
	Tollhouses, for, within limits of way	23	541
100			

EMINENT DOMAIN, TAKING BY-continue	d.	
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	486 486
determination whether town or private	16	
gates and bars, private made subject to	16	486
grading; apportionment of expense	26	488 488
opening, time for	23	488 494
proceedings void, by lapse of time	45 18	494
return filed with town clerk	-	
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

TWIT TO THEN.		
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	1
knowledge of defect bars recovery	55	779	
notice of injury required	53	778	
insufficient; duty of employer	53	779	
personal representatives, by	50	777	ľ
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	
and the second			

INDEX.

	EMPLOYERS' LIABILITY LAW-continued.		
486		49	777
486	not barred by sub-contract	54	779
488	special contract of exemption prohibited	57	779
488	EMPLOYMENT AGENCIES.		
487	Application for license	6	686
487	affidavit to accompany	6	686
487	Bond required of applicant	7	686
487	action on; how brought	7	687
488	Child, obtaining employment for	10	688
488	Conduct of; provisions as to	10	687
488	complaints as to; hearing	11	688
488	Construction of terms	13	688
495	Enforcement of law as to	11	688
492	Fee for procuring employment		687
493	receipt or statement to be given	9	687
493	returned, if work not obtained	9	687
493	Intoxicating liquors not to be sold	6	686
494	seller of, not to be licensed	6	686
493	Jurisdiction of offenses	12	688
493			
493	License to keep required	6	686
483	annual fee	6	686
487	contents of license	6	686
487	valid only for place named	6	686
483	penalty for keeping without	6	686
487	transfer of; consent	6	686
486	revocation of, on hearing	11	688
486	Licensee; duty to keep register	8	687
486	applicant for employment, towards	9	687
488	place of bad repute, not sent to	10	687
488	child, application from; restricted	10	688
494	Municipal officers to grant licenses	6	686
486	bond of applicant, to require	7	686
002	complaints to be heard by	11	688
001	criminal proceedings, may commence	12	688
002	refuse or revoke license, may	11	688
002	Penalty for violation of law	12	688
002	keeping place without license, for	6	686
486	Questionable characters excluded	10	687
486	Register to be kept; contents	8	687
486	penalty for false entry	12	688
	ENGINE.		
465	Fire, to extinguish; malicious injury	10	1525
194	License for; use without, prohibited	21	477
479	notice and hearing on application	22	477
478	appeal from selectmen	22	477
194	injunction issued pending appeal	22	478
479	nuisance, when used without license	23	478
963	abatement and removal of	24	478
963	Railroad, on; abandonment or injury to	8	1478
479	employee, by	7	1478
478	fires from; liability of corporation	63	962
	gross neglect in management of	9	1479
	injury to, endangering life	5	1455
779	leaving or boarding, in motion	69	963
778	spark arresters, to have	49	194
777	speed limited, at crossings	79	965
779	station, not to endanger access to	87	967
777	Steamboat, on, negligent management of	6	1456
779		Ŭ	1100
778			
779	ENGINEERS.		0.07
777	Boats on inland waters, of; license	13	981
777	acting without, penalty	13	981
778	available on other vessels	13.	981
778	fees for licenses	16	983
777	posting of license	13_{12}	981 001
779	revocation of license	13 13	981 981
	term of license, one year	- U	10 L

			TINTED 17
ENGINEERS—continued.	47		ENTRY-
Chief of fire department; as fire inspector	47	570	Right of;
buildings, duties as to inspection of	48	570	debtor,
conditions remedied, may order	48	570	essentia
premises repaired or demolished, or	49	571	desce
expense assessed as a tax	49	571	partitio
fire escapes, duties as to	39	568	statute
certificate of safety, may give	42	569	comp
sufficiency of, notice as to	40	569	right
Dams and reservoirs, for inspection of	43	1333	writ of;
compensation of; payment	45	1334	actual
duties of inspector	43	1333	declara
report as to safety of dam; repairs	44	1333	amen
Fire; authorized appointment	1	562	essen
authority, same as fire wards	9	563	prem
powers and duties of	2	562	prem
towns responsible for acts of	2	562	disclair
Railroads, on; abandonment of train	8	1478	1
crossings, duties at	83	966	foreclos
highways, of; bell to be rung	72	.947	condi
forest fires, duty as to	50	194	for
gross carelessness by	9	1479	decla
	64	963	decla
intoxication of; penalty			defen
negligence of, causing injury	65	963	judgr
refusal to perform duty	11	1479	mortga
train on connecting road, to await	12	951	release
unlawful combinations of	7	1478	right o
Steam heating plants, in charge of	28	478	desce
evidence of qualification required	28	478	
certificate of qualification; form	28	479	
copy to be posted in boiler room	28	479	EQUITY.
original filed with town clerk	28	479	
revocation upon complaint	29	479	Adequate
suspension pending investigation	29	479	Agent to
penalty for violation of law	30	480	Coexecuto
			Contested
ENGINEMEN, FIRE.			Contribut
Authorized appointment of	1	562	Corporati
Authority of, under special laws	9	563	close a
By-laws relating to, authorized	1	562	stock
Discharge of, for negligence	5	563	forfeitu
Duties and liabilities of	2	562	1
fires, duties at	4	562	minorit
Jury duty, exempt from	3	562	reducti
Meetings for election of officers	3	562	stockho
monthly and at other times	4	562	unlav
Rules and regulations, may make	3	562	Creditors
Tenure	3	562	copartn
Tenure	э	902	propert
ENLISTMENT.			outo
		1450	uncer
Minors, of; when unlawful	20	1458	Dams, to
release on habeas corpus	2	1351	Discharg
See Military Law.			Discovery
			ship ow
ENTERING.			Eminent
Buildings, etc., larceny from	2	1464	
Disguised horse, of; for races	15	1520	decree
Dwelling-house, in night time, of	7	1464	Enumerat
			special
ENTERTAINMENT.			Estates of
Lord's Day, on; presence at, penalty	35	1488	Forfeitur
			Fraud, tr
ENTRY.			Husband
Civil actions, of, on first day	1	1220	Insurance
appeals from inferior courts at later term	8	1222	casualt
application when to be made	9	1222	fund
attachment or bail not revived	9	1222	foreign
magistrates, from	18	1254	fratern
copies and papers produced	21	1254	fund
recognizance of appellant	19	1254	mutual
waiver of trial	20	1254	Interplea
Failure of, in law court: proceedings	48	1153	Labels, n

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

Jurisdiction.

Adequate remedy at law, if no..... Agent to open road, to stay action of Coexecutors and coadministrators, between Contested elections, in cases of Contribution under wills, as to..... Corporations; jurisdiction generally..... close affairs, to..... stockholders, upon vote of $\mathbf{22}$ forfeiture of charter; non-payment of taxes minority stock, to value..... reduction of capital stock, as to..... stockholders' liability, to enforce..... unlawful division of profits..... Creditors' bills, of copartner's interest, to reach a property in debtor's possession..... out of state, when..... uncertain value, of..... Dams, to restrain use of unsafe Discharge of contracts, to compel..... в Discovery, for..... ship owners, as to liability of Eminent domain, in proceedings by decree and its enforcement..... Enumeration of powers..... special powers, of (note)..... Estates of deceased persons, of claims against Forfeitures, for relief from..... Frand, trust, accident or mistake, in cases of Husband and wife, between; as to property Insurance companies; app't of receiver casualty assessment companies, of fund deposited with state, of foreign, property of..... fraternal beneficiary assoc'ns, of fund deposited with state, of mutual fire; to confirm assessment..... Interpleader, of..... Labels, may restrain unauthorized use of ..

EQUITY-continued.

Levy of execution, to correct errors in.....

redemption from..... non-resident defaulted defendants, by ... Liens on buildings and lands, to enforce Limited partnerships, in cases of Loan and building associations; dues to foreign, to enforce law as to..... Lotteries, to restrain..... Mortgages, for foreclosure and redemption of assignments of, to compel..... Municipalities, as to unlawful acts of contracts, as to unlawful..... Name, may restrain unauthorized use of charitable organization, of..... Nuisances, to enjoin common..... indictment, complaint or action pending ... stationary engines, in case of Partnerships, in cases of parties out of jurisdiction, as to..... rights protected..... Part owners, in cases of parties out of jurisdiction, as to..... rights protected..... Pious uses, as to property dedicated to Railroad companies, app't of receiver cattle-guards, etc., to compel construction damages; to enforce payment..... dissolution. to decree..... judgment; to enforce payment by lessee .. mortgages, foreclosure and redemption ... bondholders' corporation, action by trustees, to affirm election of repairs of bridges and crossings, to compel commission, when ordered by stations, to compel erection of stock; as to unlawful use of proceeds.... trains, to prohibit running transportation of passengers and freight.. **Beal estate**, to quiet title to; bill in equity... agents and guardians ad litem essentials of bill; parties..... joinder of parties..... order of notice; service..... proceedings after service; effect..... summary proceedings, by agents and guardians ad litem petition; form and contents..... easement is claimed, when order of notice; service..... proceedings upon appearance..... record of decree..... 137'wild land, when bill maintained as to.... Receivers of corporations, to appoint...... another provision..... casualty assessment companies..... fund deposited with state, of domestic insurance companies, of foreign insurance companies, of fraternal beneficiary associations, of..... fund deposited with state, of property dedicated to pious uses, of railroad companies, of..... savings banks, of Redelivery of property not repleviable, for... 114: Reservoir, to restrain use of unsafe Savings banks, appointment of receivers ...

deposits, to reduce.....

voluntary liquidation, upon.....

Ship owners, to apportion liability of.....

payment of, to restrain......

INDEX.

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.

<i>""</i>	injunctions.			
5 0	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	
	Freliminary, 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	$\frac{15}{7}$	696	
	Waste, to stay; on real estate attached, etc	1	1339	

.1146

 $\mathbf{27}$

discovery, to bills of		ITY PRACTICE AND PLEADING. vers, filing and form
hearing on bill and answer	dis	covery to hills of
<pre>Appeals from final decrees</pre>	he	aring on bill and answer
adjudged frivolous, when; costs entry of; copies interlocutory decrees after jury trials, in case of procedure upon relief in case of failure to appeal waiver of; entry and effect Appearance of defendant Exact of the defendant Bail in proceedings for contempt Bills; form and contents attachment, inserted in writ of terificate recorded in registry of deeds fee for recording discovery; interrogatories dismissal for want of prosecution verification of Contempt, proceedings in cases of Costs when appeal, etc., frivolous		
<pre>entry of; copies</pre>		
<pre>evidence on; presentation of</pre>	en	try of; copies
appeals from; effect jury trials, in case of none, from order of punishment for contemp previous decrees open on relief in case of failure to appeal waiver of; entry and effect Appearance of defendant executor, etc., in pending action Attachment, on bills inserted in writs Bail in proceedings for contempt Bills; form and contents certificate recorded in registry of deeds fee for recording discovery; interrogatories answers and procedure dismissal for want of prosecution verification of Contempt, proceedings in cases of Costs when appeal, etc., frivolous		
jury trials, in case of none, from order of punishment for contemp previous decrees open on relief in case of failure to appeal waiver of; entry and effect Appearance of defendant executor, etc., in pending action Attachment, on bills inserted in writs Bail in proceedings for contempt Bills; form and contents attachment, inserted in writ of certificate recorded in registry of deeds fee for recording discovery; interrogatories answers and procedure dismissal for want of prosecution verification of Contempt, proceedings in cases of Costs when appeal, etc., frivolous	in	erlocutory decrees after
none, from order of punishment for contemp previous decrees open on		appeals from; effect
previous decrees open on procedure upon relief in case of failure to appeal waiver of; entry and effect Appearance of defendant Attachment, on bills inserted in writs Bail in proceedings for contempt Bills; form and contents attachment, inserted in writ of certificate recorded in registry of deeds fee for recording discovery; interrogatories answers and procedure dismissal for want of prosecution verification of Contempt, proceedings in cases of Costs when appeal, etc., frivolous	ju	ry trials, in case of
procedure upon relief in case of failure to appeal waiver of; entry and effect Appearance of defendant Attachment, on bills inserted in writs Bail in proceedings for contempt Bills; form and contents attachment, inserted in writ of certificate recorded in registry of deeds fee for recording discovery; interrogatories answers and procedure dismissal for want of prosecution verification of Contempt, proceedings in cases of Costs when appeal, etc., frivolous		
relief in case of failure to appeal waiver of; entry and effect	· pr	evious decrees open on
 waiver of; entry and effect		
Appearance of defendant	re	lief in case of failure to appeal
executor, etc., in pending action Attachment, on bills inserted in writs Bail in proceedings for contempt attachment, inserted in writ of attachment, inserted in writ of certificate recorded in registry of deeds fee for recording discovery; interrogatories answers and procedure dismissal for want of prosecution verification of Contempt, proceedings in cases of Costs when appeal, etc., frivolous		
Attachment, on bills inserted in writs Bail in proceedings for contempt Bills; form and contents attachment, inserted in writ of certificate recorded in registry of deeds fee for recording discovery; interrogatories answers and procedure dismissal for want of prosecution verification of		
Bail in proceedings for contempt		
Bills; form and contents		
attachment, inserted in writ of certificate recorded in registry of deeds fee for recording discovery; interrogatories answers and procedure verification of Contempt , proceedings in cases of Costs when appeal, etc., frivolous		
certificate recorded in registry of deeds fee for recording discovery; interrogatories answers and procedure dismissal for want of prosecution verification of Contempt, proceedings in cases of Costs when appeal, etc., frivolous		
fee for recording discovery; interrogatories answers and procedure dismissal for want of prosecution verification of Contempt, proceedings in cases of Costs when appeal, etc., frivolous		
discovery; interrogatories answers and procedure dismissal for want of prosecution verification of Contempt, proceedings in cases of Costs when appeal, etc., frivolous	ce	
answers and procedure dismissal for want of prosecution verification of Contempt, proceedings in cases of Costs when appeal, etc., frivolous	a;	
dismissal for want of prosecution verification of Contempt, proceedings in cases of Costs when appeal, etc., frivolous	u	
verification of Contempt, proceedings in cases of Costs when appeal, etc., frivolous	đi	
Contempt, proceedings in cases of		
Costs when appeal, etc., frivolous		
Count always open for equity presedings		t always open for equity proceedings.

Decrees, authority to enter.....

appeals from final.....

date of.....

interlocutory, after appeal.....

interlocutory, from.....

previous decrees open on.....

ineffectual as to real estate unless recorded

fee for recording.....

appeals from.....

exceptions taken, after.....

hearing in any county.....

subject to revision, except.....

want of answer, plea or demurrer, for ..

want of answer, plea or demurrer, for ...

opened on motion, when on default

process to enforce final; issue stayed.....

pro confesso on default.....

summary process to enforce.....

writs of seizin, etc., to enforce, issued....

hearing on; time fixed on motion

adjudged frivolous, when; costs claim and allowance of

jury trials, in.....

proceedings for contempt, in.....

authority and power of single justice

evidence at; oral or by depositions.....

first, before a single justice.....

held in any county.....

motion for.....

report of cause by single justice

Executor, etc., appearance in pending action Hearings, court always open, except.....

Demurrer, time for filing.....

Equitable defenses in actions at law

Exceptions to rulings of single justice.....

EQUITY PRACTICE AND PLEADING-cont	inue	
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
Rec ord 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
Beviews , when granted; procedure	38	1150
		1145
Rule days, establishment of	11	
Eules 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
	62	1209
creditor may redeem prior encumbrance		1209
demand for statement of debt due	63	
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
	31	1135
payments on mortgage recovered	32	1135
Sale on execution; mortgaged real estate		
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
notice of sale, by oncert	36	1136
proceedings at sale	37	1136
adjournment; notice		1136
after return day, valid	38	
railroad mortgage; rights of purchasers	50	960
redemption from	41	1137
death of owner, after; tender	28	1303
purchaser paving mortgage, from	33	1304
right of redemption from sale or levy, of	42	1137
creditor may redeem before sale	43	1137
creditor may redeem before sale	25	1261
suspension by prior attachment	26	1261
attachment removed; proceedings		1136
time of seizure, day of notice deemed to be	38	1190
ERROR, WRITS OF.		
	5	1141
Authority to issue	1	1361
supreme judicial court, from		
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
ming in cierk's once, encer, procedurerer	4	1361
Costs to prevailing party	-	1001

double, when judgment affirmed.....

exception of life imprisonment cases.....

notice to state's attorney.....

stenographer to take oral testimony..... verdicts, proceedings upon..... Indorsement of bill, when required..... Criminal cases, in; issued of course...... Injunctions, authority to issue..... corporation doing business, against 801[!] dissolution of a corporation, upon.....

INDEX.

.100		IND	EX.
ERROR, WRITS OF.			
Criminal cases, in.			ESCAPES—continued.
judgment reversed; proceedings	90	1 5 4 5	School for feeble-minded, from; aiding
stay of sentence or execution, order for	30	1562	State school for boys, from; aiding, etc
admission to bail	12	1363	State school for girls, from; aiding
Damages when judgment affirmed	12	1363	arrest by officer without warrant
Evidence on trial	4	1361	custody during detention
Execution, no stay or supersedeas unless	8	1362	trial on original complaint
notice to officer, stay upon	2	1361	State prison, aiding convicts sentenced to.
Form of writ	3	1361	harboring or aiding after
Indorsement of writ, when required	7	1362	officers or employees aiding in
Judgment reversed, sem activ	6	1197	reward for capture authorized
Judgment reversed; new action when brought	94	1217	warden, by
real action, in case of	11	1380	Work-jail, from a; punishment
wrong joinder of counts, not for	49	1229	
Levy on execution, reversal avoids when	5	1361	ESCHEAT.
Limitation of; exception	10	1363	
Proceedings, how regulated	9	1362	Personal estate, of
References by agreement of parties, upon	5	1394	Real estate, of
Sale on execution, reversal affects not	5	1361	Recovery of, by state
recovery by original defendant	5	1361	defenses not available
Specification of errors	8	1362	judgment for defendant; costs
Superior courts, to reverse judgments of	97	1164	after-acquired title, upon
Transcript of record is evidence; amendment	8	1362	state, for; rents and profits
Vessels, in actions to enforce liens on	19	1312	
		-	ESTATES OF DECEASED PARTNERS.
ERORS.			See Partners, Estates of Deceased.
Amendment of; in civil cases	11	1222	
criminal cases, in	13	1543	ESTATES OF DECEASED PERSONS.
liquor cases, in	45		
Correction; by sup. jud. court		1509	I. Intestate.
Election returns, in	3	1141	Bonds of Administrators.
primary elections, at	53	164	II. Testate.
primary elections, at	16	137	Bonds of Executors.
soldiers' votes, of	84	171	III. Insolvent.
Lien claims, in; not fatal	32	1314	IV. Partition.
Poor debtor's citation, in	53	1411	V. Sales of Real Estate.
proceedings before commissioner, in	23	1404	
Tax lists, in; amendment	10	82	Intestate
supplemental assessment	10 , 36	82 237	Intestate.
supplemental assessment Town records, in; amendment	10	82	Administration, granting of
supplemental assessment Town records, in; amendment Vital statistics, in records of; correction	10 , 36	82 237	Administration, granting ofappointment of administrator
supplemental assessment Town records, in; amendment Vital statistics, in records of; correction See Amendment.	10 36 10	82 237 82	Administration, granting of appointment of administrator agents of non-residents
supplemental assessment Town records, in; amendment Vital statistics, in records of; correction See Amendment. ESCAPES.	10 36 10	82 237 82	Administration, granting of appointment of administrator agents of non-residents name and address in notice
supplemental assessment Town records, in; amendment Vital statistics, in records of; correction See Amendment. ESCAPES. Arrest of accused person after	10 36 10	82 237 82	Administration, granting of appointment of administrator agents of non-residents name and address in notice removal from state, appointed upon
supplemental assessment Town records, in; amendment Vital statistics, in records of; correction See Amendment. ESCAPES. Arrest of accused person after County farm, from a; punishment	10 36 10 38	82 237 82 1018	Administration, granting of appointment of administrator agents of non-residents name and address in notice removal from state, appointed upon service upon agent or attorney
supplemental assessment Town records, in; amendment Vital statistics, in records of; correction See Amendment. ESCAPES. Arrest of accused person after County farm, from a; punishment Delay in execution of process, by	10 36 10 38 5	82 237 82 1018 1550	Administration, granting of appointment of administrator agents of non-residents name and address in notice removal from state, appointed upon service upon agent or attorney no agent or attorney in state, when
supplemental assessment Town records, in; amendment Vital statistics, in records of; correction See Amendment. ESCAPES. Arrest of accused person after County farm, from a; punishment Delay in execution of process, by Fine, etc., before payment of; penalty	10 36 10 38 5 45	82 237 82 1018 1550 1598	Administration, granting of appointment of administrator agents of non-residents name and address in notice removal from state, appointed upon service upon agent or attorney no agent or attorney in state, when auctioneer's license not required by
supplemental assessment Town records, in; amendment Vital statistics, in records of; correction See Amendment. ESCAPES. Arrest of accused person after County farm, from a; punishment Delay in execution of process, by Fine, etc., before payment of; penalty Jail, from; sheriff or jailer liable	10 36 10 38 5 45 13	82 237 82 1018 1550 1598 1474	Administration, granting of appointment of administrator agents of non-residents name and address in notice removal from state, appointed upon. service upon agent or attorney no agent or attorney in state, when auctioneer's license not required by bond required upon
supplemental assessment Town records, in; amendment Vital statistics, in records of; correction See Amendment. ESCAPES. Arrest of accused person after County farm, from a; punishment Delay in execution of process, by Fine, etc., before payment of; penalty Jail, from; sheriff or jailer liable	10 36 10 38 5 45 13 4	82 237 82 1018 1550 1598 1474 1575	Administration, granting of appointment of administrator agents of non-residents name and address in notice removal from state, appointed upon service upon agent or attorney no agent or attorney in state, when auctioneer's license not required by
supplemental assessment Town records, in; amendment Vital statistics, in records of; correction See Amendment. ESCAPES. Arrest of accused person after County farm, from a; punishment Delay in execution of process, by Fine, etc., before payment of; penalty Jail, from; sheriff or jailer liable action for reimbursement proceedings upon	10 36 10 38 5 45 13 43	82 237 82 1018 1550 1598 1474 1575 1190 1190	Administration, granting of appointment of administrator agents of non-residents name and address in notice removal from state, appointed upon. service upon agent or attorney no agent or attorney in state, when auctioneer's license not required by bond required upon
supplemental assessment Town records, in; amendment Vital statistics, in records of; correction See Amendment. ESCAPES. Arrest of accused person after County farm, from a; punishment Delay in execution of process, by Fine, etc., before payment of; penalty Jail, from; sheriff or jailer liable action for reimbursement proceedings upon	$ \begin{array}{r} 10 \\ 36 \\ 10 \\ 38 \\ 5 \\ 45 \\ 13 \\ 43 \\ 44 \\ 45 \\ \end{array} $	82 237 82 1018 1550 1598 1474 1575 1190 1190 1190	Administration, granting of appointment of administrator agents of non-residents name and address in notice removal from state, appointed upon service upon agent or attorney no agent or attorney in state, when auctioneer's license not required by bond required upon not required, when
supplemental assessment Town records, in; amendment Vital statistics, in records of; correction See Amendment. ESCAPES. Arrest of accused person after County farm, from a; punishment Delay in execution of process, by Fine, etc., before payment of; penalty Jail, from; sheriff or jailer liable action for reimbursement proceedings upon attempt to	10 36 10 38 5 45 13 43 43	82 237 82 1018 1550 1598 1474 1575 1190 1190 1190 1474	Administration, granting of appointment of administrator agents of non-residents name and address in notice removal from state, appointed upon service upon agent or attorney no agent or attorney in state, when auctioneer's license not required by bond required upon not required, when petition, notice on
supplemental assessment Town records, in; amendment Vital statistics, in records of; correction See Amendment. ESCAPES. Arrest of accused person after County farm, from a; punishment Delay in execution of process, by Fine, etc., before payment of; penalty Jail, from; sheriff or jailer liable proceedings upon attempt to negligence of jailer, by; liability	$ \begin{array}{r} 10 \\ 36 \\ 10 \\ 38 \\ 5 \\ 45 \\ 13 \\ 42 \\ 44 \\ 45 \\ 16 \\ \end{array} $	82 237 82 1018 1550 1598 1474 1575 1190 1190 1190 1474 1191	Administration, granting of appointment of administrator agents of non-residents name and address in notice removal from state, appointed upon service upon agent or attorney no agent or attorney in state, when auctioneer's license not required by bond required upon not required, when petition, notice on
supplemental assessment Town records, in; amendment Vital statistics, in records of; correction See Amendment. ESCAPES. Arrest of accused person after County farm, from a; punishment Delay in execution of process, by Fine, etc., before payment of; penalty Jail, from; sheriff or jailer liable proceedings upon attempt to negligence of jailer, by; liability another provision; penalty prisoners, of; aiding in; penalty	$ \begin{array}{r} 10 \\ 36 \\ 10 \\ 38 \\ 5 \\ 45 \\ 13 \\ 44 \\ 45 \\ 16 \\ 48 \\ \end{array} $	82 237 82 1018 1550 1598 1474 1575 1190 1190 1474 1191 1474	Administration, granting of appointment of administrator agents of non-residents name and address in notice removal from state, appointed upon service upon agent or attorney no agent or attorney in state, when auctioneer's license not required by bond required upon not required upon petition, notice on certain corporations not to act as de bonis non bond of
supplemental assessment Town records, in; amendment Vital statistics, in records of; correction See Amendment. ESCAPES. Arrest of accused person after County farm, from a; punishment Delay in execution of process, by Fine, etc., before payment of; penalty Jail, from; sheriff or jailer liable proceedings upon attempt to negligence of jailer, by; liability another provision; penalty prisoners, of; aiding in; penalty	10 36 10 38 5 45 13 43 44 45 16 48 15 17	82 237 82 1018 1550 1598 1474 1575 1190 1190 1474 1474 1474	Administration, granting of appointment of administrator agents of non-residents name and address in notice removal from state, appointed upon service upon agent or attorney no agent or attorney in state, when auctioneer's license not required by bond required upon not required upon petition, notice on certain corporations not to act as de bonis non bond of
supplemental assessment Town records, in; amendment Vital statistics, in records of; correction See Amendment. ESCAPES. Arrest of accused person after County farm, from a; punishment Delay in execution of process, by Fine, etc., before payment of; penalty Jail, from; sheriff or jailer liable proceedings upon attempt to negligence of jailer, by; liability another provision; penalty prisoners, of; aiding in; penalty assisting after an escape	10 36 10 38 5 45 13 4 43 44 45 16 48 15 17 17	82 237 82 1018 1550 1598 1474 1575 1190 1190 1474 1191 1474 1474	Administration, granting of appointment of administrator agents of non-residents name and address in notice removal from state, appointed upon service upon agent or attorney no agent or attorney in state, when auctioneer's license not required by bond required upon not required, when petition, notice on certain corporations not to act as civilly dead, on estate of person bond of not required, when
<pre>supplemental assessment Town records, in; amendment Vital statistics, in records of; correction See Amendment. ESCAPES. Arrest of accused person after County farm, from a; punishment Delay in execution of process, by Fine, etc., before payment of; penalty Jail, from; sheriff or jailer liable action for reimbursement proceedings upon attempt to negligence of jailer, by; liability another provision; penalty prisoners, of; aiding in; penalty assisting after an escape negligence, through; penalty</pre>	10 36 10 38 5 45 13 43 44 45 16 48 15 17 15	82 237 82 1018 1550 1598 1474 1575 1190 1190 1190 1474 1191 1474 1474 1474	Administration, granting of appointment of administrator agents of non-residents name and address in notice removal from state, appointed upon service upon agent or attorney no agent or attorney in state, when auctioneer's license not required by bond required upon not required, when petition, notice on de bonis non bond of not required, when petition, notice on
<pre>supplemental assessment</pre>	$\begin{array}{c} 10\\ 36\\ 10\\ 38\\ 5\\ 45\\ 13\\ 44\\ 45\\ 16\\ 48\\ 15\\ 17\\ 17\\ 15\\ 8\end{array}$	82 237 82 1018 1550 1598 1474 1575 1190 1190 1474 1474 1474 1474 1474 1474	Administration, granting of
<pre>supplemental assessment</pre>	$\begin{array}{c} 10\\ 36\\ 10\\ 38\\ 5\\ 45\\ 13\\ 4\\ 43\\ 44\\ 45\\ 16\\ 48\\ 15\\ 17\\ 17\\ 15\\ 8\\ 17\\ \end{array}$	82 237 82 1018 1550 1598 1474 1575 1190 1190 1474 1491 1474 1474 1474 1474 1474 1474	Administration, granting of
<pre>supplemental assessment</pre>	$\begin{array}{c} 10\\ 36\\ 10\\ 38\\ 5\\ 45\\ 13\\ 4\\ 43\\ 445\\ 16\\ 48\\ 15\\ 17\\ 17\\ 5\\ 8\\ 17\\ 14\\ \end{array}$	82 237 82 1018 1550 1598 1474 1575 1190 1190 1474 1191 1474 1474 1474 1474 1474 1474	Administration, granting of
<pre>supplemental assessment</pre>	$\begin{array}{c} 10\\ 36\\ 10\\ 38\\ 5\\ 45\\ 13\\ 4\\ 43\\ 445\\ 16\\ 48\\ 15\\ 17\\ 15\\ 8\\ 17\\ 15\\ 8\\ 17\\ 14\\ 16\\ \end{array}$	82 237 82 1018 1550 1598 1474 1575 1190 1190 1474 1191 1474 1474 1474 1474 1474 1474	Administration, granting of
<pre>supplemental assessment</pre>	$\begin{array}{c} 10\\ 36\\ 10\\ 38\\ 5\\ 45\\ 13\\ 4\\ 43\\ 45\\ 16\\ 48\\ 15\\ 17\\ 15\\ 8\\ 17\\ 15\\ 8\\ 17\\ 14\\ 44\\ 44\\ \end{array}$	$\begin{array}{c} 82\\ 237\\ 82\\ 1018\\ 1550\\ 1598\\ 1474\\ 1575\\ 1190\\ 1190\\ 1474\\ 1491\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1190\\ \end{array}$	Administration, granting of
<pre>supplemental assessment</pre>	$\begin{array}{c} 10\\ 36\\ 10\\ 38\\ 5\\ 45\\ 13\\ 4\\ 43\\ 44\\ 45\\ 16\\ 48\\ 15\\ 17\\ 15\\ 8\\ 17\\ 14\\ 16\\ 44\\ 15\\ \end{array}$	82 237 82 1018 1550 1598 1474 1575 1190 1190 1474 1474 1474 1474 1474 1474 1474 147	Administration, granting of
<pre>supplemental assessment</pre>	$\begin{array}{c} 10\\ 36\\ 10\\ 38\\ 5\\ 45\\ 13\\ 4\\ 43\\ 44\\ 45\\ 16\\ 15\\ 17\\ 15\\ 8\\ 17\\ 14\\ 16\\ 44\\ 15\\ 14\\ \end{array}$	82 237 82 1018 1550 1598 1474 1575 1190 1190 1490 1490 1490 1474 1474 1474 1474 1474 1474 1474 147	Administration, granting of
<pre>supplemental assessment</pre>	$\begin{array}{c} 10\\ 36\\ 10\\ 38\\ 5\\ 45\\ 13\\ 4\\ 43\\ 44\\ 45\\ 16\\ 48\\ 15\\ 17\\ 15\\ 8\\ 17\\ 14\\ 16\\ 44\\ 15\\ 14\\ 86\\ \end{array}$	82 237 82 1018 1550 1598 1474 1575 1190 1190 1474 1474 1474 1474 1474 1474 1474 147	Administration, granting of
<pre>supplemental assessment</pre>	$\begin{array}{cccccccccccccccccccccccccccccccccccc$	$\begin{array}{c} 82\\ 237\\ 82\\ 1018\\ 1550\\ 1598\\ 1474\\ 1575\\ 1190\\ 1190\\ 1474$	Administration, granting of
<pre>supplemental assessment</pre>	$\begin{array}{c} 10\\ 36\\ 10\\ 38\\ 5\\ 5\\ 13\\ 4\\ 43\\ 44\\ 45\\ 16\\ 48\\ 15\\ 17\\ 15\\ 8\\ 17\\ 14\\ 6\\ 44\\ 15\\ 14\\ 6\\ 17\\ 15\\ \end{array}$	$\begin{array}{c} 82\\ 237\\ 82\\ 1018\\ 1550\\ 1598\\ 1474\\ 1575\\ 1190\\ 1190\\ 1474\\ 1491\\ 1474$	Administration, granting of
<pre>supplemental assessment</pre>	$\begin{array}{cccccccccccccccccccccccccccccccccccc$	$\begin{array}{c} 82\\ 237\\ 82\\ 1018\\ 1550\\ 1598\\ 1474\\ 1575\\ 1190\\ 1190\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1216\\ 1474\\ 1474\\ 1276\\ 1474\\ 1474\\ 1583\\ \end{array}$	Administration, granting of
<pre>supplemental assessment</pre>	$\begin{array}{cccccccccccccccccccccccccccccccccccc$	$\begin{array}{c} 82\\ 237\\ 82\\ 1018\\ 1550\\ 1598\\ 1475\\ 1190\\ 1190\\ 1190\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1216\\ 1474\\ 1216\\ 1474\\ 1583\\ 1474\\ 1583\\ 1474\\ \end{array}$	Administration, granting of
<pre>supplemental assessment</pre>	$\begin{array}{cccccccccccccccccccccccccccccccccccc$	$\begin{array}{c} 82\\ 237\\ 82\\ 1018\\ 1550\\ 1598\\ 1474\\ 1575\\ 1190\\ 1190\\ 1190\\ 1474$	Administration, granting of
<pre>supplemental assessment</pre>	$\begin{array}{cccccccccccccccccccccccccccccccccccc$	$\begin{array}{c} 82\\ 237\\ 82\\ 1018\\ 1550\\ 1598\\ 1474\\ 1575\\ 1190\\ 1190\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1216\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1603\\ 1474\\ 1474\\ 1603\\ 1474\\ 1474\\ 1603\\ 1474\\ 1474\\ 1603\\ 1474$	Administration, granting of
<pre>supplemental assessment</pre>	$\begin{array}{cccccccccccccccccccccccccccccccccccc$	$\begin{array}{c} 82\\ 237\\ 82\\ 1018\\ 1550\\ 1598\\ 1474\\ 1575\\ 1190\\ 1190\\ 1474\\ 1491\\ 1491\\ 1474$	Administration, granting of
<pre>supplemental assessment</pre>	$\begin{array}{cccccccccccccccccccccccccccccccccccc$	$\begin{array}{c} 82\\ 237\\ 82\\ 1018\\ 1550\\ 1598\\ 1474\\ 1575\\ 1190\\ 1190\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1216\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1603\\ 1602\\ 1602\\ \end{array}$	Administration, granting of
<pre>supplemental assessment</pre>	$\begin{array}{cccccccccccccccccccccccccccccccccccc$	$\begin{array}{c} 82\\ 237\\ 82\\ 1018\\ 1550\\ 1598\\ 1475\\ 1190\\ 1190\\ 1190\\ 1474\\ 1603\\ 1603\\ 1602\\ 1603\\ \end{array}$	Administration, granting of
<pre>supplemental assessment</pre>	$\begin{array}{cccccccccccccccccccccccccccccccccccc$	$\begin{array}{c} 82\\ 237\\ 82\\ 1018\\ 1550\\ 1598\\ 1474\\ 1575\\ 1190\\ 1190\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1216\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1474\\ 1603\\ 1602\\ 1602\\ \end{array}$	Administration, granting of

behood 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	

۰.

52 1629

.

CEASED PARTNERS.

F D	ECEASED 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
Ľ	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	OP	DECEASED	PERSONS-	-conti	nued.	1
		ministrators			53	1059
		d agreeably			57	1060
		ith what pro			58	1060
		with incom			59	1061
		allowed in			43	1044
distributi	on,	allowed with	out notice o	n	21	1077
notice	on, :	after one ye	ar	• • • •	21	1077
		and allowand			57	1060
innerita	ince	tax first pa ites, in case	.10	• • • •	21	1070
		i, after			$\frac{21}{25}$	$1085 \\ 1086$
		failure of, t			24	1053
public ad	lmin	istrator, by.			30	1054
removal.	upo	D			69	1062
		allowance fo			5	1124
		pient, leaving			6	1124
gifts, wh	en t	be treated	as		4	1124
		ite, treated a			4	1124
		sonalty, as t			6	1124
		excess, no			5	1124
		ascertained			5	1124
		usband from			19	1076
					18	1076
		dopter, from			40	1095
		nd burial lo			61	1061
		are of nistrator, by			64 35	$1061 \\ 1055$
		om personal			14	1075
action	0n 1	cond to colle	estate of hu.	sband	15	1111
hurial	exne	nses of, for.		••••	61	1061
		lebt, of; assi			15	1075
		e			14	1075
		for ninety d			17	1076
		during litig			16	1076
		ointment an			46	1058
additiona	l in	ventories, fo	r		49	1058
articles t	o be	omitted by.			50	1059
choses in	act	ion, valuatio	n of		48	1058
					44	1044
		ates of decea			1	1100
		warrant to.			47	1058
		erty for distr			22	1077
		tion or comp			54	1060
		erred to com			55	1060
		com'rs; puni			$\begin{array}{c} 10 \\ 166 \end{array}$	$1473 \\ 1249$
		ssued on rep after referen			55	1249 1060
		te office			5	1082
		of			14	1284
		vance of			66	1062
		y affidavit, i			65	1062
Debts, pays	nent	of, generall	y		1	1081
		be required			65	1062
expenses	of 1	ast sickness	preferred		1	1081
married	won	nen, of			62	1061
		of husband			63	1061
		y constitute			56	1060
		able for			20	1107
		cution autho			47	1138
		personal est			21	1077
		s, allowance par to right.			4 21	$\begin{array}{c} 1124 \\ 1077 \end{array}$
		nd may be re			25	1078
		claimed shar			21	1077
		y county tre			24	1078
		for			20	1128
		ates, of			24	1085
		on execution			28	1079
		Iministrator			30	1079
		, if not rede			31	1079
		personalty			29	1079
lien for	lebt	due estate			20	1076

	20
Т	GU.
	UJ.

mortgages are personal assets		ESTATES OF DECEASED FERSONS—contin Distribution.		
sale of, as personalty291073foreclosure, after; upon license		mortgages are personal assets	28	1079
foreclosure, after; upon license		disposal of land, if not redeemed	31	1079
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 nesidue, distribution of. 34 1080 non-resident guardian, delivery of estate to 28 1092 order of distribution issued. 21 1077 probate bond, action on, to enforce. 15 1111 specific property, of; appraisal. 22 1077 collection in name of administrator. 71 1063 commitment upon refusal. 73 1063 commitment upon refusal. 73 1063 person entrusted with estate, of. 72 1063 person entrusted. with estate, of. 1044 1044 appraisers, commissioners, etc. 44 1044 witnesses, of. 9 1067 action of debt for. 11 1068 definitions of "person." "property" 29 1072 inventory, copy sent attorney-general. 1067		sale of, as personalty	29	1079
insolvent, proceedings when		foreclosure, after; upon license	1	1103
insolvent, proceedings when		non-resident estates, of	32	1079
debts, order of payment.331080proceeds of land sold under foreign will351086non-resident guardian, delivery of estate to281092order of distribution issued.211077neglect to execute; proceedings.211077probate bond, action on, to enforce.151111specific property, of; appraisal.221077collection in name of administrator.231077Embezelement, complaint for.711063citation and examination.711063damages, also liable for.731063person entrusted with estate, of.711043appraisers, commissioners, etc.441044inheritance tax, as to.281072non-residents, in estates of.111044inheritance tax, payment of.91067action of debt for.111068appraisal of property, subject to.81072interston.10671067action of debt for.10action of fights and registers of probate.28personal property of non-resident.1066fees of judges and registers of probate.28property of resident, in another state.1067inventory, copy sent attorney-general.1067interest on.5indef for property of non-resident.1066fees of judges and registers of probate.28interest on resident in another state.1067interest on resident in another state			33	1080
proceeds of land sold under foreign will351086residue, distribution of.341080non-resident guardian, delivery of estate to1097neglect to execute; proceedings.21probate bond, action on, to enforce.15illispecific property, of; appraisal.22orlection in name of administrator.23iclation and examination.71loc3damages, also liable for.73loc3person entrusted with estate, of.72loc3person entrusted with estate, of.72nor-residents, in estates of.41inheritance tax, as to.28inorresidents, in estates of.41inheritance tax, payment of.9attion of debt for.1063appraisers, commissioners, etc.44inheritance tax, payment of.9inheritance tax, payment of.9inheritions of "person," "property"29loc4property of resident.10667action of debt for.10interest on9interest on9interest on10667interest on1067interest on1067interest on10663intity of personal representative.10663interest on refusal to file; penalty.20interest on10interest on10interest on refusal to file; penalty.20interest on10interest on refusal to file; penalty.20interest on <td></td> <td></td> <td>33</td> <td>1080[.]</td>			33	1080 [.]
residue, distribution of.341080non-resident guardian, delivery of estate to281092order of distribution issued.211077probate bond, action on, to enforce.151111speific property, of; appraisal.221077assignment of debts.231077collection in name of administrator.211077Embezzlement, complaint for.711063colmitment upon refusal.731063damages, also liable for.721063person entrusted with estate, of.721063paynaisers, commissioners, etc.441044inheritance tax, as to.281072non-residents, in estates of.111063action of debt for.111068appraisal of property, subject to.81067action of debt for.111068appraisal of property, subject to.81067interston.1010664personal property of non-resident.1personal property of non-resident.11065101067interst on.1010667interst on.1010667interst on.10personal property of non-resident.11066101067interst on.10interst on.10non-resident, in another state.1067interst on.10interst on.10property of resident, in another state.10667<			35	1080
non-resident guardian, delivery of estate to28 1092order of distribution issued.21 1077neglect to execute; proceedings.21 1077specific property, of; appraisal.22 1077assignment of debts.23 1077collection in name of administrator.23 1077Embezzlement, complaint for.71 1063citation and examination.71 1063commitment upon refusal.73 1063gerson entrusted with estate, of.72 1063Fees; administrators.43 1044apprasers, commissioners, etc.44 1044inheritance tax, as to.28 1072non-residents, in estates of.41 1044payment of, in general.9 1043utinestes, of.9 1044appraisers, commissioners, etc.11 1068appraisal of property, subject to.8 1067bond, liability on, for.11 1068appraisal of property, subject to.8 1067bond, liability on, for.11 1064personal property of non-resident.1 1064personal property of non-resident.1 1065property of resident, in another state.4 1066fees of judges and registers of probate.28 1072interest on.9 1067interest on.1 1068non-residents, on property of.20 1070interest on.1 1068neglect or refusal to file; penalty.20 1070interest on.1 1066legacy, deducted from.1 1067interest on.1 1066 <trr>legacy, deducted from.21</trr>				1080
order of distribution issued.211077neglect to execute; proceedings.211077probate bond, action on, to enforce.151111specific property, of; appraisal.221077assignment of debts.231077collection in name of administrator.231077collection in name of administrator.231077collection and examination.711063citation and examination.711063demages, also liable for.731063person entrusted with estate, of.731063person entrusted with estate, of.241044appraisers, commissioners, etc.441044payment of, in general.441044payment of, in general.441044witnesses, of.91433Inheritance tax, as to.91067action of debt for.111068definitions of "person," "property"291072is exemption from.111068definitions of "person," "property"291072interest on.1066710666fees of judges and registers of probate.281072interest on.1066710669inventory, copy sent attorney-general.10667neglect or refusal to file; penalty.201076interest on.106661069interest on.10667neglect or refusal to file; penalty.20interest on.10669interest				
neglect to execute; proceedings.21 1077probate bond, action on, to enforce.15 1111specific property, of; appraisal.22 1077assignment of debts.23 1077Embezzlement, complaint for.71 1063collection in name of administrator.23 1077Embezzlement, complaint for.71 1063commitment upon refusal.73 1063person entrusted with estate, of.72 1063Fees; administrators.43 1044appraisers, commissioners, etc.44 1044inheritance tax, as to.28 1072non-residents, in estates of.11 1044witnesses, of.9 1443Itharitance tax, payment of.9 1045action of debt for.11 1068appraisal of property, subject to.8 1067bond, liability on, for.11 1068appraiser of judges and registers of probate.29 1072exemption from.1 1065property of resident, in another state.4 1066fees of judges and registers of probate.29 1076interest on.10 1067inventory, copy sent attorney-general.7 1067ingred on real estate, collection.15 1066legacy, deducted from.12 1071property of personal representative.11 1068non-residents, on property of.22 1070bank and corporation stock; transfer.25 1071property in Maine corporation.21 1071scurities of; not transferred until payment26 1071shares in interstate corporation.23 1071p				1077
probate bond, action on, to enforce.15specific property, of; appraisal.221077assignment of debts.231077Benbezzlement, complaint for.711063citation and examination.711063citation and examination.711063commitment upon refusal.731063person entrusted with estate, of.731063person entrusted with estate, of.731064appraisers, commissioners, etc.441044appraters, commissioners, etc.411044payment of, in general.441044payment of, in general.91067action of debt for.111068definitions of "person," "property".291072exemption from.11064personal property of non-resident.11065property of resident, in another state.1067interest on.91071interest on.1067interest on.1067intitly of personal representative.1066leaged on real estate, collection.151066leaged on real estate, collection.1669liability of personal representative.1068non-residents, on property of.22liability of personal representative.1068non-residents, on property of.22liability of personal represent				
specific property, of; appraisal.221077assignment of debts.231077collection in name of administrator.231077Embezzlement, complaint for.711063citation and examination.711063commitment upon refusal.731063person entrusted with estate, of.721063Fees; administrators.431044appraisers, commissioners, etc.441044inheritance tax, as to281072non-residents, in estates of.411044payment of, in general.441044witnesses, of.91067action of debt for.111068appraisal of property, subject to.81067action of debt for.111068definitions of "person," "property"291072exemption from.11064personal property of non-resident.11065fees of judges and registers of probate.281072interest on.91067interest on refusal to file; penalty.201070jurisdiction relating to.51066legacy, deducted from.141068non-residents, on property of.221071bank and corporation stock; transfer.251071bank and corporation stock; transfer.261072bank and corporation stock; transfer.1066legacy, deducted from probate.1071poperty subject to.1066<				
assignment of debts				
collection in name of administrator.231077Embezzlement, complaint for.711063citation and examination.711063commitment upon refusal.731063damages, also liable for.731063person entrusted with estate, of.721063Fees; administrators.431044appraisers, commissioners, etc.44inheritance tax, as to28non-residents, in estates of.41upayment of, in general.44witnesses, of.9action of debt for.11action of debt for.11action of debt for.11uparisal of property, subject to.81067action from.11ueamption from.11ueamption from.11ueamption from.11ueamption from.1064personal property of non-resident.1065fees of judges and registers of probate.281072interest on.91067neglect or refusal to file; penalty.201076neglect or refusal to file; penalty.201077property in Maine corporation.241078interested, on property of.221079bank and corporation stock; transfer.251071bank and corporation stock; transfer.251072bank and corporation stock; transfer.251073bank and corporation not filed.121066petition by attorney-general. <t< td=""><td></td><td></td><td></td><td></td></t<>				
Embezzlement, complaint for. 71 1063 citation and examination. 71 1063 commitment upon refusal. 73 1063 gerson entrusted with estate, of. 72 1063 Pees; 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 inheritance tax, payment of. 9 1443 Inheritance tax, payment of. 9 1067 bond, liability on, for. 11 1068 appraisal of property, subject to. 8 1067 bond, liability on, for. 11 1068 gersonal property of non-resident. 1 1066 fees of judges and registers of probate. 28 1072 interest on. 9 1067 interest on refusal to file; penalty. 20 1070 jurisdiction relating to. 5 1069 limit				
citation and examination				
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 witnesses, of. 9 1067 action of, lebt for. 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 1066 personal property of non-resident. 1 interest on. 9 1067 interest on. 9 1067 interest on refusal to file; penalty. 20 1070 jurisdiction relating to. 5 1066 legacy, deducted from. 14 1069 10671 10671	L			
damages, also liable for	L		73	1063
person entrusted with estate, of.721063Fees; administrators.431044appraisers, commissioners, etc.441044inheritance tax, as to281072non-residents, in general.441044witnesses, of.91443Inheritance tax, payment of.91067action of debt for.111068appraisal of property, subject to.81067bond, liability on, for.111068appraisal of property, subject to.81067bond, liability on, for.111068appraisal of property of non-resident.1property of resident, in another state.4property of resident inventory, copy sent attorney-general.7neglect or refusal to file; penalty.201070jurisdiction relating to.51066legacy, deducted from.141069limited period, for; procedure.161069limited period, for; procedure.161069limited period, for; procedure.101071securities of; not transferred until payment 261071notice to attorney-general.101071securities of; not transferred until payment 2610711072procedure in court, relating to.51066petition for administration not filed.121068property subject to.101068property in Maine corporation.241071scurities of; not transferred until payment 26 </td <td></td> <td></td> <td></td> <td></td>				
Fees; administrators				
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 1066 fees of judges and registers of probate. 28 1072 interest on. 9 1067 neglect or refusal to file; penalty. 20 inventory, copy sent attorney-general. 7 1066 1069 iability of personal representative. 11 1068 legacy, deducted from. 42 1071 shared corporation stock; transfer. 25 1071 property in Maine c				
inheritance tax, as to				
non-residents, in estates of				
payment of, in general.441044witnesses, of.91443Inheritance tax, payment of.91067action of debt for.111068appraisal of property, subject to.81067bond, liability on, for.111068definitions of "person," "property".291072exemption from.11064personal property of non-resident.11065property of resident, in another state.41066fees of judges and registers of probate.281072interest on.91067inventory, copy sent attorney-general.71066legacy, deducted from.141069charged on real estate, collection.151066legacy, deducted from.141069limited period, for; procedure.161069limited period, for; procedure.161069limited period, for; procedure.161069liability of personal representative.111068non-residents, on property of.221071shares in interstate corporation.241071shares in interstate corporation.241071procedure in court, relating to.51066petition for administration not filed.121068procedure in court, relating to.51066petition for administration not filed.121068property subject to.11068petition of property.81067				
witnesses, of.91443Inheritance tax, payment of.91067action of debt for.111068appraisal of property, subject to.81067bond, liability on, for.111068definitions of "person," "property".291072exemption from.11064personal property of non-resident.11064personal property of non-resident.11065a property of resident, in another state.41066fees of judges and registers of probate.281072interest on.91067inventory, copy sent attorney-general.71066legacy, deducted from.141069charged on real estate, collection.151069limited period, for; procedure.161069liability of personal representative.111068non-residents, on property of.221070bank and corporation stock; transfer.251071property in Maine corporation.231071shares in interstate corporation.231071shares in interstate corporation.231071procedure in court, relating to.51066petition by attorney-general.101068property subject to.101068procedings for recovery of tax.131069procedure in court, relating to.51066petition by attorney-general.101068property subject to.10 <td></td> <td></td> <td></td> <td></td>				
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 1066 jugisdiction relating to 5 1066 legacy, deducted from 14 1069 inited 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 shares in interstate corporation 23 1071 shares in interstate corporation 23 1071				
action of debt for111068appraisal of property, subject to.81067bond, liability on, for111068definitions of "person," "property".291072exemption from11064personal property of non-resident.11065property of resident, in another state.41066fees of judges and registers of probate.281072interest on91067inventory, copy sent attorney-general.71067neglect or refusal to file; penalty201070jurisdiction relating to51066legacy, deducted from141069charged on real estate, collection151069limited period, for; procedure111068non-residents, on property of221071property in Maine corporation231071securities of; not transferred until payment261071shares in interstate corporation231071notice to attorney-general101068petition by attorney-general101068petition for administration not filed121068proceedings for recovery of tax131069will not offered for probate, when121068valuation of property81067shares in interstate corporation231071shares in interstate corporation131068petition by attorney-general101068petition of coder of probate				
appraisal of property, subject to				
bond, liability on, for				
definitions of "person," "property".291072exemption from.11064personal property of non-resident.11065property of resident, in another state.41066fees of judges and registers of probate.281072interest on.91067inventory, copy sent attorney-general.71067neglect or refusal to file; penalty.201070jurisdiction relating to.51066legacy, deducted from.141069charged on real estate, collection.151069limited period, for; procedure.161069liability of personal representative.111068non-residents, on property of.221071bank and corporation stock; transfer.251071property in Maine corporation.241071securities of; not transferred until payment261071notice to attorney-general.101068payment before final settlement.211070procedure in court, relating to.51066petition for administration not filed.121068proceedings for recovery of tax.131069will not offered for probate, when.121068valuation of property.81067state of.101064bequests to executors or trustees.31065remainder after antecedent estate.21066sale of real estate for payment.1066rate of				
iexemption from		definitions of "person" "property"		
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	í	exemption from		
property of resident, in another state41066fees of judges and registers of probate281072interest on	2			
fees of judges and registers of probate281072interest on	í			
interest on				
inventory, copy sent attorney-general71067neglect or refusal to file; penalty201070jurisdiction relating to51066legacy, deducted from141069charged on real estate, collection151066liability of personal representative161069liability of personal representative111068non-residents, on property of221070bank and corporation stock; transfer251071property in Maine corporation241071securities of, not transferred until payment261071notice to attorney-general	į			
neglect or refusal to file; penalty201070jurisdiction relating to	Ĺ			
jurisdiction relating to				
Jarrent 111069legacy, deducted from	į			
charged on real estate, collection151069limited period, for; procedure161069liability of personal representative111068non-residents, on property of	,			
limited period, for; procedure	,			
Initial program111068Inability of personal representative111068non-residents, on property of	í i			
non-residents, on property of.221070bank and corporation stock; transfer.251071property in Maine corporation.241071securities of; not transferred until payment261071shares in interstate corporation.231071notice to attorney-general.181069payment before final settlement.211070procedure in court, relating to.51066petition by attorney-general.101068petition for administration not filed.121068proceedings for recovery of tax.131069will not offered for probate, when.121068valuation of property.81067property subject to.11064bequests to executors or trustees.31065rate of.11064reimbursement for.191070sale of real estate for payment.171069Inventory, making and return of.451058additional may be required.491058attorney-general, copy sent to.71067bond, action on, for failure to return.181112	í			
bank and corporation stock; transfer251071property in Maine corporation				
binne intro orporation241071securities of; not transferred until payment261071shares in interstate corporation231071notice to attorney-general181069payment before final settlement211070procedure in court, relating to51066petition by attorney-general101068poceedings for recovery of tax131069will not offered for probate, when121068proceedings for recovery of tax10667property subject to10667property subject to10657valuation of property81065710667value of, how determined81067810676premement for106681067910676107001067610700107010701sale of real estate for payment10702107010703attorney-general property, of107041058107156additional may be required10724ttorney-general, copy sent to1073106771074attorney-general, copy sent to1075bond, action on, for failure to return10751120710767112071077112071078112071079112071070120710701207107012071070120710701207107012071070 <td></td> <td></td> <td></td> <td></td>				
a securities of; not transferred until payment 261071shares in interstate corporation				
shares in interstate corporation				
notice to attorney-general.181069payment before final settlement.211070procedure in court, relating to.51066petition by attorney-general.101068petition for administration not filed.121068proceedings for recovery of tax.131069will not offered for probate, when.121068roperty subject to.11064bequests to executors or trustees.31065rate of.11064rate of.11064reimbursement for.191070sale of real estate for payment.171069Inventory, making and return of.451058attorney-general, copy sent to.541207attorney-general, copy sent to.71067	5			
payment before final settlement.211070procedure in court, relating to.51066petition by attorney-general.101068petition for administration not filed.121068proceedings for recovery of tax.131069will not offered for probate, when.121068property subject to.11064bequests to executors or trustees.31067remainder after antecedent estate.21065value of, how determined.81067rate of.11064reimbursement for.191070sale of real estate for payment.171069Inventory, making and return of.451058additional may be required.491058attached personal property, of.541207attorney-general, copy sent to.71067bond, action on, for failure to return.181112		notice to attorney-general		
procedure in court, relating to				
1petition by attorney-general		procedure in court. relating to		
1petition for administration not filed121068proceedings for recovery of tax131069will not offered for probate, when121068valuation of property81067property subject to11064bequests to executors or trustees31065remainder after antecedent estate21065value of, how determined81067attorney, making and return of191070attorney, making and return of451058attorney-general, copy sent to541207attorney-general, copy sent to			10	1068
1proceedings for recovery of tax131069will not offered for probate, when121068valuation of property81067property subject to11064bequests to executors or trustees31065remainder after antecedent estate21065value of, how determined		petition for administration not filed		1068
will not offered for probate, when121068valuation of property81067property subject to11064bequests to executors or trustees31065remainder after antecedent estate21065value of, how determined11064reimbursement for11067sale of real estate for payment	L	proceedings for recovery of tax	13	1069
valuation of property)	will not offered for probate, when,	12	1068
aproperty subject to11064bequests to executors or trustees31065remainder after antecedent estate21065value of, how determined81067a rate of11064reimbursement for191070sale of real estate for payment171069Inventory, making and return of451058a dditional may be required501059attached personal property, of541207attorney-general, copy sent to71067bond, action on, for failure to return181112	7		8	1067
bequests to executors or trustees3 1065remainder after antecedent estate2 1065value of, how determined8 1067rate of1 1064reimbursement for19 1070sale of real estate for payment17 1069Inventory, making and return of	3	property subject to	1	1064
aremainder after antecedent estate21065value of, how determined81067arate of11064reimbursement for191070asale of real estate for payment171069Inventory, making and return of451058aadditional may be required501059attached personal property, of	7	bequests to executors or trustees	3	1065
value of, how determined	ŧ			1065
3rate of110647reimbursement for1910703sale of real estate for payment1710693Inventory, making and return of4510584additional may be required4910588articles omitted from	7		8	1067
7reimbursement for1910708sale of real estate for payment1710698Inventory, making and return of4510589additional may be required4910589articles omitted from	3			
3sale of real estate for payment	7		19	1070
3Inventory, making and return of	3	sale of real estate for payment	17	1069
additional may be required491058articles omitted from		Inventory, making and return of		1058
attached personal property, of	5		49	1058
attached personal property, of)		50	1059
attorney-general, copy sent to			54	1207
bond, action on, for failure to return 18 1112			7	1067
			18	1112
	5		45	1058

ESTATES OF DECEASED PERSONS-cont		
Inventory; partnership property included surviving partner to exhibit	1	1100
Joint contracts, liable as on joint and several	5	1100
Jurisdiction of probate court	44 9	1229 1036
incontestable, except on appeal	9 16	1030
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 allneglecting to collect money and pay debts	58	1060
real estate, for income of	56	1060
taxes collected by deceased, for	$\frac{59}{46}$.1061
Life insurance money, disposal of	$\frac{40}{21}$	264 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 claims, settlement of disputed	3:	1100
death of administrator, proceedings	- 6 - 8	1101 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 license to sell real estate	31 1	1054
revocation of powers by judge	$\frac{1}{30}$	$1103 \\ 1054$
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 38	1094
curtesy in wife's real estate abolished	8	1125
release of, bars right by descent	16	1127
	-	•

ESTATES OF DECEASED PERSONS-cont Real estate.	inued	l .
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 refusal to release; proceedings	8 19	1031
illegitimate children, rights of inheritance	13	$\frac{1128}{1124}$
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 declaration in action on	$13 \\ 12$	1299
disposal of land, if not redeemed	31	$1299 \\ 1079$
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 defenses not available	11 12	1335
judgment for defendant; costs	13	$1335 \\ 1335$
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 8	$1125 \\ 1031$
marriage settlement, by 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 69	$\begin{array}{c} 1062 \\ 1062 \end{array}$
affects not prior acts 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	$\frac{20}{34}$	$\frac{1112}{1055}$
conditions of French spoliation claims, in case of	$34 \\ 39$	1055
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 35	1298
real estate, to care f o r	99	1055

		IN
ESTATES OF DECEASED PERSONS-cont	inued	
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
Bonds of Administrators.		
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 aexecution, how issued	14	1111
inheritance tax, for	16 11	1111
necessary allegations	11	$\begin{array}{c} 1068\\ 1111 \end{array}$
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 neglect or mismanagement, for	19	1112
inheritance tax, for	18	1112
judgment for penalty	11 10	1068 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 supreme court of probate, to	$\frac{12}{32}$	1083
Approval of judge necessary	1	$1042 \\ 1109$
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 companiesreduction of bond	158	890
De bonis non, of	5 28	1110
Deceased partners, on estates of	28 4	$1054 \\ 1100$
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 Public , of; general conditions	4	1110
real estate, for sale of	29 3	$\begin{array}{c}1054\\1104\end{array}$
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 specific performance of contracts, for	9 15	1105
Reduction of penal sum	15 5	$\begin{array}{c} 1107 \\ 1110 \end{array}$
· · · · · · · · · · · · · · · · · · ·	5	

	and the second		
· 1	ESTATES OF DECEASED PERSONS-conti	nued.	
24	Special administrator, of	34	1055
35	actions upon	20	1112
35	French spoliation claims, in case of	39	1056
35	Specific performance of contracts, for	15	1107
35	Sureties, discharge of		
		3	1109
35	insufficient, new bond required	2	1109
32	another provision	51	1059
	failure to give, cause for removal	4	1110
	Will annexed, of administrator with	28	1054
10			
10	Testate.		
11	Accounts of executors; contents	53	1059
11	bond, rendered agreeably to	57	1060
11	chargeable with what property	58	1060
	real estate, with income of	59	1061
11	counsel fees allowed in	43	1044
11			1044
68	distribution, allowed without notice on	21	
11	notice on, after one year	21	1077
11	examination and allowance of	57	1060
11	inheritance tax first paid	21	1070
11	insolvent estates, in case of	21	1085
11	distribution, after	25	1086
	non-resident, failure of, to render	24	1053
10	removal, upon	69	1062
11			1076
11	Allowance to husband from wife's estate	19	
12	minors, to	18	1076
12	monuments and burial lots, for	61	1061
12	perpetual care of	64	1061
12	widow, to; from personal estate of husband	14	1075
68	action on bond to collect	15	1111
	burial expenses of, for	61	1061
10	mortgage debt, of; assignment	15	1075
11		14	1075
12	pew, of one		
10	quarantine for ninety days, during	17	1076
10	temporary, during litigation	16	1076
10	Appraisers, appointment and duties	46	1058
86	additional inventories, for	49	1058
59	articles to be omitted by	50	1059
52	choses in action, valuation of	48	1058
83	fees of	44	1044
	partners, estate of deceased	1	1100
42	revocation of warrant to	47	1058
09		22	1077
10	specific property for distribution, of		1121
78	Children, provisions as to onitted	9	
85	contribution to compensate	11	1121
85	posthumous, rights of	- 8	1121
89	contribution to compensate	11	1121
90	Claims, arbitration or compromise of	54	1060
90	disputed, may be referred to commissioners	55	1060
	bribery of com'rs; punishment	10	1473
90	pribery of comits, pumannent	166	1249
10	execution issued on report	55	1060
54	no action after reference, unless		
00	filed in probate office	5	1082
68	presentation of	14	1284
10	private, allowance of	66	1062
11	verification by affidavit, if required	65	1062
12	Debts, order of payment	1	1081
09	affidavit may be required	65	1062
	expenses of last sickness preferred	1	1081
59	expenses of last sickness preferred	62	1061
.10	married women, of		1061
54	mutual between husband and wife	-63	
.04	neglecting to pay, guilty of waste	56	1060
)54	real estate liable for	20	1107
04	levy on execution authorized	47	1138
108	undevised realty first applied to	13	1121
106	Devise, after-acquired lands pass by	5	1120
	death of devisee before testator, effect	10	1121
101	death of devisee perofe testator, chect	4	1120
12	disseizin of testator not to bar	16	1122
04	entire estate of testator passes by		
105	land in which right of entry, of	4	1120
107	recorded in registry of deeds	24	1040
10	fees for	39	1043
	1		

INDEX

172		INDI	EX.
ESTATES OF DECEASED PERSONS—conti Distribution of personal estate	21	1077	ESTATES OF DECEASED PERSONS-conti Inheritance tax; interest on
advancements, allowance for	4	1124	inventory, copy sent attorney-general
alienage no bar to right	21	1077	neglect or refusal to file; penalty
bond to refund may be required deposit of unclaimed shares	25	1078	jurisdiction relating to
payment by county treasurer	21	1077	legacy, deducted from charged on real estate, collection
estate undisposed of by will, of	24 2	$1078 \\ 1120$	limited period, for; procedure
insolvent estates, of	24	1085	liability of personal representative
lands taken on execution, personal assets	28	1035	non-residents, on property of
death of executor before sale	30	1079	bank and corporation stock; transfer.
disposal of, if not redeemed	31	1079	property in Maine corporation
sale of, as personalty	29	1079	securities of; not transferred until payment
lien for debt due estate	20	1076	shares in interstate corporation
mortgages are personal assets	28	1079	notice to attorney-general
disposal of land, if not redeemed	31	1079	payment before final settlement
sale of, as personalty	29	1079	procedure in court, relating to
foreclosure, after, upon license	1	1103	petition by attorney-general
non-resident estates, distribution of	32	1079	petition for administration not filed
insolvent, proceedings when	33	1080	proceedings for recovery of tax
debts, order of payment	33	1080	will not offered for probate, when
proceeds of land sold under foreign will	35	1080	valuation of property
residue, distribution of	34	1080	property subject to
non-resident guardian, may deliver estate to	28	1092	bequests to executors or trustees
order of distribution issued	21	1077	remainder after antecedent estate
neglect to execute; proceedings	21	1077	value of, how determined
probate bond, action on, to enforce	15	1111	rate of
specific property, of; appraisal	22	1077	reimbursement for
assignment of debts	23	1077	sale of real estate for payment
collection in name of executor	23	1077	Inventory, making and return of
Embezzlement, complaint for	71	1063	additional may be required
citation and examination	71	1063	articles omitted from
commitment upon refusal	73	1063	attached personal property, of
damages, also liable for	73	1063	attorney-general, copy sent to
person entrusted with estate, of	72	1063	bond, action on for failure to return
Executors, appointment of	8	1049	limit of time allowed for return
agents of non-residents, appointment	44	1057	partnership property included
name and address in notice	44	1057	surviving partner to exhibit
removal from state, appointed upon	44	1058	Joint contracts, liable as on joint and several
service upon agent or attorney	44	1057	Jurisdiction of probate court
no agent or attorney in state, when	15	1285	incontestable, except on appeal
auctioneer's license not required by bond, only those giving, to act	8 10	680	judge interested, when
	12	1050	register interested, when
neglect to give, deemed non-acceptance death of sole, proceedings on	8 27	$1049 \\ 1054$	· retention of, by court first taking
de son tort, liabilities of	40	1054	Lands taken on execution, personal assets
set-off for debts paid by	40	1056	death of executor before sale
disputes between; determination of	68	1050	disposal of, if not redeemed
executor of, succeeds not in trust	27	1054	sale of, as personalty
guardian of interested minors, not to be	1	1086	trust, held under foreign will in
insurance of property of estate	60	1061	Legacy, action for
majority, powers and liabilities of	12	1050	payable, when
marriage of feme sole, effect of	26	1053	probate bond, on
minority of, proceedings in case of	23	1053	refunding bond may be required
oaths by, before whom taken	19	1038	unaffected by chapter 92
trustees by operation of law, becoming	13	1098	Letters testamentary, issue of
Fees of executors	43	1044	appeal pending, while
appraisers, commissioners, etc	44	1044	bond required upon
inheritance tax, as to	28	1072	foreign wills, on
payment of, in general	44	1044	refusal to accept
register of deeds, for recording will	39	1043	time within which issued
probate, of; for copy of will	39	1043	Liability of executors
non-residents, in estates of	41	1044	estate received, for all
witnesses, of	9	1443	neglecting to collect money and pay debts
Inheritance tax, payment of	9	1067	real estate, for income of
action of debt for	11	1068	taxes collected by deceased, for
appraisal of property, subject to	8	1067	Life insurance, disposal of
bond, liability on, for	11	1068	Loan and building assoc'ns; disposal of shares
definitions of "person," "property"	29	1072	Mortgages of real estate, control of
exemption from	1	1064	declaration in action on
personal property of non-resident	1	1065	disposal of land, if not redeemed
property of resident, in another state	4	1066	personal assets, are deemed
fees of judges and registers of probate	28	1072	redemption by executors

ATES OF DECEASED PERSONS-continued. ritance tax: interest on..... ventory, copy sent attorney-general.... neglect or refusal to file; penalty risdiction relating to..... eacy. deducted from..... charged on real estate, collection..... limited period, for; procedure..... ability of personal representative on-residents, on property of..... bank and corporation stock; transfer .. property in Maine corporation securities of: not transferred until payment 26 shares in interstate corporation..... tice to attorney-general..... ayment before final settlement..... ocedure in court, relating to...... petition by attorney-general..... petition for administration not filed.... proceedings for recovery of tax..... will not offered for probate, when valuation of property..... operty subject to..... bequests to executors or trustees..... remainder after antecedent estate..... value of, how determined..... te of..... imbursement for..... le of real estate for payment...... entory, making and return of ditional may be required..... ticles omitted from..... tached personal property, of..... torney-general, copy sent to...... ond, action on for failure to return..... mit of time allowed for return...... rtnership property included..... surviving partner to exhibit it contracts, liable as on joint and several sdiction of probate court...... Q contestable, except on appeal..... dge interested, when..... gister interested, when..... etention of, by court first taking ds taken on execution, personal assets.. eath of executor before sale sposal of, if not redeemed...... ale of. as personalty..... ust, held under foreign will in..... acy, action for..... ayable, when..... robate bond, on..... funding bond may be required...... naffected by chapter 92..... ters testamentary, issue of ppeal pending, while..... ond required upon..... preign wills, on..... fusal to accept..... me within which issued bility of executors..... state received, for all..... eglecting to collect money and pay debts eal estate, for income of..... axes collected by deceased, for e insurance, disposal of..... n and building assoc'ns; disposal of shares tgages of real estate, control of..... eclaration in action on.....

ESTATES OF DECEASED PERSONS-conti	nued	
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 non-resident executor, of	21	1286
agent's name and address inserted	44 44	$1057 \\ 1057$
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 death of executor, proceedings	6	1101
insolvent, proceedings when	8 6	$\begin{array}{c} 1101 \\ 1101 \end{array}$
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 foreign executor licensed to receive	52	1059
Bemoval of executor, grounds for	$\frac{70}{24}$	$1062 \\ 1053$
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 Taxation of personal estate	6714	$\frac{1062}{232}$
real estate, of	22	$\frac{232}{234}$
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 execution, conclusive proof of	$15 \\ 15$	$\frac{1122}{1122}$
letters testamentary issued when	10	1049
limit of time for	ĩ	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 claim of interest by descent	$\frac{7}{14}$	$1048 \\ 1127$
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	$14 \\ 12$	$\begin{array}{c} 1121 \\ 1121 \end{array}$
party unable to contribute, effect specific bequests, exception as to	12	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 onnuncupative, allowance of; notice	5 17	1048 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 construction of will doubtful, when	$\begin{array}{c} 13\\ 13\end{array}$	$\frac{1126}{1126}$

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 persons authorized to institute	15	1111
costs against, in case of failure	11	1111
widow, by a	$\frac{12}{15}$	$\frac{1111}{1111}$
costs, none awarded against judge	6	1110
actions without authority, in	12	1111
apportioned, when	16	1111
express authority of judge, by	17	11112
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 express authority, in actions by	16 19	$\begin{array}{c} 1110 \\ 1112 \end{array}$
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 · 7	· 1106 1101
partnership estates, of	20	$1101 \\ 1112$
actions upon prevent sale, to	20 5	1104
private sale, at	. 9	1104
Reduction of penal sum	5	1110
Specific performance of contracts, for	15	1107

DEX.

174		IND	EX.
ESTATES OF DECEASED PERSONS-cont	inued	1.	ESTATES OF DECEASED PERSONS-CO
Sureties, discharge of	3	1109	Proof of claim, required formalities
insufficient, new bond required	2	1109	appeal from allowance
another provision	51	1059	commissioners, appointment of
failure to give, cause for removal	4	1110	death of one, proceedings,
Will may prescribe or exempt from	10	1049	duties in general
			claims filed in probate office, on
Insolvent.			examination of claimant under oath
Accounts, settlement of	21	1085	refusal to submit; consequence
distribution, after	25	1086	report of
.ctions pending, disposal of	19	1085	neglect to render
after decree, only on preferred claim	19	1085	revocation of warrant
ffidavit to claims	5	1082	valuation of security
llowance to minors from	18	1076	contingent claims, how proved
wards, to	23	1085	dividends on
widows, to	14	1075	exorbitant claims, award added to list
ppeals from decision on claims	12	1083	interest on claims allowed
bond and notice	12	1083	judgment on appeal added to list
costs, payment and allowance of	18	1084	limit of time for
examination of creditor	17	1084	report of commissioners final, except
final judgment, proceedings upon	18	1084	Referees, determination by
limit of time for	12	1083	Representation of insolvency
proceedings on	14	1084	unnecessary, when
claim allowed, upon; by leave of court.	15	1084	Secured claims, proceedings as to
disallowed, upon; by leave of court	13	1083	Set-off, in case of appeals
specifications of claim; set-off	16	1084	disallowed claims, in case of
referees, determination by	17	1084	Waste, liability for
supreme judicial court, application to	13	1083	executors or administrators, by
claim allowed, by creditor upon	15	1084	heirs or devisees, by
pplication of chap. 71	23	1085	Partition.
nds, remedy of creditor on	13	1111	Appeal to supreme court of probate
action on, in general	20	1112	Attachment of share, proceedings upon
laims, presentation of	5	1082	Commissioners, appointment; oath
disallowance, effect of	20	1085	bribery of; punishment
failure to present, barred by	20	1085	duties of, in general
further assets, except in case of	20	1085	equal division impossible, when
false testimony declared to be perjury	6	1082	preferences in such case
filed in probate office	5	1082	estate in different counties, when
interest on	8	1082	return of; proceedings upon
refusal to submit to examination	6	1082	record of
secured, proceedings as to	7	1082	revocation of warrant
mmissioners, appointment of	3	1081	Conveyance of shares, proceedings upon
appeals from decisions of	12	1083	Equal division, when impossible
bribery of; punishment	10	1473	preferences in such case
claims, presentation and proof of	5	1082	Estate included in, what
filed in probate office	5	1082	counties, when in different
death of one, proceedings upon	4	1082	Expenses, payment of
duties in general	3	1081	process to issue, if not paid
examination of claimant	5	1082	Insane person, guardian for
perjury by claimant at	6	1082	Jurisdiction in general
fees of, paid by administrator	8	1083	alienation of share, affects not
forfeiture of		1083	Land owned in common, of; proceedings
report of	8	1082	Minors, guardians appointed for
	~		
revocation of warrant	3	1081	assent by guardian of
revocation of warrant	10	1083	assent by guardian of
revocation of warrant			assent by guardian of
revocation of warrant ontingent claims, proof of distributive share reserved payment of	10	1083 1083 1083	assent by guardian of Non-residents, agents appointed for Notice of partition
revocation of warrant ontingent claims, proof of distributive share reserved payment of	10 10 11 1	1083 1083 1083 1081	assent by guardian of Non-residents, agents appointed for Notice of partition land is held in common, when
revocation of warrant ontingent claims, proof of distributive share reserved payment of ebts, application to payment of	10 10 11 1 7	$1083 \\1083 \\1083 \\1083 \\1081 \\462$	assent by guardian of Non-residents, agents appointed for Notice of partition land is held in common, when Petitioners, who may be
revocation of warrant ontingent claims, proof of distributive share reserved payment of ebts, application to payment of	10 10 11 1	1083 1083 1083 1081 462 463	assent by guardian of Non-residents, agents appointed for Notice of partition land is held in common, when Petitioners, who may be Preferences in case of unequal division
revocation of warrant ontingent claims, proof of distributive share reserved payment of ebts, application to payment of lots in cemeteries exempt from land held for family ground, also	10 10 11 1 7	$1083 \\1083 \\1083 \\1083 \\1081 \\462$	assent by guardian of Non-residents, agents appointed for Notice of partition land is held in common, when Petitioners, who may be Preferences in case of unequal division Reversions and remainders, of
revocation of warrant ontingent claims, proof of distributive share reserved payment of ebts, application to payment of lots in cemeteries exempt from land held for family ground, also priority, order of	$10 \\ 10 \\ 11 \\ 1 \\ 7 \\ 13$	1083 1083 1083 1081 462 463	assent by guardian of Non-residents, agents appointed for Notice of partition land is held in common, when Petitioners, who may be Preferences in case of unequal division Reversions and remainders, of Warrants, issuance of
revocation of warrant ontingent claims, proof of distributive share reserved payment of ebts, application to payment of lots in cemeteries exempt from land held for family ground, also priority, order of ecree dissolves attachment	10 10 11 7 13 1	$1083 \\ 1083 \\ 1083 \\ 1081 \\ 462 \\ 463 \\ 1081 \\ 10$	assent by guardian of Non-residents, agents appointed for Notice of partition land is held in common, when Petitioners, who may be Preferences in case of unequal division Reversions and remainders, of Warrants, issuance of
revocation of warrant ontingent claims, proof of distributive share reserved payment of ebts, application to payment of lots in cemeteries exempt from land held for family ground, also priority, order of ecree dissolves attachment	10 10 11 7 13 1 47	1083 1083 1083 1081 462 463 1081 1138	assent by guardian of Non-residents, agents appointed for Notice of partition land is held in common, when Petitioners, who may be Preferences in case of unequal division Reversions and remainders, of Warrants, issuance of revocation of Sales of Real Estate.
revocation of warrant ontingent claims, proof of distributive share reserved payment of ebts, application to payment of lots in cemeteries exempt from land held for family ground, also priority, order of ecree dissolves attachment istribution, decree of	10 10 11 7 13 1 47 24	1083 1083 1083 1081 462 463 1081 1138 1085	assent by guardian of Non-residents, agents appointed for land is held in common, when Petitioners, who may be Preferences in case of unequal division Reversions and remainders, of Warrants, issuance of revocation of Sales of Real Estate. Authorization in general
revocation of warrant ontingent claims, proof of distributive share reserved payment of ebts, application to payment of land held for family ground, also priority, order of ecree dissolves attachment essets, in case of further assets, in case of further xechtors, in hands of	10 10 11 7 13 1 47 24 24	1083 1083 1083 1081 462 463 1081 1138 1085 1085	assent by guardian of Non-residents, agents appointed for land is held in common, when Petitioners, who may be Preferences in case of unequal division Reversions and remainders, of Warrants, issuance of revocation of Sales of Real Estate. Authorization in general appeals allowed, from decree
revocation of warrant ontingent claims, proof of distributive share reserved payment of ebts, application to payment of lots in cemeteries exempt from land held for family ground, also priority, order of ecree dissolves attachment essets, in case of further assets, in case of further xecutors, in hands of worbitant claims, award added to list	10 10 11 7 13 1 47 24 24 23	1083 1083 1083 1081 462 463 1081 1138 1085 1085 1085	assent by guardian of
revocation of warrant ontingent claims, proof of distributive share reserved payment of bebts, application to payment of lots in cemeteries exempt from land held for family ground, also priority, order of eccree dissolves attachment distribution, decree of assets, in case of further xecutors, in hands of worbitant claims, award added to list	10 10 11 7 13 1 47 24 24 23 26	1083 1083 1083 1081 462 463 1081 1138 1085 1085 1085 1085 1086	assent by guardian of Non-residents, agents appointed for land is held in common, when Petitioners, who may be Preferences in case of unequal division Reversions and remainders, of Warrants, issuance of revocation of Sales of Real Estate. Authorization in general appeals allowed, from decree
revocation of warrant contingent claims, proof of distributive share reserved payment of lebts, application to payment of lots in cemeteries exempt from land held for family ground, also priority, order of eccree dissolves attachment istribution, decree of assets, in case of further xechtors, in hands of xorbitant claims, award added to list allowance to ward	10 10 11 7 13 1 47 24 24 23 26 23	$1083 \\ 1083 \\ 1083 \\ 1081 \\ 462 \\ 463 \\ 1081 \\ 1138 \\ 1085 \\ 1085 \\ 1085 \\ 1085 \\ 1086 \\ 1085 \\ 10$	assent by guardian of
revocation of warrant ontingent claims, proof of distributive share reserved payment of bebts, application to payment of land held for family ground, also priority, order of ecree dissolves attachment istribution, decree of assets, in case of further xecutors, in hands of vorbitant claims, award added to list allowance to ward ots in cemeteries exempt from debts land held for family ground, also	10 10 11 7 13 1 47 24 24 23 26 23 23	1083 1083 1083 1081 462 463 1081 1138 1085 1085 1085 1085 1085 1085	assent by guardian of
revocation of warrant ontingent claims, proof of distributive share reserved payment of ebts, application to payment of land held for family ground, also priority, order of ecree dissolves attachment istribution, decree of xecitors, in hands of xorbitant claims, award added to list allowance to ward ots in cemeteries exempt from debts land held for family ground, also	$10 \\ 10 \\ 11 \\ 7 \\ 13 \\ 1 \\ 47 \\ 24 \\ 23 \\ 26 \\ 23 \\ 23 \\ 7 \\ 13 \\ 33$	$\begin{array}{c} 1083\\ 1083\\ 1083\\ 1081\\ 462\\ 463\\ 1081\\ 1138\\ 1085\\ 1085\\ 1085\\ 1085\\ 1085\\ 1085\\ 462\\ 463\\ 1080\\ \end{array}$	assent by guardian of
revocation of warrant contingent claims, proof of payment of bebts, application to payment of lats in cemeteries exempt from land held for family ground, also priority, order of bistribution, decree of executors, in hands of txechtors, in hands of allowance to ward ots in cemeteries exempt from debts	10 10 11 7 13 1 47 24 23 26 23 23 7 13	$\begin{array}{c} 1083\\ 1083\\ 1083\\ 1081\\ 462\\ 463\\ 1081\\ 1138\\ 1085\\ 1085\\ 1085\\ 1085\\ 1085\\ 1085\\ 1085\\ 462\\ 463\\ \end{array}$	assent by guardian of

9	ESTATES OF DECEASED PERSONS-cont		1.
9 9	Proof of claim, required formalities	5	1082
9	appeal from allowance commissioners, appointment of	12	1083
0	death of one, proceedings	3	1081
9	duties in general	4	1082
	claims filed in probate office, on	3	1081
	examination of claimant under oath	· 5 5	$1082 \\ 1082$
5	refusal to submit; consequence	5 6	1082
6	report of	8	1082
5	neglect to render	9	1082
5	revocation of warrant	3	1081
2	valuation of security	7	1082
6	contingent claims, how proved	10	1083
5	dividends on	11	1083
5	exorbitant claims, award added to list	26	1086
8	interest on claims allowed	8	1082
3	judgment on appeal added to list	18	1084
1	limit of time for	4	1082
1 1	report of commissioners final, except	26	1086
3	Referees, determination by	17	1084
1	Representation of insolvency	3	1081
Į	unnecessary, when	2	1081
3	Secured claims, proceedings as to Set-off, in case of appeals	7	1082
í	disallowed claims, in case of	16	1084
Ļ	Waste, liability for	20	1085
3	executors or administrators, by	22	1085
Ł	heirs or devisees, by	17	1341
5		1.6	1341
	Partition.		
;	Appeal to supreme court of probate	13	1075
2	Attachment of share, proceedings upon	7	1074
5	Commissioners, appointment; oath	3	1073
i	bribery of; punishment	10	1473
i	duties of, in general	3	1073
ļ	equal division impossible, when	5	1073
,	preferences in such case estate in different counties, when	5	1074
	return of; proceedings upon	4	1073
	record of	13	1075
	revocation of warrant	$13 \\ 10$	1075
	Conveyance of shares, proceedings upon	10	$\begin{array}{c} 1074 \\ 1074 \end{array}$
	Equal division, when impossible	5	1074
	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 land is held in common, when	9	1074
	Petitioners, who may be	$\frac{12}{9}$	$\begin{array}{c} 1075\\ 1074 \end{array}$
	Preferences in case of unequal division	5	1074 1074
1	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 Advantageous offer, to accept	17 9	$1107 \\ 1105$
	Bond required; conditions	3	$1105 \\ 1104$
	damages for misconduct recovered on	26	$1104 \\ 1108$
	license barred by, to pay debts, etc	5	1103
	private sale, in case of	9	1105
1		-	

ESTATES OF DECEASED PERSONS-conti	hund		
Bond; renewal of license, upon	16	1107	
specific performance of contracts, on	15	1107	ľ
Contracts of deceased, for	14	1106	l
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	ļ
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	ł
estate in two or more counties	18	1107	
examination as to facts in petition	8 4	$\begin{array}{c} 1105 \\ 1104 \end{array}$	
notice required, unlesssale, before	4 6	1104	
order of sale, may prescribe	19	1107	
renewal of; new bond	16	1107	
specific performance of contracts, for	14	1106	1
notice on petition; bond	15	1107	ĺ
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	1
Limitation of action to recover land sold	27	1108	
Lots in cemeteries exempt from, for debts.	7		
land held for family ground, also	13	463	
Mortgage, held in, after foreclosure	1	1103	ł
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	1
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 28	1107 1108	
Validity of, irregularities not to affect person claiming under deceased, by	28 28	1108	
adversely to deceased, person claiming	29	1109	
Wood and timber standing, of	1	1103	
woou and timber standing, or	-	1100	
ESTATES TAIL.	- 0		1
Barring of, by conveyance	10	1115	
Levy of execution on	-6 8	$1130 \\ 1130$	
debtor's entire estate passes, unless	0	1100	
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	I

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

EVICTION.

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

EVIDENCE.

- 11.
- I. In General. II. Civil Actions. II. Criminal Cases. III.

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.

51				
í	Account annexed; plaintiff's affidavit is	127	1242	
5	Acts and resolves admitted as	129	1242	
1	Adjutant general, certificate of	134	1244	
ŝ	Atheist, a competent witness	111	1239	
4	Auditors, rules in proceedings before	119	1241	
7	report admissible in	90	1236	
3	prima facie evidence	88	1235	
	Burden of proof; when death follows injury	48	1229	
í I	insurance policies, in actions on	38	1227	
ź	Consular records, copies received as	133	1244	
1	Contradiction of coplaintiff or codefendant	116	1240	
	Conviction of offense, effect of	124	1242	
	Copies of consular records admissible	133	1244	
5	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	
3	records of, in certain counties	132	1243	
Э	laws, of, when printed	129	1242	
9	protests, etc., of notaries public	28	675	
Э	sheriff's bond, of	18	1185	
	statutes, of	129	1242	
	Coroner's bond, copy when admissible	53	1192	
D	Corporation; election of clerk	24	787	
n	insurance; certificate of organization	63	865	
9	Custom house records; copies received as	133	1244	
	William Moure erring,			

EVIDENCE—continued. Deeds; office copies when admissible 121 1243 copies of records in certain counties..... 132 1243 former testimony of deceased witness to 1244 135 land office, copies from..... 4 184 magistrate taking acknowledgment, of ... 135 1244 unacknowledged; execution of..... 28 1117 Deposition of absent party, how taken..... 115 1240 consequences of refusal to give 1240 115 Discharge in bankruptcy; certificate as..... 73 1223 Enlistment and discharge from U.S. service 1244 134 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'rs' report admissible ... 1328 12 Foreign laws, how proved..... 130 1243 Gambling, in actions for losses by q 1496 Heir of deceased party, when party is 117 1241 Husband or wife may testify 1239 112 Indorser on writs, of liability of..... 1197 7 Insane, rule when party is..... 118 1241 Interest of witness affects credibility only ... 1121239 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 1117 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 1293 4 cumulative, admissible..... 4 1293 discovered, pending petition for..... 3 1293 Rules in special civil proceedings..... 119 1241 Seizin, of; in real action..... 1367 4 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 1250 171 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 66 246 wild land, of Trial justice, transcribed record of 26 1255 records and papers, copies of 28 1256 incomplete, when..... 29 1256 Trustee disclosure, when admissible 56 1276Truth. of: in actions for libel..... 45 1229 unproved allegation of; effect..... 47 1229 Unwritten law of other countries, proof 130 i243 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 1485

Accused may testify......201559Children; in cases for protection of......371461Competency of woman, in cases of prostitution201485Counterfeiting and forgery, in prosecutions for81469Embezzlement, in prosecutions for.......91466Failure to testify, not evidence of guilt....201559

INDEX.

	EVIDENCE—continued.	•	
3	Gambling; prima facie evidence of	11	1497
3	Game laws, of violation of	44	603
1	participants, by; compulsory	90	619
± 1	testimony not to be used criminally	90 90	619
± 1	Houses of ill fame; reputation admitted	20	1485
± 7	Husband or wife of accused may give	20	1559
)	Ice, in prosecutions for injury to	20	1524
,)	Inland fish and game laws, under	90	619
, В	Intent to defraud, of	30 14	1543
1	Intoxicating liquors, sale of; delivery	45	1508
2	Islands, of illegal hunting on	12	1340
Ď	Lobsters, of violation of law as to	35	713
2	Lottery, in prosecutions for	18	1534
5	Milk, of impure or diluted	3	1531
3	Ownership, of; when sufficient	12	1543
3	ice, in case of malicious injury to	6	1524
5	Poisonous drugs, under law as to	28	460
1	Possession of logs, etc., without marks	3	735
9	Prostitute, acceptance of money from	16	1484
7	Timber or logs, for conversion of	-0	735
1	Tramps, in prosecutions of	24	1535
Ð	non-residents, in cases of	29.	1536
j	Treason, of; against United States	3	1000
9	state constitution, under	12	18
9	Unlawful assembly, in cases of		1477
7	U. S. revenue tax; effect of payment	29	1503
)	Variance, when not material	13	1543
9	Written instrument, of	13	1543
)	See Depositions, Witness.		
נ נ			
5	EXAMINATION.		
2	Accused persons, before magistrate, of	9	1551
L	adjournment	10	1551
L	failure to appear at	11	1552
L	capias may issue	10	1551
1	procedure before magistrate	12	1552
1	discharge of respondent	13	$1552 \cdot$
5	complaint adjudged frivolous	13	1552
3	finding of probable cause	13	1552
2	trial and sentence	13	1552
1	returned to county attorney	19	1553
2	witnesses, recognizance of	16	1553
3	minors, in case of	17	1553
3	Complaint for security to keep the peace, on	3	1539

discharge of respondent.....

county attorney to move for.....

allegations by prisoner.....

custody of prisoner pending.....

inmate of insane hospital, of

notice to interested parties.....

prisoner sick or infirm, when.....

patient before commitment, of

Insane criminals, of.....

Insane hospitals, of; by trustees.....

Jails, of; by county commissioners......

Jurors, of; as to opinion, etc.....

Probate proceedings, in; for embezzlement ...

Records of clerk of courts, of.....

Registration as voters, for

Sheriff, of bond of; annually

real estate, upon petition for license to sell

ward's estate; for embezzlement of.....

action on bond in case of deficiency.....

appropriation of amount recovered......

naturalized citizens, when.....

county attorney to move for

new bond required, when.....

failure to furnish; consequences.....

attorney-general or county attorney, to

Coroner, of bond of; annually

Fugitives from justice, of.....

Habeas corpus, upon.....

5 1539

1584

1353

1353

1625

1353

1353

4 1618

1621

1171

1093

1175

1175

1175

121

121

1176

53 1192

19 1176

11

14

16

24 1355

38

15 1353

15

13

18

19

99 1237

71 1063

8 1105

33

13

13

14

15

16

19

3 1182

4 1182

5 1183

EXAMINATION—continued. State prison, of; by inspectors..... conduct of the officers. of disorderly conduct of the prisoners, of ... State school for boys, of; by trustees..... books of superintendent, of..... Taxpayer, of; on presentation of list refusal to answer bars appeal..... Trustee in trustee process, of...... additional allegations filed..... jury trial upon..... answers of trustee deemed true..... appointment of commissioner to take corporation, by; by whom made..... declaration of facts by trustee..... defendant summoned as trustee of plaintiff costs in first action..... examination at first term..... false answer deemed perjury; penalty inferior courts, in..... sworn to, in open court, or before justice commissioner, before a..... justice of the peace, when before consent, by..... examination in court, upon..... taken before justice of the peace by consent taxes due trustee may be set off..... trustee about to leave the state. of See Titles of Boards of Examination and Registration, Poor Debtors, Schools, Teachers. EXCAVATIONS. Ways, conditions of making near.....

EXCEPTIONS. Abatement of taxes, in proceedings for Attorney, on summary proceedings against Audita querela, at trial on writ of Costs, to taxation of, in term..... Criminal cases, in; recognizance..... Demurrers, to rulings on; proceedings..... vacation, in..... Dilatory plea, to; postpone not trial...... Equity cases, in; claim and allowance..... adjudged frivolous, when; costs..... jury trials, in..... proceedings for contempt, in..... Establishment of..... Improvement of marshes, in proceedings for Law court, entered and heard in..... failure to enter; treble costs..... Mandamus, in proceedings on writ of case to proceed notwithstanding Opinion as to facts, expression by judge of Presentation and allowance of..... certified as frivolous, when overruled for want of prosecution, when death or disability of presiding justice ... Public utilities com'n, from..... order not stayed by Railroads, on proceedings to locate ways over damages for land taken, for transportation, as to rates for Referees, to acceptance of award of - 5 Reserved lands, in proceedings to locate ... Superior courts, procedure in..... criminal cases, in..... filing stays not proceedings, when..... Trustee process, on disclosure in..... entire case examined on..... Vacation, allowance at hearings in..... **vessels**, in actions to enforce liens on.....

EXCHANGE.

HAUHANGE.

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

EXECUTIONS.

- I. In General.
- II. Issue.
- III. Levy on Personalty.

IV. Levy on Real Estate.

Арргаіsement and Set-ojf. Sale.

In General.

1	Arrest on, when permitted	45	1409
)	capias annexed, upon	38	1407
3	proceedings in such case	40	1408
3	disclosure without bond	46	1409
3	proceedings before justices	48	1410
	six months' bond, on	40 51	1410 1410
}	citation, form of		-
3		51	1410
2	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
3	creditor not accepting or absent.	57	1412
3	real estate; lien how preserved	62	1412 1413
)		64	268
7	poll-tax, for; not on execution		
7	wilful trespass, on judgment for	80	1417
7	Corporate franchises and property, liable on	75	798
3	foreign corporations, in case of	80	799
)	Dead body not to be taken on; penalty	41	1489
ý	Demand on indorser, return of	7	1197
ý	Exemption; articles enumerated	64	1210
5	baggage subject to innkeeper's lien	15	576
9	benefits of casualty assessment companies	169	895
2	fraternal beneficiary assoc'ns, of	17	903
3	burying-ground, in general, of	5	461
1	family burying-grounds, of	6	461
± 1	another provision	13	463
	lots in cemeteries	7	462
3	public cemeteries, property of	19	464
5	shares in	19	464
3	claims under workmen's compensation act	24	771
7	homestead, of; when	65	1211
5	certificate filed in registry of deeds	66	1211
ŧ		68	1211
1	liens for labor and material not affected	67	1211
)	set-off, when value exceeds \$500	68	1211
3	widow and minor children, rights of	143	886
2	life and accident policies, of		-
i	lien of creditors for excess premiums	143	886
9	militia, outfit of active member	114	332
3	partnership property, of	64	1211
5	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
7	teachers' pensions	174	396
2	trustee process, on	55	1275
]		

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

Issue.

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'rs 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

INDEX.

 $1215 \\ 1215 \\ 1215 \\ 1215$

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	268
Real actions, in; after death of party 19	1369
land, for value of	1371
Recognizance on appeal, on	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	1221
execution issued by mistake 7	1222
review, petition for 6	1221
Trespass; memorandum of wilful 59	1231
disclosure thereon restricted	1417
Trial justices, issued by 22	1255
commission expired, after 30	1256
death of justice, after	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	1595
Waste and trespass on real estate, in cases of 19	1341

Levy on Personalty.

	LC J OL LOIDOLUNG		
48	Authorization in general	1	1257
80	Adjournment; time, notice	5	1258
64	another place, to	6	1258
64	warrant of distress, on	24	1261
64	All chattels, liable to be taken, except	1	1257
04	Bank-notes, etc., upon	2	1257
30	Buildings on leased land, on	11	1258
92	rents and profits, on	11	1258
43	Current coin liable	2	1257
85	D ebts due manufacturing corporation, on	77	798
61	Franchise of a corporation, upon; notice	17	1259
61	county, where held	24	1261
82	manner of sale	18	1260
82	possession delivered by officer	18	1260
82	purchaser to take tolls	19	1260
73	railroads, of; notice	21	1260
49	redemption within three months	20	1260
47	warrant of distress, on	24	1261
49	Mortgaged or pledged property, of	29	1262
48	notice to officer before action	45	1206
48	Notice by subsequent attaching officer	23	1261
86	Redemption of buildings sold as chattels	11	1258
86	franchise of corporations, of	20	1260
86	Sale authorized unless debtor redeems	3	1257
23	adjournment; time, notice	5	1258
17	another place, to	6	1258
49	application of proceeds	10	1258
01	mortgaged or pledged property, of	29	1262
15	several attachments, when	22	1261
08	notice of subsequent attachment	23	1261
	description of articles in return	9	1258
11	fraud by officer; penalty	9	1258
11	goods to be kept at least four days	3	1257
12	limit of time for sale	3	1257
12	mortgaged or pledged property, of	29	1262
12	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	15	1259
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.

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	20 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	1125
several parcels, for	4	1130
view of land by	2	1129
Assigned judgment, action of debt on		
estate levied on, held in trust by creditor	21	1132
scire facias, on; levy invalid	15	1131
Creditor holds estate in trust for assignee.	20	1132
Debtor's entire interest passes, unless	15	1131
Descent, rights by, not barred	8	1130
Error in amount, correction; overlay	• 9	1125
redemption; levy made before April 10, 1856	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

DEX.		179
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
Bent of leased premises, disposal of	12	1131
E eturn of officer; detailed contents	5	1130
limit of time for making; record	16	1131

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
i	assignee, to; sale	50	1138
	enforcement of creditor's rights	$\cdot 50$	1138
	alleged assignee made party	51	1138
ļ	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
ļ	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
l	Expenses are part of execution	45	1137
i	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
I	after return day, valid	38	1136
	town, on execution against	31	1262
ł	Redemption from	41	1137
l	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.		
TT Administration and Accounting	7	

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	1
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	4
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	2
incontestable, except on appeal	16	1037	1
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	ĺ
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	l
Oaths by, before whom taken	. 19	1038	
Pauper, of; liable to town for support	43	560	l
Removal, grounds for	24	1053	1
accountability upon	69	1062	l
affects not prior acts	69	1062	
bond, failure to give new	51	1059	I
failure of non-resident to account	24	1053	l
one of several is removed, when	67	1062	l

EXECUTORS-continued. **Besignation** of, accepted by judge...... one of several resigns, when..... Stockholder's liability of

Trustees, becoming, by operation of law.... Wills, presentation for probate..... abstract recorded in registry of deeds.... 5 1048 notice ordered on..... 4. 1048 proceedings to compel production of..... Administration and Accounting. Accounts, contents of..... 53 1059

~

 $\mathbf{24}$

١.	Accounts, contents of	53	1059
ł	bond, rendered agreeably to	57	1060
	chargeable with what property	58	1060
1	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
l	examination and allowance of	57	1060
i	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
1	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	$\frac{46}{49}$	1058
ļ	additional inventories, for	49 50	$1058 \\ 1059$
	articles to be omitted by	50 48	1055
	choses in action, valuation of		1058
	fees of	44 1	11044
	partners, estates of deceased	47	1058
	revocation of warrant to	22	1038
	specific property for distribution, of	50	1059
	Articles not administered as assets 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
L	presentation of	14	1284
) [.]	verification by affidavit, if required	65	1062
7	Counsel fees allowed when necessary	43	1044
)	Debts, order of payment	1	1081
3	affidavit may be required	65	1062
)	married women, of; what paid	62	1061
3	mutual between husband and wife	63	1061
3	neglecting to pay, guilty of waste	56	1060
7	publication of list not libelous	8	1538
7	undewised realty first applied to	13	1121
7	Distribution of personal estate by	21	1077
5	advancements, allowance for	4	1124
7	alienage no bar to right	21	1077
7	bond to refund may be required	25	1078
7	deposit of unclaimed shares	21	1077
8	payment by county treasurer	24	1078
0	estate undisposed of by will, of	2	1120
3	insolvent estates, of	24	1085
2	lands taken on execution, personal assets	28	1079
2	death of executor before sale	30	1079
9	disposal of, if not redeemed	31	1079
3 2	sale of, as personalty	29 20	1079
4	lien for debt due estate	40	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 insolvent, proceedings when	32 33	1079 1080
debts, order of payment	33	1080
proceeds of land sold under foreign will	3,5	1080
residue, distribution of	34	1080
non-resident guardian, may deliver estate to	28	1092
order of distribution issued neglect to execute; proceedings	$\frac{21}{21}$	$\begin{array}{c} 1077 \\ 1077 \end{array}$
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 commitment upon refusal	71 73	$1063 \\ 1063$
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	
appraisers, commissioners, etc inheritance tax, as to	44 28	$\begin{array}{c} 1044 \\ 1072 \end{array}$
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 tax, to be paid before final settlement	18 21	1069· 1070
Inheritance tax, payable by	9	1067
action of debt for	11	1068
appraisal of property, subject to	8	1067
bond, liability on definitions of "person," "property"	11	1068
exemption from	29 1	$\begin{array}{c} 1072\\ 1064 \end{array}$
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 neglect or refusal to file; penalty	7 20	$1067 \\ 1070$
jurisdiction relating to	20 5	1070
legacy, deducted from	14	1069
charged on real estate, collection	15	1069
limited period, for; procedure	16	1069
liability of executornon-residents, on property of	11 22	$1068 \\ 1070$
bank and corporation stock; transfer.	25	1070
property in Maine corporation	24	1071
securities of; not transferred until payment	t 26	1071
shares in interstate corporation	23	1071
notice to attorney-general payment before final settlement	18 21	$1069 \\ 1070$
procedure in court, relating to	²¹ 5	1070
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 property subject to	8 1	1067 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 1	$1067 \\ 1064$
17566 UE	Ŧ	1004

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 49	$1058 \\ 1058$
additional may be requiredarticles omitted from	49 50	1058
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	$\frac{26}{14}$	1078 1111
probate bond, on refunding bond may be required	$\frac{14}{25}$	1078
unaffected by chapter 92	23	1286
	53	1059
Liability of, for value of inventory 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 28	1079 1303
redemption by executors 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	$1045 \\ 1100$
Partners, administration of estates of	1	
bond to be given	20	1112
form of	20	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 50	1100
Personal estate, sale of	$\frac{52}{70}$	1059 1062
foreign executor licensed to receive Private claims , allowance of	66	1062
B emoval, 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
Insolvent Estates.	<i>.</i> .	
Account, settlement of	21	1085

Account, setti	ement or	21	1000
distribution,	after	25	1086

.

EXECUTORS-continued. Actions pending, disposal of after decree only on preferred claim..... Affidavit to claims..... Allowance to minors from..... wards, to..... widows, to..... Appeals from decision on claims..... bond and notice..... costs, payment and allowance of examination of creditor..... final judgment, proceedings upon...... limit of time for..... proceedings on..... claim allowed, upon, by leave of court ... disallowed, upon, by leave of court ... specifications of claim; set-off..... referees, determination by supreme judicial court, application to.... claim allowed, by creditor upon..... Application of chapter 71..... Bonds, remedy of creditor on..... action on, in general..... Claims, presentation of disallowance, effect of failure to present, barred by further assets, except in case of false testimony declared to be perjury ... filed in probate office..... interest on..... refusal to submit to examination...... secured, proceedings as to..... Commissioners, appointment of..... appeals from decision of..... bribery of; punishment..... claims, presentation and proof of filed in probate office..... death of one, proceedings upon duties in general..... examination of claimant..... perjury by claimant at..... fees of, paid by executor...... forfeiture of..... report of..... revocation of warrant..... Contingent claims, proof of distributive share reserved..... payment of..... Debts, application to payment of lots in cemeteries exempt from..... land held for family ground, also priority, order of..... Decree dissolves attachment..... Distribution, decree of..... assets, in case of further..... Executors, in hands of..... Exorbitant claims, award added to list Guardian, in hands of allowance to ward..... Lots in cemeteries, exempt from debts..... land held for family ground, also..... Non-residents, as to estates of Partnership estates, as to Proof of claim, required formalities...... appeals from allowance..... commissioners, appointment of death of one, proceedings..... duties in general..... claims filed in probate office, on..... examination of claimant under oath refusal to submit, consequence..... report of..... neglect to render.....

INDEX.

EXECUTORS-continued. Proof of claim.

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.

2	Authority to bring, generally	8	1283
2	Agents of non-residents, appointment	44	1057
5	name and address in notice	44	1057
Б	removal from state, appointed upon	44	1058
5	service upon agent or attorney	44	1057
2	no agent or attorney in state, when	15	1285
2	Appearance in pending action	55	1230
2	Arbitration or compromise of	54	1060
2	Case, recovery in action of trespass on the	11	1283
2	Claims filed in probate office, on	18	1285
1	not filed in probate office, when	19	1285
3	presentation of	14	1284
3	Collection of effects, for non	56	1060
2	Continuance when brought within one year	15	1284
2	Contract for sale of land, to enforce	13	1397
2	against executors, etc., after death of obligor		1397
1	decree; legal effect	14	1398
2	enforcement of	15	1398
2	obligee dying, proceedings	16	1398
3	proceedings by executor, etc., effect	17	1398
а З	Costs, liability for	2	1282
ა 2	actions brought within one year	15	.1284
2	allowance in account	2	1282
	unmatured debts, in actions on bond for.	18	1285
3	Death of only defendant; proceedings	18	1285
3			
3	one of several, of; proceedings	12	1284
1	Defense by heirs, etc., upon leave granted	13	1284
2	Evidence, rules of	117	1240
3	Executions to run against estates	1	1282
1	executor personally, when against	2	1282
8	scire facias on suggestion of waste, in	3	1282
5	Insolvent estates, on claims against	12	1083
5	bond and notice	12	1083
5	costs, payment and allowance of	18	1084
6	examination of creditor	5	1082
5	referees, before	17	1084
5	final judgment, proceedings upon	18	1084
2	limit of time for	14	1084
3	proceedings on	14	1084
0	claim allowed, upon, by leave of court	15	1084
1	disallowed, upon, by leave of court	13	1083
2	specifications of claims; set-off	16	1084
3	referees, determination by	17	1084
1	supreme judicial court, application to	13	1083
2	claim allowed, by creditor upon	15	1084
1	Legacy, action for	27	1078
2	payable in one year	26	1078
2	unaffected by chapter 92	23	1286
2	Limitation of, general rules as to	15	1284
2	action for legacy not affected	23	1286
3	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
surviyors 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.

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
	7	1110
principal not a party, summoned	8	1110
process; judgment 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	
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
	25	1078
Legatee, etc., to give, for early payment	20	1109
New required, if sureties insufficient		
executor or administrator required to give	51	$1059 \\ 1110$
failure to give, cause for removal	A	
	4	
Real estate, for sale of	3	1104
damages for misconduct recovered on	$\frac{3}{26}$	1104 1108
damages for misconduct recovered on non-residents, of	3 26 12	1104 1108 1106
damages for misconduct recovered on non-residents, of partnership estates, of	3 26 12 7	1104 1108 1106 1101
damages for misconduct recovered on non-residents, of partnership estates, of actions upon	$3 \\ 26 \\ 12 \\ 7 \\ 20$	1104 1108 1106 1101 1112
damages for misconduct recovered on non-residents, of partnership estates, of actions upon prevent sale, to	3 26 12 7 20 5	1104 1108 1106 1101 1112 1104
damages for misconduct recovered on non-residents, of partnership estates, of actions upon prevent sale, to private sale, at	3 26 12 7 20 5 9	1104 1108 1106 1101 1112 1104 1105
damages for misconduct recovered on non-residents, of partnership estates, of actions upon prevent sale, to	3 26 12 7 20 5	1104 1108 1106 1101 1112 1104

EXECUTORS—continued. Sureties, discharge of..... insufficient, new bond required..... another provision..... failure to give, cause for removal..... Will may prescribe, or exempt from Sale of Real Estate. Authorization in general..... appeals allowed from decree Adjournment of sale; limit; notice...... Advantageous offer, to accept..... Bond required; conditions..... damages for misconduct recovered on license barred by, to pay debts, etc..... private sale, in case of..... renewal of license, upon..... specific performance of contracts, on..... Contracts of deceased, for notice on petition; bond..... Costs may be awarded to prevailing party ... Damages for misconduct as to..... Deed, effect of..... Execution, of lands taken on..... Foreign will, held in trust under Fraudulent conveyances, claims for Jurisdiction of courts..... Lands liable to sale, specified..... undevised, first applied to debts...... Land warrants, of interest in..... License, authorization of..... bond to pay debts, etc., bar to costs may be awarded on petition duration of..... estate in two or more counties..... examination as to facts in petition..... notice required, unless..... sale before..... order of sale, may prescribe renewal of; new bond..... specific performance of contracts, for notice on petition; bond...... specific portions, may prescribe sale of .. supreme judicial court may grant certificate from judge of probate examination as to allegations..... Limitation of action to recover land sold ... Lots in cemeteries exempt from, for debts.. land held for family ground, also Mortgage, held in, after foreclosure..... Non-residents, of..... 11(appointment of executor, etc.; proof..... Notice before license granted..... sale, before..... adjournment, in case of private sale, in case of return of notice; affidavit..... specific performance of contracts, on.... Oath before sale, evidence of Partnership, of a..... Frivate sale, at, authorized..... 11(public sale, sales at, under same license .. Public auction, to be at..... 11(Surplus proceeds, disposal of Validity of; irregularities not to affect..... 11(person claiming under deceased, by 11(adversely to deceased, person claiming 11(Wood and timber standing, of EXECUTORY DEVISE. Alienability of estate subject to sale or mortgage of, by license of court .. disposal of proceeds .. next friend, appointme

INDEX.

	EXECUTORY DEVISE—continued.		
9	Alienability; order of notice on petition	5	1114
9	trustee to give bond	6	1114
9			
	EXEMPTION.		
9	Arrest, from; congress, members of	6	3
	electors, on election day	2	20
	executive councilors	2	28
2	legislature, members of	8	26
4	married women	4	1030
7	poor debtors, as	21	1403
5	poor debtor, after disclosure	37	1407
4	sheriffs	19	1185
8	warden of state prison	25	1595
4	Arrest, on holidays, from	82	1215
5 7	election days, on	83	1215
7	military training, election, etc., on days of	82	1215
6	Attachment, from; articles enumerated	64	1210
7	baggage subject to innkeeper's lien	15	576
8	benefit of casualty assessment companies	169	895 903
8	fraternal beneficiary assoc'ns, of	17 5	903 461
7	burying-grounds, in general, of family burying-grounds, of	6	461
3	another provision	13	463
0	lots in cemeteries	7	462
7	public cemeteries, property of	19	464
4	shares in	19	464
7	claims under workmen's compensation act	24	771
1	homestead, of; when	65	1211
3	certificate filed in registry of deeds	66	1211
2	liens for labor and material not affected	68	1211
)4	set-off, when value exceeds \$500	67	1211
8	widow and minor children, rights of	68	1211
07	life and accident policies, of	143	886
)7)5	lien of creditors for excess premiums	143	886
)4	militia; outfit of active member	114	332
)4	partnership property, of	64	1211
)7	property exempt at common law	24 11	$1201 \\ 185$
)7	settler's lot purchased of the state shares in loan and building assoc'ns, two	101	837
)6	public cemeteries, in	19	464
)7	teachers' pensions	174	396
)7	trustee process, on	55	1275
)4	Educational test of voters, from	3	117
)5	Jury service, from; enumeration	3	1383
05	enginemen included	3	562
08	Military duty, from; const	5	31
52 80	statutory provision	1	296
63	burden of proof to establish	3	297
03 06	penalty for false statement	4	297
06	Negligence, from; contracts invalid	57	779
04	Taxes, from; enumeration	6	227
04	deposits in savings banks	62	222
07	trust and banking companies, in	74	225
05	illegal, restrained by injunction	6	1142
08	inheritance tax, from	1	$\frac{1064}{233}$
07	investments of corporations	$\frac{19}{20}$	233
80	insurance companies, of	66	223
01	loan and building associations, dues of	19	464
05	public cemeteries, property of	19	464
05	shares of stock therein, also United States, lands purchased by	13	53
04	water companies, of	6	229
07	Wages, on poor debtor's disclosure, of	28	1405
08 08	trustee process, on	55	1275
08 09	trustee process, on		7
09 03			
	EXHIBITIONS.		

See Public Exhibitions.

1113 EXPENDITURES.

			the second papalty	103	71	
	6	1114	Appropriation, not to exceed; penalty			
ent of	5	1114	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		

	EXPRESS COMPANIES continued.		
565	Game; transportation for non-resident	61	611
565	Live stock; sale of, when authorized	20	984
565	record kept; open to inspection	21	985
1533	Municipal tax, on	45	217
597	Perishable property, sale of, authorized	19	984
728	record kept; open to inspection	21	985
321	Property in dispute, transportation of	22	985
565	carrier relieved from liability	22	985
1533	Service of writs on	22	1201
	Transportation, equal facilities for	13	951
	Unclaimed goods, sale to pay charges	17	983
5	disposal of proceeds	18	983
6	notice of sale	-18	983
	place of sale designated	18	983
	record kept; open to inspection	21	985
5			
18	EXTORTION.		
6	Crime and punishment	21	1458
	Fees. by taking illegal: penalty	27	1476
	rees, by taking inegal, penalty		11.0
1459			
1482	EXTRADITION.		
	Constitutional provision	2	9
216	Appointment of agent to another state	7	1583
216 216	expenses to be paid by state	7	1583
1529	Authority to surrender to another state	9	1583
1529	arrest on warrant of any magistrate	10	$1584 \\ 1584$
1525	bail pending examination	11	
216	costs and expenses, payment of	13	1584
225	proceedings upon examination	11	
216	adjournment, upon	12	1584
225	Reward for arrest and return of	8	1583
217			
216	EXTREME CRUELTY.		
217	Divorce, cause for	2	1026

dangerous conditions to be remedied..... penalty for non-compliance..... Doors in, regulation of..... Fire escapes upon, required..... See State Factory Inspector. FACTORS. Contracts for advances made by; validity ...

FACTORIES AND WORKSHOPS. Commissioner of labor may enter.....

Depositary from, rights of	2	66
Merchandise, when deemed owner of	1	66
FAIRFIELD, TOWN OF. Voting precincts, divided into two	note	15
FAIRS.		
See Agricultural Institutions.		

FALSEHOOD.

Credit, to obtain; punishment Wilful, to influence voters; punishment		
FALSE IMPRISONMENT. Limitation of action for		1216
Recovery of penalties no bar, when See Malicious Prosecution.	31	1356

F.

 $\mathbf{12}$

12

12

37

38

1

	PALSE PEDIGREE.		
750	Animals, of; giving; penalty	14	1520
750			
750	FALSE PERSONATION.		
568	Board of registration, before; penalty	32	126
568	Larceny by	6	1465
	Voter, of; penalty	32	126
	Voting in name of another; penalty	108	176
663	FALSE PRETENSES.		
663	Advertisements in form of bank-bills, by	9	1519
663	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
152	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
1517	Check, by fraudulent	13	1520
178	defrauding innkeeper by	18	577
	Conspiracies, fraudulent, in general	24	1522
	prosecute innocent persons, to	23	1522
1216	restraint of trade, in	26	1522
1356	monopoly, to form a	27	1523
	Conveyances, by fraudulent; penalty	4	1518