

MAINE STATE LEGISLATURE

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



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

SEVENTH REVISION

THE
REVISED STATUTES

OF THE
STATE OF MAINE

PASSED AUGUST 5, 1930, AND TAKING
EFFECT NOVEMBER 10, 1930



By the Authority of the Legislature

AUGUSTA
KENNEBEC JOURNAL PRINT

INDEX

TO THE

REVISED STATUTES

OF THE

STATE OF MAINE

SEVENTH REVISION

NOTE TO INDEX

Since 1903, the bar and other users of our Statutes, have become accustomed to the form of Index found in the 1903 and 1916 Revisions. For this reason, which the author deems very important, care has been taken not to depart radically from the general scheme of these Indexes. At the same time, it has been felt that improvements could be effected throughout, by introducing more modern methods of indexing which have proved successful in other large works. The following paragraph will explain the forms used.

Inasmuch as different users beginning a search do not always think of the same catchword or title, numerous cross references have been introduced, to lead the searcher from the catchword thought of to the title where the complete subject will be found. By use of these references, unnecessary duplication has also been reduced to a minimum. These references are of three kinds, internal, external, and to a separate subdivision of the same title. Internal references to material within the same title or subdivision of a title are designated by "infra" and "supra." External references are designated by direct reference to an outside title; viz: "See *Deeds*." Longer titles such as "Banks and Banking" have been subdivided by subjects. Reference from one such subdivision to another is made by use of words "post" or "ante," viz: see post, "Bank Commissioner," II.

Indexes to the United States and Maine Constitutions are to be found preceding the general Index to the Revised Statutes. In the Index to the Revised Statutes only such references to either Constitution have been inserted as have been considered so related to the particular statutory subject matter as to be helpful to the searcher.

Acknowledgment of assistance must be made to members of the Committee on Revision of Statutes, who have been ready and willing to help; particularly to William H. Stone, Esq., who is geographically closer to the author; also to L. Smith Dunnaek, Esq., for his kindly co-operation.

RICHARD H. ARMSTRONG.

Biddeford, Maine
August 2, 1930.

CURSING.See **Blasphemy, Profanity.****Profane**, penalty; limitation..... 35 1579**CURTESY.****Abolishment** of estate..... 8 1245

existing rights not affected..... 8 1245

Limitation of real actions, effect on..... 3 1478**Release** of bars right by descent..... 16 1247**Waste**, liability of tenant for..... 1 1440**CUSK.****Taking** regulated..... 29 666**CUSTOM HOUSE.****Employees** exempt from military duty.... 3 323**Permit**, when evidence of ownership..... 1 755**Records** of, copies admissible as evidence 135 1351**CYANIDE OF POTASSIUM.**See **Poisons.****D****DAIRY PRODUCTS.**See **Milk and Dairy Products.****DAIRYMAN'S CONFERENCE.****Meeting** for..... 6 699**DAMAGES.**

I. In General.

II. Taking of Land.

See **Eminent Domain; Ways II.****I. In General.****Actions** of tort, for, see **Actions.****Actual**, only, against administrators, etc. 11 1388**Administrators**, etc., for misconduct of.... 27 1227

another provision..... 21 1390

Agricultural marketing contracts, for

breach of..... 18 957

Assessment by jury, on bonds..... 53 1338

account, failure to appear before auditor 93 1344

burying-ground, for enlargement of.... 11 488

complaint to superior court..... 12 488

contracts in a penal sum, on..... 53 1338

covenants against encumbrances, on.. 35 1335

protest of bills of exchange..... 62 1340

recognizance on appeal, on..... 53 1338

Attaching creditor defending prior suit.. 68, 69 1341**Audita querela**, on writs of..... 4 1458**Bills of exchange**, on protest of..... 62 1340**Constable's bond**, in actions on..... 57 1303**Conversion** of railroad sleepers, ship knees

or cedar, for..... 9 818

logs, masts and spars, double damages 3 817

boom on Saco river, neglect to release 5 817

Covenant against encumbrances, on..... 35 1335**Defective ways**, see **Ways IV.****Distiller's bond**, on actions on..... 37 1605**Dogs**, injuries by, after order to kill..... 173 132**Dower**, for detention of..... 5 1465

prior tenant, against..... 6 1465

tenant, if not made on..... 6 1465

Electrical lines, caused by; assessment.... 29 1116

appeal 30 1116

negligence, for..... 28 1115

Executors, see supra **"Administrators."****Error**, for defendant prevailing in..... 4 1461**Fire**, for buildings destroyed to stay..... 10 626**Fire or casualty**, effect of..... 10 1439**Fires**, for kindling..... 19 628**Flowage**, for, see **Mills and Mill Dams.****Forcible entry** and detainer cases..... 9 1439**Forfeited goods**, upon libel for sale of.... 7 1450**Guardians**, for misconduct of..... 27 1227**Ice**, caused by pond for cutting of..... 36 1433

roof, on; in disregard of by-laws..... 136 124

DAMAGES—continued**Indian tribes**, distribution of damages re-

covered 10 312

Inspector of fish, caused by; action..... 11 788**Insurance policies**, in actions on..... 40 1336**Interest** on, in actions on judgments..... 55 1339**Intoxication**, resulting from..... 19 1599**Islands** in salt water, hunting upon..... 12 1441

imprisonment for non-payment..... 15 1442

jurisdiction of action..... 14 1442

Judgment for return, in replevin, upon.. 12 1445

appropriation by officer..... 13 1445

creditor, by..... 14 1445

Jury to assess on contracts in penal sum 53 1338

judgment and execution..... 53 1339

Leased premises, to; recovery of..... 10 1439**Libel**, mitigation in action for..... 48 1338**Lord's Day**, service of process on..... 89 1325**Mandamus**, in applications for..... 18 1463**Marsh lands**, entry upon by comm'rs... 33 612**Monopolies**, by persons injured by..... 30 1621**Note** for land, partial failure of con-

sideration 45 1338

Pilot, liability for..... 4 770**Poor debtor**, actual only upon bond, when 78 1512

aid in fraudulent transfer, double..... 77 1511

false disclosure, double..... 76 1511

officer not liable beyond actual..... 73 1511

six months' bond, on..... 65 1509

Protest on bills of exchange..... 62 1340**Public drain**, for injury to..... 22 495**Public utility**, unlawful act or neglect of 74 1048**Railroads**, fences, neglect to maintain... 22 1074**Real actions**, recovery in..... 11 1468

persons other than tenant, against..... 15 1469

Replevin of person, in case of..... 5 1459

beasts, of..... 4 1444

goods, in case of..... 11 1445

return, upon judgment for..... 12 1445

appropriation by officer..... 13 1445

creditor, by..... 14 1445

plaintiff, upon judgment for..... 15 1445

Sales, breach of warranty..... 69 1810

for not accepting goods..... 64 1808

failure to deliver goods, measure..... 67 1809

special recoverable when..... 70 1810

Schoolhouses, for injuries to, double.... 198 399**Sheriff's bond**, actions on..... 21 1297**Timber** lodged on river, for; tender..... 8 818**Tort**, in actions of, see **Actions.****Treble**, by dog ordered to be killed..... 173 132**Trespass** on lands, for, when double..... 9 1441

hunting on islands after notice..... 12 1442

ornamental grounds, on..... 11 1441

DAMAGES—continued

Trespasses upon public lands.....	13	210
suit by state for individual.....	14	211
Union label, for wrongful use of.....	45	841
Warrant of distress for.....	24	1368
Waste, for, see Waste .		
Ways, as to, see Ways II .		
Witness, for non attendance.....	122	1349

II. Taking of Land.**Authorized procedure, see Eminent Domain I.**

Burying-grounds , for enlargement of.....	11	488
complaint to superior court.....	12	488
Bridge in two or more counties when....	28	607
Coast survey, for.....	17	63
report of commissioner; proceedings....	18	63
tender of damages.....	19	63
Constitutional provisions for compensation	V	11
state constitution, under.....	21	19
Contagious diseases, for isolation because		
of	87	465
Drains and sewers, for public.....	3	491
Ditches and drains along roads, for.....	27	496
Electric power companies, for lines.....	9	1110
Governor and council, lands taken by....	9	61
Grade crossings, for abolishment of.....	39	517
Highways, see Ways II .		
Library buildings, for public.....	111	118
complaint to superior court.....	112	118
Limitation of action for.....	112	1329
Marshes, meadows, etc., for improvement of	33	612
drainage of, when inaccessible.....	30	496
repairs, damages caused by.....	34	496
Mines and quarries for drainage of.....	30	496
improvements, damages caused by.....	34	496
Parks and squares, for public.....	111	118
complaint to superior court.....	112	118
Railroads, for, see Railroads III .		
crossings, removal of obstructions at..	113	534
Schoolhouse lot, and play-ground, for....	3	352
appeal as to in unorganized territory..	142	386
application for increase.....	4	352
appraisal, notice of.....	6	352
collection of appraisal figure.....	7	352
erroneous location, in case of.....	5	352
tender allowed in part payment.....	8	352
State highway comm'n, land taken by....	12	543
location, alteration and grading, for....	16	545
Street railroads, for; estimation.....	15	1094
additional purposes, for.....	18	1095
Swamps, see supra " Marshes and Meadows ."		
Telephone and telegraph companies, by..	18	1112
Toll-bridge, for laying out way over....	25	606
apportionment of.....	27	607
bridge in two or more counties.....	28	607
Town or private ways, see Ways II .		
United States, for land ceded to.....	4	61
lands taken for public uses, for.....	13	62
Wards, guardians may release damages for	1	1222
Ways, for, see Ways II .		
ditches and drains, caused by making..	27	496
Winter roads, for.....	17	511

DAMARISCOTTA RIVER.

Alewives, taking in.....	73	807
Weekly closed time on migratory fish in	79	809

DAMS.**See Mills and Mill-Dams.**

Application for meeting of owners.....	1	1130
Burning of, punishment.....	3	1555
wife, by, without consent of husband...	5	1555

DAMS—continued

Cranberry culture, for.....	35	1433
restriction upon right.....	36	1433
Fishways, see Inland Fisheries and Game II .		
Ice, for cutting of; restriction.....	36	1433
Lien for reimbursement of advances.....	3	1130
Malicious injury to.....	5	1624
Marshes, for improvement of,		
see Marshes, Meadows, and Swamps .		
Mill dams, see Mills and Mill Dams .		
Public utilities comm'n, plans of filed with	11	1026
Repairs, authorized at meeting.....	2	1130
owners, for purposes of, who are.....	4	1130
reimbursement of advances.....	3	1130

DANCING.

Lord's Day, forbidden on.....	39	1580
-------------------------------	----	------

DANGEROUS BUILDINGS.**See Buildings.****DANGEROUS WEAPONS.****See Firearms.**

Armed persons, when required to recognize	10	1638
Assaults with, punishment.....	24	1549
Children, selling or giving to, penalty....	40	1552
Concealed, carrying prohibited.....	13	1639
exceptions as to civil officers.....	15	1639
penalty for violation.....	16	1639
License to carry.....	14	1639
Threatening display of prohibited.....	13	1639
penalty for violation.....	16	1639

DAUGHTERS OF THE AMERICAN REVOLUTION.

Burying-grounds, neglect to fence ancient,		
action by.....	3	486
Revolutionary soldiers, etc., neglect of		
graves, action by.....	3	486

DAYS.**See Holidays; Sunday.**

Arrest civilly, prohibited on certain.....	87	1325
electors on election day, of; prohibited	88	1325
Court not held on certain.....	77	1276
Labor, ten hours constitute a day.....	63	1340

DEACONS.

Bodies corporate to hold property.....	19	415
Independent local church, may convey to	31	417

DEAD BODIES.

Abandonment and exposure of.....	47	1581
Autopsy upon.....	3	1686
Augusta and Bangor state hospitals in	3	424
custody of body until arrival of examiner	2	1685
disposal of, after autopsy.....	8	1687
personal effects, of.....	9	1687
notice of finding.....	2	1685
proceedings by medical examiner.....	3	1685
notice to prosecuting officers.....	4	1686
return to town clerk.....	4	1686
written record of examination.....	3	1686
copy filed with prosecuting officers...	4	1686
Board for collection and distribution of..	2	423
distribution of bodies by.....	4	424
notice to, by public officer.....	3	423
Bond for proper use of.....	6	424
Burial permits for, see Vital Statistics IV .		
Concealment of.....	47	1581
Consent to use, for scientific purposes...	1	423

DEAD BODIES—continued

Conveyance of regulated.....	5	424
without state, penalty.....	6	424
Destitute persons, of; burial.....	29	621
Disinterment without permit, prohibited..	26	1137
punishment for.....	47	1581
Disposal of, by public officers.....	3	423
Distribution of, for scientific purposes...	4	424
expenses paid by receivers.....	7	425
Execution, not to be taken on, penalty..	46	1581
Inquest upon, authority for.....	3	1685
disposal of body.....	8	1687
personal effects, of.....	9	1687
Interment or disinterment, permit for....	26	1137
Jail, persons dying in, disposal of.....	53	1303
notice of.....	3	423
Keepers of public institutions, to give		
notice of.....	3	423
Medical examiners, to examine, when....	1	1685
Neglect of duty as to, penalty.....	8	425
Physicians and surgeons, possession by..	47	1582
Public officers to give notice of.....	3	423
Receipts for, returned to board.....	5	424
Science, when used for advancement of..	1	423
Search warrant for.....	14	1646
Traffic in, penalty.....	6	424
Transportation of, rules and regulations		
for	29	454
contagious disease, death from.....	22	1136
Writ, not to be taken on; penalty.....	46	1581

DEAF.See *Maine School for Deaf.***DEAF AND DUMB.**

State school for boys, not to send to.... 3 1710

DEALERS.See *Profitteing.***DEALERS IN NURSERY STOCK.**See *Nursery Stock.***DEALERS IN SECURITIES.**See *Banks and Banking.***DEATHS.**See *Vital Statistics IV.*

Abatement of actions by, none generally	57	1339
actions by attaching officer, none.....	55	1317
judge of probate, in name of, none....	6	1228
officer, against; none.....	59	1318
assessment for private ways; none.....	131	537
complaints for flowage, none.....	30	1432
mandamus, none.....	20	1464
petition for partition, none.....	11, 12	1392
minority stockholders, by; none.....	72	881
quieting title, action of.....	50	1475
real actions abated not by, notice.....	16	1469
heir is a minor, when; proceedings....	17	1469
judgment in after death of party....	39	1472
writ of possession, how issued.....	40	1473
limitation of, effect.....	8	1479
warden of state prison, none.....	27	1693
Workmen's Compensation Act, proceed-		
ings under, none.....	42	858
Alms-houses, prisons, etc., notice of given	3	423
Amendment of officer's return after.....	63	1304
Attaching officer, of, effect.....	51	1316
actions by survive.....	58	1317
procedure for further attachments....	53	1317
sale, consent, when necessary.....	31	1312

DEATHS—continued

Attachment of personal property, effect		
on	55 et seq	1317
Bastards, concealment by mother, crime..	8	1574
Civil actions, of parties to, proceedings..	7	1387
another provision	57	1339
citation of representative.....	12	1389
law court, pending in, of party.....	12	1260
plaintiff, of, continuance of attach-		
ment	12	1260
lien action, of employer or debtor in...	66	1425
owner of property, of.....	34	1417
Collector of taxes, of; proceedings.....	38	287
settlement for collections.....	46	289
Court stenographers, of, procedure.....	172	1357
Devisee or legatee, of; lineal heirs' take..	10	1241
Executor, sole, proceedings on.....	28	1172
Factories, in, report of to comm'r of labor	16	832
Flowage, complaints for, not abated by..	30	1432
Grantor, of, proof of execution of deed...	28	1236
Industrial establishments, in; reports of..	16	832
Injuries causing; action for damages.....	9	1388
assessment of damages.....	10	1388
limitation of action.....	10	1388
burden of proof.....	50	1338
contributory negligence to be pleaded..	50	1338
employer's liability law, under, see		
Employer's Liability Law.		
Insane hospital, at, inquest when held....	37	1727
autopsy by medical staff.....	3	424
Jail, in, disposal of body.....	54	1303
notice of.....	3	423
Judge of probate, of, abates not action..	6	1228
Justice, at civil or criminal proceeding..	72	1274
Laws applied to.....	81	445
Lien actions, in; of owner of property....	34	1417
employer or debtor, of.....	66	1425
Limitation of personal actions.....	99	1327
failure of action, new action.....	98	1327
real action of; effect.....	8	1479
Mandamus, no abatement for.....	20	1464
Officer, after seizure of intoxicating liquor	40	1606
Osteopaths, law applies to.....	70	441
Partition, of petitioner for; proceedings..	11	1392
respondent, of; proceedings.....	12	1393
Penobscot Indians, among, record of.....	36	317
Plaintiff, of, in replevin of a person.....	8	1460
Railroads, of person walking along; no		
liability	66	1082
Record of, see <i>Vital Statistics IV.</i>		
Stenographer of court, proceedings upon	172	1357
Street railroad, affects not proceedings for	11	1093
Trustee under trustee process, effect.. 37 et seq		1378
Violence, by; jurisdiction as to county...	2	1640
inflicted without, but death within state	5	1641
within state, but death without.....	5	1641
tide-waters, offenses in.....	4	1640
Workmen's compensation act, compen-		
sation under.....	14	850
abatement of proceedings, none.....	42	858

DE BONIS NON, ADMINISTRATOR.See *Executors and Administrators.***DEBT.**

I. In General.

II. Estates of Deceased Persons.

I. In General.

Actions of, penalties to enforce
see *Penalties and Forfeitures.*

DEBT—continued

Assumpsit in lieu of.....	27	1334
Bastardy judgment , to recover moneys due under	10	1448
Bets on elections, conveyances void.....	122	199
Cheek list , action against clerk, etc., for failure to use.....	48	152
Corporate ; franchise and property liable.. debts due taken to satisfy.....	77	881
stockholders not liable.....	79	882
Inhabitants liable for municipal.....	100	885
Plea of non-assumpsit to.....	116	889
Prisoners for, separated from criminals.. penalty for neglect.....	27	1334
separate apartments for.....	50	1302
Publishing list of debtors prohibited.... executors, etc., exceptions as to.....	51	1302
Taxes due by corporation, action to recover	11	1281
Town officer , action against for neglect.. ..	7	1637
Wife , of; husband not liable for.....	8	1637
	75	250
	32	103
	4	1151

II. Estates of Deceased Persons.

Affidavit may be required.....	63	1179
Application of estate to payment of debts no part exempt under will.....	20	1248
Arbitration or compromise of.....	7	1241
Contribution among legatees.....	52	1177
none from holder of specific legacy....	6	1241
Debtors , publication of list not libelous..	7	1241
Disputed , referred to commissioners.....	8	1637
execution issued on judgment.....	53	1178
Expenses of last sickness preferred.....	168	1356
last sickness of married woman.....	1	1197
Heir , of; creates lien on his share.....	60	1179
Insolvent debtors , disposal of actions against	7	1244
attachment pending four months.....	74	1341
Insolvent estates , against; presentation.. disallowance, effect of.....	73	1341
failure to present, barred by.....	5	1198
further assets, except in case of.....	20	1200
false testimony is perjury.....	20	1200
interest on.....	6	1198
priority, order of.....	8	1198
refusal to submit to examination.....	1	1197
secured, proceedings as to.....	6	1198
Joint contract , on, debtor deceased, liability	7	1198
Married women , of.....	46	1338
Mutual debts of husband and wife.....	60	1179
Neglect to pay constitutes waste.....	61	1179
Presentation of.....	54	1178
Private , allowance of.....	14	1389
Real estate liable for.....	64	1179
levy of execution authorized.....	21	1226
Unmatured , filed in probate office.....	46	1256
action upon, when bond not given.....	16	1390
assets retained, or bond given.....	17	1390
bond given; action upon.....	16	1390
claim not filed, liability for.....	17	1390
	18	1390

DEBTORS.

Disclosure of poor, see Poor Debtors .		
Publication of list prohibited, penalty.... exceptions as to executors, etc.	7	1637
	8	1637

DECLARATION.

Amendment after demurrer.....	38	1336
attachments dissolved by unless.....	73	1322
defendants, by striking or inserting....	14	1332
assume name of defendant, of.....	5	1307
attachments against new parties.....	14	1332

DECLARATION—continued

Amendment , plaintiffs, by striking out or inserting	12	1332
review, when ground for.....	1	1396
Bastardy actions , in.....	5	1447
Contract in writing, upon.....	28	1334
Counts , verdict cures improper joinder..	51	1338
Entry , in writs of.....	2	1467
Forceful entry and detainer, in.....	4	1438
Insurance policies , actions on.....	40	1336
Lien claims , in.....	66	1425
Real actions , in.....	2	1467
description of premises.....	21	1469
mortgage, to foreclose.....	9	1401
Trespass and case, distinction abolished..	26	1334

DECLARATION OF RIGHTS.See **Index to Maine Constitution.****DECORATION DAY.**See **Holidays.****DECORATION OF GRAVES OF VETERANS.**See **Sailors; Soldiers.****DECOYS.**

Use of in hunting regulated.....	57	675
----------------------------------	----	-----

DECREE.See **Judgment; Probate Courts.****Adoption**, of, see **Adoption.**

Care and custody of children, as to.....	46	1141
appeal; judgment not vacated.....	46	1142
Change of name , for, by probate court....	42	1210
Deed , for recording of.....	37	1237
Divorce , for, see Divorce.		
Equity , in, see Equity Practice and Pleading.		
Forfeited goods , for sale of.....	6	1449
restoration and damages, for.....	7	1450
Insolvency , of; dissolves attachments....	73	1322
another provision.....	46	1256
Judicial separation , for, see Husband and Wife.		
Mortgage of real estate, to discharge....	19	1404
assignment of prior, for.....	24	1405
petition of party in possession, on.....	35	1407
contingent liability, security for.....	37	1408
decree, effectual to bar claims.....	40	1408
jurisdiction of respondent.....	39	1408
parties and form of petition.....	36	1408
description in petition; service....	38	1408
redemption, for; award of execution....	22	1404
security for collateral contract, when	30	1406
Partition , for, by superior court, see Partition II.		
Realty , affecting; record of.....	61	1272
Presumption of payment.....	108	1328
Title to land, establishing validity of....	54	1477
directing suit to try; upon petition....	51	1475
Vacation , may be entered in.....	2	1330

DEDINUS JUSTICES.

Appointment of.....	55	70
Civil officers , may qualify.....	56	70
Powers of.....	55	70
Tenure of office.....	54	70

DEEDS.See **Conveyance of Real Estate; Registry of Deeds.**

Absolute , when a mortgage.....	1	1399
--	---	------

DEEDS—continued

Acknowledgment necessary.....	23	1235
certificate of, prerequisite to recording..	33	1236
false, penalty for making.....	9	1561
forgery of.....	1	1559
commissioners to take; appointment....	24	1235
acts, legal effect of.....	25	1235
oath and seal of.....	27	1236
powers in general.....	26	1235
defective, effect of.....	40	1237
expiration of comm'n, taken after.....	34	1236
fees for.....	1	1530
foreign state, taken in, procedure.....	23	1235
foreign form used.....	40	1238
former instruments not invalidated....	23	1235
informalities do not invalidate.....	40	1237
magistrates, before whom taken.....	23	1235
bank or corporation officials are.....	23	1235
proof of execution when none.....	28	1236
one witness necessary.....	28	1236
witness, dead, etc., hand writing re-		
sorted to.....	29	1236
refusal by grantor, record of filing copy	30	1236
application for summons to grantor..	31	1236
certificate by magistrate.....	32	1236
prerequisite to recording.....	33	1236
Agent , executed by; legal effect.....	21	1234
no power of attorney; effect.....	41	1239
Aliens may make.....	2	1231
Amendment to, in taxation matters, when		
allowed	29	286
not allowed until fully recorded.....	17	306
Attachments , unrecorded, precedence over	63	1318
Attorney , by, effect of no power of at-		
torney	41	1239
Authorized conveyance by.....	1	1231
Burial lots , of; where recorded.....	21	489
Collectors of taxes , of; land sold for taxes	76	296
redemption from.....	80	298
revenue stamps part of costs.....	77	297
treasurer to deliver, when not re-		
deemed	81	298
Commissioners ; acts, legal effect of.....	25	1235
appointment in other states.....	24	1235
contracts, may take proof of execution		
of	24	1235
depositions, may take.....	26	1235
fee payable to state, by.....	12	1537
foreign counties, appointment in.....	24	1235
oath of qualifying.....	27	1236
certificate return to secretary of state	27	1236
powers in general.....	26	1235
seal; return of description.....	27	1236
Common lands , upon sale to collect assess-		
ment	22	1129
Compulsory recording	27	1237
Conservator not having given bond, by..	41	1240
Consideration not stated, effect.....	41	1238
Copies as evidence.....	133	1351
forest commissioner, from office of....	4	209
records in certain counties, from.....	134	1351
Corporations , by, informalities regarding,		
effect	41	1239
Counties , to; form of.....	22	1235
Covenants , action by assignee of grantee	32	1335
encumbrance is right of dower; damages	35	1335
Defeasance , unrecorded, defeats not.....	15	1234
Descent , rights of barred by.....	9	1245
Evidence , copies as.....	133	1351
records of certain counties.....	134	1351
Execution , sales on.....	35	1254

DEEDS—continued

Executor , etc., by, under license; effect..	21	1226
Executor or administrator not having		
given bond, by.....	41	1240
Forest comm'r , deeds made absolute.....	10	210
executed by, for state.....	3	208
Forgery or counterfeiting of.....	1	1559
Gambling debts , given for, void.....	10	1589
Grantor dying or leaving state before		
acknowledgment	28	1236
Guardian not having given bond, by.....	41	1240
by, to fulfill contract of ward.....	18	1206
Husband and wife , joint deed of.....	20	1234
Informalities in, effect of certain.....	41	1238
Joint , of husband and wife, effect.....	20	1234
Larceny of, punishment.....	1	1556
Lord's Day , not void because dated on..	138	1352
Lost before record; proceedings.....	35	1236
record in one county, after; copy re-		
corded	36	1237
Master , not having given bond, by.....	41	1240
Ministerial and school lands, of.....	53	421
Officer selling on execution, of.....	35	1254
delinquent collector, etc., against.....	52	291
lands of banks, etc	38	1255
inhabitants for town debts.....	31	1369
taxes, to enforce lien for.....	28	286
Penobscot Indians , of, see Indians III .		
Pews , of, record.....	38	1237
dissenting owner, of.....	36	419
sold for taxes.....	11	414
Precedence , over unrecorded attachments,		
etc.	63	1318
Proof of execution of unacknowledged...	32	1236
application for summons to grantor...	31	1236
attested, in same manner as other tested	128	1350
certificate of magistrate.....	32	1236
prerequisite to recording.....	33	1236
grantor's death or absence in case of..	28	1236
one witness necessary.....	28	1236
witness dead or absent, when.....	29	1236
Quit claim , of; effect.....	20	1234
Realty , of; what passes.....	1	1231
Receiver , not having given bond, by.....	41	1240
Record essential.....	14	1233
acknowledgment a prerequisite to.....	33	1236
cemetery lands, record of.....	21	489
compelling registry by court.....	37	1237
copies from office of forest comm'r....	4	209
lost, or destroyed, copy filed.....	35	1236
record in one county, after.....	36	1237
manner of recording.....	17	306
priority of recorded deeds.....	14	1233
unacknowledged, filing copy of.....	30	1236
Recorded when received by register of		
deeds	17	306
Release , of; effect.....	20	1234
right, title and interest, of; effect of		
record	14	1233
Right of descent barred by.....	9	1245
Sale by order of probate court.....	21	1226
Seal , omission of, effect.....	41	1238
Sunday , not void because dated on.....	138	1352
Taxation loans secured by.....	22	263
title passing by.....	60	273
unincorporated places, of treasurer of		
state	45	269
forfeited lands, deed by treasurer of		
state	42	268
Taxes , after levy and sale.....	52	291
Tenancy at will created without.....	16	1234

DEEDS—continued

Testimony of deceased witness or magistrates	137	1351
Town treasurer, land sold for sewer assessment	8	493
Treasurer of state, of land sold for taxes	45	269
Trustee, not having given bond, by.....	41	1240
Trustees under, vacancy, how filled.....	17	1218
Withdrawal, not allowed until fully recorded	17	306
Witness, deceased, former testimony.....	137	1351

DEER.

See Inland Fisheries and Game, V, B.

DEFACING PROPERTY.

Advertising on rocks, fences, etc.	18	1626
signs on highways prohibited.....	19	1626
Books and pictures in public libraries....	28	1628
Boundary marks, etc.	26	1628
Building or fixtures attached thereto....	27	1628
Fences	17	1626
advertising on, without permission.....	18	1626
Lamps or lamp posts.....	26	1628
Marks on syphons, bottles and cans.....	39	781
milk containers, on.....	32	747
Meridian-lines, monuments of.....	39	827
Milestones on railroad right of way.....	26	1628
Monuments, etc.	26	1628
Schoolhouses and other property.....	198	399
obscene defacement of.....	199	399
Signboard	26	1628
Statues or paintings in public library....	28	1628

DEFAMATION.

See Libel and Slander.

DEFAULT.

Absent defendant, stay of execution on..	5	1331
attachment preserved.....	5	1331
bond, conditions of.....	5	1331
deposit with clerk.....	6	1321
execution issued by mistake.....	7	1331
review, petition for.....	6	1331
levy of execution on land, after.....	51	1257
redemption of estate.....	52	1257
Account before auditor, failure to.....	93	1344
Criminal cases, on appeal in.....	19	1647
recognizances, on.....	22	1652
Deposition, absent party failing to give	117	1348
Entry for non-appearance.....	3	1330
Executor, etc., neglecting to appear.....	57	1339
Forcible entry and detainer, in.....	5	1438
Offer of, proceedings on.....	42	1337
flowage, on original complaint for.....	29	1432
highway damage cases, in.....	44	1337
judgment of, by plaintiff.....	43	1337
vessels, in actions to enforce lien on...	15	1413
Production of documents, for failure....	23	1334
Removal on terms.....	3	1330
Review on, petitions for.....	1	1395
absent defendant, by.....	6	1331
levy of execution on land, after.....	51	1257
redemption of estate.....	52	1257
Trial justice, before.....	13	1360
judgment rendered.....	16	1360
trustee process, on.....	81	1385
Trustee process, on, for non-appearance..	28	1377
inferior courts, in.....	81	1385
offer of; costs.....	55	1381

DEFEASANCE.

Deed not defeated by unless recorded.....	15	1234
Instrument of, when a mortgage.....	1	1399
Larceny of, punishment.....	1	1556

DEFECTS IN WAYS.

See Ways.

DEFENDANTS.

Absent; continuance of action, when.....	4	1331
attachment preserved.....	5	1331
bond, conditions of.....	5	1331
deposited with clerk.....	6	1331
execution stayed on default.....	5	1331
issued by mistake.....	7	1331
review, petition for.....	6	1331
levy of execution on land, after.....	51	1257
redemption of estate.....	52	1257
statute of limitations, effect on.....	110	1328
Amendment of writs as to.....	14	1332
bill in equity to redeem mortgage, of..	21	1404
Attaching creditor may become.....	66	1340
application for leave, contents.....	66	1340
bond for damages and costs.....	67	1340
entry on record, leave granted.....	67	1340
fraudulent, prior attachment void.....	71	1341
judgment when defense fails.....	68	1340
when petitioner prevails.....	69	1341
review by subsequent attaching creditor	70	1341
Attachment dissolved by judgment for...	73	1322
personal property, of; effect of death...	55	1317
appraisal of property for executor...	57	1317
demand on officer for list.....	57	1317
dissolution by decree of insolvency..	55	1317
liability for sale after decree.....	56	1317
Continuance of action, when allowed....	4	1331
Death of; proceedings.....	57	1339
another provision.....	7	1387
citation with representative.....	12	1389
law court, action pending in.....	12	1260
lien actions, in.....	66	1425
partition, in petitions for.....	12	1397
real actions, in.....	16	1469
after judgment in.....	39	1472
Defaulted for non-appearance.....	3	1330
non-resident failing to give deposition	117	1348
trial justices, before.....	13	1360
judgment rendered.....	16	1360
Error, one of several may bring writ of..	6	1461
Guardian ad litem, appointment.....	58	1339
Judgment for, before trial justices.....	17	1360
Review, one of several may file petition	for	1 1396
Trustee of plaintiff, summoned as.....	56	1331
costs of action affected by disclosure..	57	1382
pending action, when continued.....	58	1382
judgment, if not continued; effect....	59	1382
payment by trustee; effect.....	60	1382
Verdict against one or more, of several..	105	1346
Witness, is a competent.....	114	1347
exceptions to general rule.....	119	1348
impeachment of co-defendant.....	118	1348
insane, when party.....	120	1349
self-incrimination not compelled.....	115	1347
privilege, how waived.....	115	1347
special civil proceedings, in.....	121	1349
wills, as to execution of.....	116	1348
Unknown, suit against by assumed name	5	1307

DEFINITIONS.

Absentee voter	1	199
----------------------	---	-----

DEFINITIONS—continued

Abstracts construed.....	6	58
Academy	111	379
Action, as to bills of lading.....	53	1760
Acts of incorporation construed.....	6	58
"Adulterated," as to apples.....	45	731
as to pure food law.....	18	720
Affray	1	1568
Agency construed.....	6	57
Aggregate attendance	203	400
Agricultural products under co-operative marketing act.....	2	951
Agricultural seeds.....	2	715
Aircraft	1	601
Airman	1	601
Allen, under fishing and hunting.....	40	671
"And" and "or" convertible.....	6	56
Animals	72	1587
Annual meeting.....	6	56
"Apothecary" defined.....	35	486
"Apothecary Store" defined.....	35	486
Assault	27	1550
Assault and battery.....	27	1550
Assenting employer under workmen's com- pensation act.....	2	842
Association, in insurance laws.....	27	1021
under co-operative marketing act.....	2	951
"At cost" as to fuel yards, defined.....	85	113
Automatic signals as to railroads.....	88	1086
Average weekly wages, under workmen's compensation act.....	2	844
Banking defined.....	3	891
Benefits, under uniform veterans' guardianship act.....	1	1211
Bills of exchange.....	126	1786
Bill of lading act, under.....	53	1760
bill, as to.....	53	1760
consignee	53	1760
consignor	53	1760
goods	53	1760
holder	53	1760
in good faith.....	53	1760
order	53	1760
owner	53	1760
person	53	1760
purchase	53	1760
purchaser	53	1760
value	53	1760
Blind	15	1742
Boarding house for children.....	109	468
Bridge, under bridge act.....	63	559
Bureau, under uniform veterans' guardianship act.....	1	1211
Casualty insurance, contract of.....	164	1005
"Caucuses and primary elections," con- strued	1	204
"Chauffeur"	36	573
Chiropractic	88	445
City election	1	171
Citizens	XIV	13
Citizenship	XIV	13
Close season.....	18	654
Commercial feeding stuff	2	715
Commercial fertilizer	2	715
Commission, as to steam navigation com- panies	5	1102
state highways as to.....	2	539
as to board of prison comm'rs.....	4	1688
sea and shore fisheries, as to.....	1	785
Commissioner as to sea and shore fisheries	1	785

DEFINITIONS—continued

Commission, commissioner, under work- men's compensation act.....	2	843
Common thief.....	5	1557
Compact or built up portions, under motor vehicle law.....	69	585
Conveyance charges as to elections, con- strued	5	205
Corporate seal.....	6	57
Corporations, construction regarding.....	6	58
Crop under co-operative marketing act...	2	951
Cruelty as to animals.....	72	1587
Curb	1	566
Dealer, as to securities.....	165	944
under motor vehicle law.....	62	582
"Dentist" defined.....	35	485
Dependents, under workmen's compen- sation act.....	2	843
Director as to sea and shore fisheries....	1	785
under uniform veterans' guardianship act	1	1211
Disinterested construed.....	6	57
Disseizin	10	1479
"Distinctive part of the uniform" under military law.....	66	343
Distributor	79	251
Domestic, in insurance law.....	103	989
Drainage	13	1027
"Drink product"	59	734
Drugs	2	715
Duel	7	1547
Due notice, under probate law.....	50	1165
Duly sworn	6	57
Dwelling-house	9	1556
Electors, under initiative and referendum	20	40
Elementary school.....	203	400
Employees, as to state pension.....	22	1744
under workmen's compensation act.....	2	842
Employer, under workmen's compensation act	2	842
Employment agencies.....	13	769
Estate, under uniform veterans' guardian- ship act.....	1	1211
Executive authority, as to extradition....	1	1680
Factory	14	831
Family, in pauper law.....	8	617
Fenders, as to street railways.....	39	1099
Fiscal year.....	11	59
Flag, under uniform flag law.....	1	1545
Following	6	57
Food	2	715
Foreign, in insurance law.....	103	989
Fraternal beneficiary associations.....	1	1012
"Free from damage," as to apples.....	42	730
"Free from serious damage," as to apples	42	730
Fungicide	2	715
General election, under initiative and referendum	20	40
Good record	37	1695
Governor, as to extradition.....	1	1680
Grantee	6	56
Grantor	6	56
"Gross weight" under motor vehicle law..	56	581
Guardian, under uniform veterans' guardianship act.....	1	1211
He includes she under teachers retire- ment system.....	228	406
Highway	6	56
indictments, in	101	531
Home for children.....	109	469
Hunting	40	671
Industrial accident insurance policy,	2	843

DEFINITIONS—continued

Income, under uniform veterans guardian-ship act.....	1	1211
Industrial Bank	133	936
Insecticide	2	715
Insurance company, under workmen's compensation act	2	843
Internal combustion engine fuel.....	35	780
In writing.....	6	57
Inhabitant	6	56
Insane person.....	6	56
Interest under teachers retirement system law	228	406
Internal combustion engine.....	79	251
Internal combustion engine fuel.....	79	251
Intoxicating liquors	6	1596
Issue	6	56
Itinerant vendors.....	25	765
Jack-light	40	671
Land or lands	6	56
Larceny	1	1556
Legislative agent.....	46	68
Legislative counsel.....	46	68
Lien-holder under co-operative marketing act	2	951
Liens under co-operative marketing act...	2	951
Lodger	20	640
Lodging houses.....	20	640
Maintenance, state highways as to.....	2	539
Main thoroughfare under bridge act.....	63	559
Majority	6	56
Manslaughter	2	1546
Marketing agreement under co-operative marketing act.....	2	951
Masculine includes feminine.....	6	56
animals, as to.....	72	1587
Measure, under initiative and referendum	20	40
"Medicine" defined.....	35	485
Member under co-operative marketing act	2	951
Minimum size as to apples.....	42	729
"Misbranded," as to apples.....	45	731
as to motor fuels.....	35	780
under pure food and drug law.....	19	722
Month	6	56
Motorboat	5	1103
Motor vehicle.....	1	566
Municipal officers.....	6	57
state highways as to.....	2	539
under zoning law.....	144	126
"Narcotic Drugs"	34	485
Necessaries under sales act.....	2	1794
Negotiable document of title.....	27	1800
Negotiable instruments law, under.....	191	1793
acceptance	191	1793
action	191	1793
bank	191	1793
bearer	191	1793
bill	191	1793
delivery	191	1793
holder	191	1793
indorsement	191	1793
instrument	191	1793
issue	191	1793
person	191	1793
value	191	1793
written	191	1793
writing	191	1793
Negotiable or order bill of lading.....	5	1752
Necessities of life.....	31	1621
Net railway operating income.....	30	239
Non-negotiable bill of lading.....	4	1752

DEFINITIONS—continued

Non-profit under co-operative marketing act	2	951
Nursery stock.....	1	750
Oath	6	56
Open season.....	18	654
Optometry defined	48	436
"Or" and "and" convertible.....	6	56
Owner, animals, as to cruelty.....	72	1587
under motor vehicle law.....	1	566
Page, with reference to fees.....	23	1542
People, under initiative and referendum..	20	40
Person	6	57
animals, as to cruelty to.....	72	1587
as to labor law.....	14	831
bill of lading act, under.....	53	1760
inheritance taxes, as to.....	34	1189
under air licensing act.....	1	601
under co-operative marketing act.....	2	951
under pure food law.....	69	736
under uniform veterans' guardianship act	1	1211
Persons, as to employment offices.....	13	769
Personal estate construed.....	5	257
Personal notice, under probate law.....	50	1165
"Pharmacist" defined	35	486
"Pharmacy" defined.....	35	485
"Physician" defined.....	35	485
"Poison" defined.....	35	485
Political agent, under corrupt practices..	2	204
Political committee, under corrupt practices	2	204
Political parties under primary law.....	1	153
Practicing dentist construed.....	37	433
Preceding	6	57
Processed eggs.....	26	725
Prison service.....	37	1695
Property, as to inheritance taxes.....	34	1189
"Proprietary medicine" defined.....	35	486
Public accommodation, place of.....	8	1570
Public aircraft.....	1	601
Public health nursing.....	23	430
Public notice, under probate law.....	50	1165
Public school.....	228	406
Public utility law, under; commission...	15	1029
commissioner	15	1029
common carrier.....	15	1030
corporation	15	1029
electric company.....	15	1030
electric plant.....	15	1030
electric railroad.....	15	1031
electric railroad company.....	15	1031
express company.....	15	1030
gas company.....	15	1030
gas plant.....	15	1030
person	15	1029
public utility.....	15	1031
railroad	15	1029
railroad company.....	15	1030
steam railroad.....	15	1031
steam railroad company.....	15	1031
street railroad.....	15	1029
street railroad company.....	15	1029
telegraph company.....	15	1031
telegraph line	15	1031
telephone company.....	15	1031
telephone line.....	15	1030
transportation of persons.....	15	1029
transportation of property.....	15	1029
vessel	15	1031
warehouseman	15	1031
water company.....	15	1031

DEFINITION—continued

Public utility, waterworks.....	15	1031
wharfinger	15	1031
Real estate.....	6	56
Recess of the legislature, under initiative and referendum.....	20	40
Regular route, as to jitneys.....	1	1099
Relationship construed.....	6	57
Representatives, under workmen's com- pensation act.....	2	843
Sardines	75	737
School censns.....	203	400
School month.....	123	380
School week.....	123	380
Secondary school.....	203	400
Seal	6	57
"Securities"	165	944
Seminary or institute.....	111	379
Serious physical injuries.....	16	832
Sewage	13	1027
Signals, as to railroads.....	88	1086
Singular and plural.....	6	56
animals, as to.....	72	1587
Soldier, under Soldiers' Bonus Fund Law	2	1745
Solid tires	1	566
State	6	57
as to extradition.....	1	1680
State election.....	1	171
State officer.....	1	171
State paper.....	6	57
State superintendent of public schools.....	147	387
Steamboat	5	1103
Storage eggs	26	725
Sworn	6	57
Teacher	228	406
Teaching position.....	203	400
Team	1	566
Timber and grass.....	6	56
Torment and torture, as to animals.....	72	1587
Town	6	57
Town, state highways as to.....	2	539
under bridge act.....	63	559
Tractor	1	566
Trailer	1	566
Trapping	40	671
Treason against State of Maine.....	12	18
against United States.....	III	8
Treasurer, under corrupt practices.....	2	204
Uniform sales act, under; action.....	76	1810
buyer	76	1810
defendant	76	1810
deliverable state.....	76	1811
delivery	76	1810
divisible contract to sell or sale.....	76	1810
document of title to goods.....	76	1810
fault	76	1811
fungible goods.....	76	1811
future goods.....	76	1811
goods	76	1811
in good faith.....	76	1811
order	76	1811
person	76	1811
plaintiff	76	1811
property	76	1811
purchaser	76	1811
purchases	76	1811
quality of goods.....	76	1811
sale	76	1811
seller	76	1811
specific goods.....	76	1811
unpaid seller.....	52	1805

DEFINITION—continued

Uniform sales act, value.....	76	1811
United States.....	6	57
Unorganized territory	133	383
Use of vehicle, under motor vehicle law.....	1	566
Vacancy	6	58
Vacant	6	58
Valuation, state highways as to.....	2	539
"Vegetation"	1	750
Vessel, as to steam navigation companies..	5	1102
"Vessels built".....	15	261
"Veterinarian" defined.....	35	485
Vinegar	22	724
Ward, under uniform veterans' guardian- ship act.....	1	1211
Warehouse receipts act, under.....	58	1771
action	58	1771
delivery	58	1771
holder	58	1771
in good faith.....	58	1771
order	58	1771
owner	58	1771
person	58	1771
purchase	58	1771
purchaser	58	1771
receipt	58	1771
value	58	1771
warehouseman	58	1771
"Way" as to "through" ways.....	8	568
under motor vehicle law.....	1	566
"Well formed," as to apples.....	42	730
Will	6	57
Workshop	14	831
Written	6	57
Written petition, under initiative and referendum	20	40
Year	6	56
under teachers retirement law.....	228	406

DEFRAUDING.

See False Pretenses and Cheats.

DEGREES.

College, see Colleges.

Kindred, of..... 2 1244

DEMAND.

Administrator, etc., of, before suit.....	14	1389
Dower, for, on tenant.....	2	1465
corporation, on officer of.....	3	1465
Negotiable instruments act, under..... 70 et seq	1781	
Taxes, before commitment for.....	20	284
action in name of collector, before.....	27	285
lien on real estate, to enforce.....	28	285
municipalities, in name of.....	64	292
distress for, before.....	18	284
Trustee process, in, time limit for.....	73	1384
administrator, etc., of trustee, upon....	41	1378
non-resident trustee, upon.....	75	1384
recovery of property from trustee.....	74	1384

DEMURRERS.

Civil actions, in, proceedings.....	38	1336
pleading over second term.....	38	1336
Equity, in; time for filing.....	47	1269
hearing of.....	49	1270
Mandamus, to return on writ of.....	18	1463
Vacation, may be heard in.....	39	1336

DENTISTRY.

I. Registration.

II. Dental Hygienists.

DENTISTRY—continued

I. Registration.

Board of examiners, appointment.....	26	430
bond of treasurer.....	56	1528
bribery of.....	40	434
compensation	53	1528
complaints, to investigate.....	39	433
duties in general.....	27	431
election of officers.....	27	431
license may revoke, when.....	42	434
list of candidates furnished secretary of state.....	27	431
meetings of.....	27	431
qualifications of members.....	26	430
quorum	27	431
record of proceedings.....	27	431
removal of members.....	26	431
report to governor.....	27	431
tenure	26	430
vacancies, how filled.....	26	430
Certificate granted.....	30	432
displayed in conspicuous place.....	30	432
duplicate, fee for.....	32	432
non-resident, fee for.....	31	432
practice without, penalty.....	38	433
registration card annually.....	30	432
revocation of	34	432
appeal from decree, review.....	36	433
dental hygienist exceeding authority..	42	434
hearing on, procedure.....	35	432
Chiropractic, not restricted, regarding....	76	443
"Dentistry" defined.....	35	485
Diplomas, transferring or altering, penalty	40	434
Drugs, not to give away.....	26	483
habitual users of, not to prescribe for..	23	482
Drugs and medicines prescribed by.....	33	432
Examination for registration.....	29	431
applications for examination.....	29	431
false representations in.....	38	433
fees for.....	29	431
constitute continuing account.....	55	1528
impersonation at, penalty.....	38	433
non-resident, when issued to.....	31	432
qualifications of applicant.....	28	431
reciprocity	31	432
re-examination, fee.....	29	431
Medical and surgical treatment by.....	33	432
"Medicine" defined.....	35	485
Osteopathy, not restricted regarding....	65	440
Practitioners, who are lawful.....	25	430
definition of "practicing dentist".....	37	433
Practice without certificate, penalty.....	38	433
Registration, if qualified.....	29	431
Registration, certificate to be granted....	30	432
non-resident, to.....	31	432
physicians and surgeons exempt.....	37	433
Secretary of state, list of licensees sent to	27	431
Unlawful practices, bribery of examiners	40	434
fraudulent transfer of diploma.....	40	434
penalty where none prescribed.....	41	434
Unlawfully practicing, penalty.....	38	433

II. Dental Hygienists.

Certificates issued; display of.....	43	434
registration card annually to obtain....	43	435
without examination, when.....	44	435
Examination of, by dental examiners.....	43	434
fee for.....	43	434
reciprocity	44	435
re-examination, fee.....	43	434
Powers and duties of.....	42	434
Qualifications of.....	43	434

DEPARTMENT FOR COMMUNITY SERVICE.

Organization and duties of.....	56	1732
--	----	------

DEPARTMENT OF HEALTH.

See Health.

DEPARTMENT OF LABOR AND INDUSTRY.

See Labor.

DEPARTMENTS AND INSTITUTIONS.

See State.

DEPARTMENT OF PUBLIC WELFARE.

Annual report, state board of mothers' aid included in.....	10	1751
Attorney general, assistance to furnish...	12	1740
Charitable, etc., institutions, blanks furnished to.....	125	84
bills of, to certify.....	123	84
Children's home, remain under department	108	468
Commissioners, number and appointment of	1	1737
annual report of, contents.....	9	1739
returns from overseers of poor in- cluded	8	1739
approval of rules of state institutions..	1	1737
books and papers, production of.....	3	1738
charitable, etc., institutions, organ- ization of.....	6	1739
contempt, may punish for.....	3	1738
contracts, not to be interested in.....	10	1740
duties of in general.....	3	1737
penalty for neglect of.....	11	1740
investigate penal, etc., institutions, to..	3	1737
meetings of.....	1	1737
oaths, may administer.....	3	1738
organization of.....	1	1737
plans for new buildings, to approve....	7	1739
recommendation as to institutions, to make	4	1738
report of investigations, to make.....	3	1738
notice of, to institutions affected....	4	1738
state board of mothers' aid, constitute	4	1748
state institutions, to approve rules of..	1	1737
tenure of office.....	1	1737
vacancies, how filled.....	1	1737
visitorial duties	4	1738
witnesses, may summon.....	3	1738
Compensation of members.....	30	1516
County attorneys, assistance to furnish..	12	1740
License to solicit charitable funds.....	5	1738
solicitation without, penalty.....	11	1740
term of, revocation.....	5	1739
Overseers to make returns to.....	8	1739
Secretary, appointment and qualifications of	2	1737
audit of accounts of.....	2	1737
comm., support of dependents of soldiers, member	1	1744
compensation of.....	2	1737
contracts, not to be interested in.....	10	1740
secretary of state board of mothers' aid, is	4	1748
State institutions, comm'n to approve rules of.....	1	1737
Visitorial duties of commission.....	4	1738

DEPENDENTS.

World War, of soldiers and sailors in.
see Support.

DEPOSITIONS.

- I. In General.
- II. Civil Actions, in.
- III. In Perpetuam.

I. In General.

Commissioners, appointment in other		
states	24	1235
acts, legal effect of	25	1235
fees payable to secretary of state	12	1537
foreign countries, appointment in	24	1235
may take depositions	26	1235
qualification and seal	27	1236
Contested elections, in; representatives..	88	193
representatives and senators, for	1	1485
Criminal cases, authorized use in	19	1656
Equity proceedings, in	51	1270
Fees, prepayment to witness	127	1350
Industrial Accident Comm'n, use authorized	30	855
Poor debtor's disclosure, use in	72	1511
disclosure commissioner, before	36	1503
Public utilities commission, before	61	1046
Wills, upon commission, in proof of	6	1167

II. Civil Actions, in.

Adverse party, deposition of, how taken..	5	1486
non-resident or absent from state	117	1348
notice to, see infra "Notice."		
Appeals, on, to be sent up	10	1332
probate court, from	35	1162
Application to magistrate	5	1486
Attorney, when person deemed to be	7	1486
Authorized use in certain cases	1	1485
reasons for taking	4	1485
Before whom taken	2	1485
Caption, form and requisites of	15	1487
Causes in which used	1	1485
when deemed pending	3	1485
Commission, issue of by courts	21	1488
adverse party, of, taken on	5	1486
non-resident or absentee, when	117	1348
Commissioners, see infra "Stenographers."		
Deponent, compulsory attendance	11	1487
capias issued upon refusal	29	1489
commitment for contempt	29	1489
competency, objections to	18	1488
examination of	12	1487
form of summons to	10	1486
Justice of the peace may take	2	1485
Magistrate to be disinterested	2	1485
Mortgagee, of, as to amount due	34	1254
Notary public may take	2	1485
Notice to adverse party essential	3	1485
form of	9	1486
limitation of time	8	1486
one of several, to, sufficient	8	1486
service of	6	1486
attorney for purpose of	7	1486
one, on, sufficient	8	1486
taken out of state, when	8	1486
two places at the same time, in, effect	14	1487
verbal, sufficient	8	1486
Objections to testimony	18	1488
Open for one hour, to be kept	14	1487
Other states, taken on commission in	21	1488
admission or rejection when taken in..	20	1488
notice, when no commission	8	1486
Procedure at taking	12	1487
Reading and signing	13	1487
Reasons for taking enumerated	4	1485
use for other prohibited, unless	11	1487

DEPOSITIONS—continued

Reasons, reasons cease to exist, not after	17	1488
Rejection for deception on adverse party	14	1487
cause for taking no longer exists, when	17	1488
Second suit, use in	19	1488
Stenographer appointed to take	30	1490
certificate, contents of	31	1490
fee payable to state	12	1537
fees of	32	1490
proceedings before	31	1490
Transmission to court	16	1488
Use in subsequent suit	19	1488
deceased party, deposition of	119	1348
petition for review, upon	1	1396
Writing, taken in, by commissioner	13	1487

III. In Perpetuam.

Application, contents, notice	22	1488
Certificate annexed, contents	23	1488
Deed, lost, as to proving of	35	1236
Non-residents or foreigners, of, application	26	1489
commission issued on hearing	27	1489
order of notice of hearing	27	1489
statement filed and recorded	26	1489
taken on interrogatories filed	28	1489
vacation, application and notice in	28	1489
Procedure at taking	23	1488
Record in registry of deeds	24	1489
Use as evidence	25	1489

DEPOSITS.

Certificate of, penalty for false	2	1615
Costs, for, when required	6	1307
requirement for additional	8	1307
Innkeepers, with, by guests, see Inns and		
Innkeepers.		
Insurance companies, by, in state treasury,		
see Insurance, I.		
Savings banks, in, see Banks and Banking.		
State funds, restrictions on	75	74
Trust companies, in, see Banks and Banking.		

DEPOTS.

See Railroads.

DEPUTY SHERIFFS.

See Sheriffs IV.

DEPUTY TOWN CLERK.

See Town Clerk.

DEPUTY TOWN TREASURER.

See Town Treasurer.

DESCENT OF PERSONALTY.

See Distribution.

Issue defined	6	56
----------------------------	---	----

DESCENT OF REAL ESTATE.

See Dower.

Adopted children, rights of inheritance..	38	1209
Advancements, allowance for, in dis-		
tribution	5	1244
death of recipient leaving issue	6	1244
gifts, when to be treated as	4	1244
intestate estate, treated as part of	4	1244
realty or personality, as to	6	1244
refunding of excess, no	5	1244
value of, how ascertained	5	1244
Authorized rules as to intestate estates..	1	1243

DESCENT OF REAL ESTATE—continued

Brothers and sisters, rights of	1	1243
issue of, excluded, when.....	1	1243
Children, rights of by descent	1	1243
Curtesy in wife's real estate abolished	8	1245
release of, bars right by descent.....	16	1247
Deeds, barring right by	9	1245
Degrees of kindred, how computed	2	1244
Dower, right of abolished	8	1245
release of, bars right by descent.....	16	1247
widow entitled to, only, when.....	18	1247
Election between descent and will	13	1246
Father's rights in child's estate	1	1243
Gifts, when to be treated as	4	1244
Half-blood, inheritance by kindred of	2	1244
Husband's rights in wife's real estate	1	1243
barred by deed.....	9	1245
decree for judicial separation, by....	12	1155
marriage settlement, by.....	8	1252
election between descent and will.....	13	1246
refusal to release, proceedings.....	19	1247
fee of register of deeds.....	17	1539
Illegitimate children, rights of inheritance	3	1244
adoption by father into family.....	3	1244
written acknowledgment by father....	3	1244
Issue defined	6	56
Judicial proceedings to bar rights by		
descent	19	1247
Kindred, degrees of	2	1244
Lien on share to secure debt of heir	7	1244
Lineal descendants, rights of	1	1243
Married women, property of	8	1152
Minor dying unmarried, descent	1	1244
Mortgaged land, held by executor,		
personalty	28	1195
authority of administrators, etc., as to..	13	1402
declaration in action for.....	12	1402
disposal of land, if not redeemed.....	31	1196
redemption by administrator, etc. ...	28	1406
sale of, as personally.....	29	1195
foreclosure, after, upon license.....	11	1222
wife's right in.....	17	1247
Mother's rights in child's estate	1	1243
Next of kin, rights by descent	1	1244
Penobscot Indians, of lands of	36	317
Property not disposed of by will	2	1240
Real estate defined	6	56
Right of entry not defeated by	5	1467
Settler's lot bought of state	12	210
State, escheat to	1	1244
recovery of, by state.....	11	1437
defenses not available.....	12	1437
judgment for defendant; costs.....	13	1437
after-acquired title, upon.....	14	1437
state, for; rents and profits.....	14	1437
Surplus proceeds from sale	22	1226
Widow, rights in husband's estate	1	1243
barred by deed.....	9	1245
decree for judicial separation, by....	11	1155
guardian of husband, with.....	11	1224
jointure, by.....	10	1245
waiver of, when permitted.....	12	1245
marriage settlement, by.....	8	1152
pecuniary provision, by.....	11	1245
waiver of, when permitted.....	12	1245
mortgaged property, in; redemption....	17	1247
quarantine, right of.....	17	1192
refusal to release, proceedings.....	19	1247
right of dower only, when.....	18	1247
release of, bars right by descent....	16	1247
waiver of will.....	13 et seq	1246

DESCENT OF REAL ESTATE—continued

Widower, rights in wife's estate	1	1243
Wild lands, of intestate	1	1243
settler's lot bought of state.....	12	210
Will, waiver of	13	1246

DESERTION.See **Abandonment; Parent and Child.**

Children, of, crime and punishment	32	1550
Divorce, ground for	2	1147
Judicial separation, see Husband and Wife.		
Militia, from; what constitutes; penalty ...	11	326
Vessel, by crew of, aiding and enticing ..	23	1620
Wife and children, of, when a felony;		
punishment	44	1552
jurisdiction of prosecution.....	48	1554
misdemeanor, when a; punishment.....	45	1553
payment for support in place of fine..	45	1553
recognizance, release on.....	45	1553
proceedings on forfeiture of.....	46	1554
payment for support in place of fine....	44	1553
recognizance, release on.....	44	1553
proceedings on forfeiture of.....	46	1554
recovery of penalties; procedure.....	48	1554
sentence, earnings of person under....	47	1554
payment of part to wife or children..	47	1554

DESIGNS.**Labor unions, of**see **Trade Marks and Trade Names.****Milk containers, on see Milk and Dairy****Products.****Syphons, bottles, etc., on see Beverages.****DESTRUCTION OF PROPERTY.**See **Malicious Mischief.****DETECTIVES.**

Advertising as state detective, unlawful ..	17	1639
Appointment and tenure	17	1639
Arrest by, authorized when	18	1639
Attorney general may employ	89	1278
appropriation for; expenditure.....	90	1278
Bond of,	17	1639
Compensation of	18	1640
Fee payable to secretary of state	19	1640
License issued by governor	17	1639
Powers of	17	1639
Punch boards, etc., enforcement of law as		
to	11	1590

DETINUE.

Trustee process, not to be begun by	1	1372
--	---	------

DEVISE.See **Wills.**

After-acquired land passed by	5	1241
Contingent remainders, of	3	1231
Death of devisee before testator, effect	10	1241
Disseizin of testator does not bar	4	1240
Entire estate passes by	16	1242
Executory, conveyance, subject to con-		
tingency	3	1231
sale or mortgage by license of court..	4	1231
disposal of proceeds.....	6	1232
next friend, appointment of.....	5	1232
order of notice on petition.....	5	1232
trustee to give bond.....	6	1232
Inheritance tax charged on	15	1186
Joint tenancy, when created	13	1233
conveyances in trust to two or more, by	19	1234
mortgage to two or more, when by..	19	1234
survivor may convey.....	19	1234

- DEVISE**—continued
Land in which right of entry..... 4 1240
Life estate, remainder to heirs, effect.... 12 1233
Notice by register of probate..... 25 1160
Realty, undevise, applied to debts..... 13 1242
Recorded in registry of deeds..... 24 1159
 fees for..... 39 1162
Shelley's case, rule in abolished..... 12 1233
Tenancy in common, how created..... 13 1233
Titles not defeated by trust, without notice 18 1234
 record in registry of deeds is notice.... 18 1234
Towns, to..... 91 114
Undevise realty, first applied to debts.. 13 1242
- DEVISEE.**
Actions against executor, defense of..... 13 1389
Attesting witness, not to be..... 1 1240
Contract for sale of land enforced against 13 1495
 decree, legal effect..... 14 1495
 enforcement of..... 15 1495
 obligee dying, proceedings..... 16 1496
Contributions by, see **Wills**.
Conveyances unrecorded good against.... 14 1233
Death before testator..... 10 1041
Defeasance unrecorded good against..... 15 1234
Income of real estate accounted to, for.. 57 1178
Partition, by probate court, among..... 1 1190
 conveyance defeats not..... 6 1191
 death of deviser, cited upon..... 12 1388
Real estate of, sale by license of, court.. 1 1222
Right of entry, when it accrues..... 3 1478
Unmatured debts, bond for..... 16 1390
 claim not filed, when..... 18 1390
 liability on bond..... 17 1390
Unrecorded deed good against..... 14 1233
 defeasance, instrument of, also..... 15 1234
Waste, damages for, insolvent estate.... 16 1442
- DIES.**
Counterfeiting, for, destruction of..... 13 1590
 search warrant for..... 14 1646
- DIKES.**
Marshes, for improvements, see **Marshes**.
 Meadows and Swamps.
- DILATORY PLEAS.**
 See **Abatement**; **Pleadings**.
Overruling, proceedings..... 28 1265
- DIPHTHERIA.**
 See **Health**, IV.
- DIRECTORS.**
Corporations under general law, of,
 see **Corporations**, IV.
Insurance companies, of, see **Insurance**.
Loan and building associations, of, see
 Banks and Banking.
Railroad companies, of, see **Railroads**, II.
Street railroad companies, of, see **Street Railroads**.
Trust and banking companies, of, see **Banks**
 and **Banking**.
- DIRECTOR OF SEA AND SHORE FISHERIES.**
 See **Sea and Shore Fisheries**, II.
- DIRK.**
 See **Dangerous Weapons**.
- DISBARMENT OF ATTORNEY.**
 See **Attorneys-at-Law**.
- DISCHARGE.**
Accused, of, not indicted at second term.. 10 1655
 examination, upon..... 13 1650
 recognizance, upon; in another county.. 6 1648
 adjournment, upon..... 10 1649
 hearing, upon..... 13 1650
 keep the peace, with sureties to..... 4 1638
 satisfaction of damage, upon..... 20 1651
Attachment of real estate, of, on margin 74 1322
 certificate recorded..... 74 1322
 fee for recording..... 17 1539
Bankruptcy, in, pleading..... 75 1341
 promise to pay debt barred by..... 1 1492
Civil bail, of; surrender of principal..... 4 1370
 court, into..... 7 1371
 judgment on scire facias, before..... 11 1371
 officer holding execution, to..... 6 1370
 trial justice, before..... 13 1372
Criminal bail, of, surrender of principal.. 23 1652
 after default; remission of penalty.... 24 1652
 liquor cases excepted..... 25 1652
 recognizance to keep the peace, upon.. 12 1639
 scire facias, upon..... 26 1652
Complaint for security to keep the peace, on 5 1638
 sureties, upon furnishing..... 4 1638
 commitment, after..... 8 1638
Habeas corpus, on, see **Habeas Corpus**.
Insane hospitals, from see **Insane Hospitals** III.
Liens, of, by tender..... 67 1425
Mortgages of real estate, see **Mortgages** II.
Poor debtors, of, see **Poor Debtors**.
Pownall state school, from..... 50 1730
State prison, of convict at..... 51 1697
 provided with clothing and money..... 53 1697
State school for boys, from, see **State**
 School for Boys.
State school for girls, from, see **State**
 School for Girls.
Trustee in trustee process, of, see
 Trustee Process, II.
U. S. soldiers and seamen, of; record..... 7 1286
- DISCLAIMER.**
Information for intrusion, in..... 5 1436
Real action, by defendant, effect..... 6 1468
Trespass, tender in actions of..... 41 1337
- DISCLOSURES AND DISCLOSURE COMMISSIONERS.**
 See **Poor Debtors**.
- DISCLOSURE ON TRUSTEE PROCESS.**
 See **Trustee Process**.
- DISCONTINUANCE.**
Actions, of, none after set-off filed..... 87 1343
Corporation returns, failure to make,
 action for penalty..... 41 871
Costs upon..... 148 1353
 second action stayed until paid..... 148 1353
Forfeited goods, of libel for; restoration 7 1450
Lien action, as to any defendant..... 69 1425
Prosecutions, of; liquor cases, none in,
 except..... 21 1599
 private satisfaction upon..... 20 1651
 discharge filed with clerk..... 21 1651
Right of entry not affected..... 5 1467
Set-off, consent necessary after..... 87 1343
Sheriff's bond, action on..... 21 1297
Trustee process, costs upon..... 6 1373
Ways, of, see **Ways**, III.

DISCOVERY.

Bills for, interrogatories.....	45	1269
answers and procedure.....	45	1269
ship owners, as to liability of.....	5	771
Equity jurisdiction as to.....	36	1267
Probate court, by examination in.....	69 et seq	1180
ward's estate, as to.....	33	1208

DISCRIMINATION.

Inquiries may be answered by mail.....	9	1570
Penalty for violation.....	10	1570
Places of public accommodation defined..	8	1570
in, by printed notice.....	7	1569
Soldiers and sailors, against.....	21	1549

DISEASE.

See Health.		
Animals, among, see Animals.		
By-laws, towns may make as to.....	136	123
Trees and plants, in, see Forestry.		

DISFIGUREMENT.

Domestic animals, of, punishment.....	1	1623
Persons, of, punishment.....	14	1548

DISGUISE.

Horses in races, penalty.....	17	1619
Laws, to obstruct execution of.....	26	1567
Prisoners, conveying to, to aid escape....	17	1565

DISINFECTION.

See Health.

DISINTERESTED.

Person, when so considered.....	6	57
---------------------------------	---	----

DISMISSAL OF ACTIONS.

Indorser for costs, failure to provide new..	8	1307
Sheriff's bond, action on.....	21	1297

DISMISSAL OF PROSECUTION.

Satisfaction, for private injury, upon.....	20	1651
discharge filed with clerk.....	21	1651

DISORDERLY CONDUCT.

Caucus, large cities in, disturbance of;		
penalty	52	170
Innkeepers or victualers not to allow....	8	637
Public conveyance, upon.....	70	1083
arrest of offender.....	71	1083
Punishment for, in general.....	6	1707
Town meetings, at, penalty.....	35	103

DISORDERLY HOUSE.

Children, admission to, penalty.....	34	1551
--------------------------------------	----	------

DISORGANIZED TOWNS.

Collection of debts against.....	135	122
Service of writs upon.....	135	122

DISQUALIFICATION.

Bribery, by, for public office.....	5	1563
informers exempt from.....	8	1564
places of trust, to hold.....	6	1563
City clerk, not to draft instruments.....	14	305
Clerk of courts, not to draft instruments	14	305
Congressmen, to hold office, of.....	6	3
persons disqualified to be.....	6	3
Councillors, to hold office, of.....	4	28
persons disqualified to be.....	4	28
Disclosure comm'r, as to later proceedings	43	1505
Duel, resulting from.....	10	1547

DISQUALIFICATION—continued

Election returns, lost, by false certificate		
as to.....	110	197
Governor, to hold office, of.....	5	27
Judge; residence in town interested, by..	56	1339
none, in action for taxes.....	27	285
waiver of.....	56	1339
Judge of probate, of, for certain business	20	1158
guardians of minors, to appoint.....	1	1202
Juror, of, engaged in liquor traffic.....	25	1601
officers of insane hospitals, when.....	36	1727
Legislature, members of, to hold office..	10	26
persons disqualified to be members....	11	26
Offices incompatible with each other....	2	31
President of United States, to be.....	1	7
Rebellion, from participation in.....	3	14
Register of deeds, not to draft instru-		
ments	14	305
Register of probate, of, for certain		
business	30	1160
Relationship, by; between parties.....	6	57
Secretary of state, not to draft instru-		
ments	14	305
Town clerk, not to draft instruments....	14	305
Treasurer of state, trade, not to engage in	3	29
Vice president of United States, to be....	xii	13

DISSECTION.

See Dead Bodies;
Physicians and Surgeons.

DISSEIZIN.

See Entry, Writs of; Real Actions.		
Action or entry for, limitation of,		
see Limitation of Actions III.		
Definition of.....	10	1479
Devise undefeated by, of testator.....	4	1240
Aqueducts, of; contract still in force....	8	1120
proprietors become tenants in common	9	1121
Attachments, of, see Attachments I.		
decree of sequestration of savings		
banks, by	54	913
trust and banking companies, of.....	85	923

DISSOLUTION.

Corporations, of, see Corporations I.		
Limited partnerships, of; notice.....	17	757
Railroad corporations, of.....	59	1081
DISTRESS.		
Beasts, at large, of.....	19	1451
Goods and chattels, of; for taxes, see		
Taxation, IV.		
Shares of corporate stock, for taxes.....	24	284
duties of officer of corporation.....	25	284
Warrants, of, see Warrants I.		

DISTRIBUTION.

I. In General.		
II. Estates of Deceased Persons:		
I. In General.		
Corporation, after dissolution, assets of..	89	883
Insurance companies, assets of domestic	86	985
casualty companies, of.....	169	1008
foreign companies, of.....	114	992
fraternal beneficiary associations, of...	7	1014
another provision	20	1019
Lien sale, proceeds of; buildings, etc. ...	37	1417
surplus proceeds, of.....	38	1418
vessels, of.....	21	1414
distributed pro rata, when.....	22	1414

DISTRIBUTION—continued

Public documents, of, see Public Documents.	
Savings banks, assets of insolvent.....	53 913
Trust companies, assets of insolvent.....	85 923

II. Estates of Deceased Persons.

Account of payment; allowance.....	21 1193
insolvent estates, in case of.....	25 1201
Adopted child, rights of.....	38 1209
minor dying unmarried without issue..	38 1209
Advancements, see Advancements.	
Alienage no bar to right of.....	21 1193
Authorized rule as to.....	20 1241
Bond to refund may be required.....	25 1195
Descent of personal property generally..	20 1248
Illegitimate children, rights of.....	3 1244
Insolvent estates, of.....	24 1201
Lands taken on execution, personal assets	28 1195
administrator, etc., dying before sale..	30 1196
sale of, as personalty.....	29 1195
unredeemed, disposal of.....	31 1196
Legacy recovered by action at law.....	27 1195
payable when.....	26 1195
suit on probate bond.....	14 1230
residuary legacy, for.....	15 1230
Life insurance, money from.....	21 1248
Loan and building association, shares,	
money from.....	115 932
Married woman dying intestate, of.....	8 1152
Mortgages are personal assets.....	28 1195
sale of, as personalty.....	29 1195
foreclosure, after, upon license.....	1 1221
unredeemed, disposal of.....	31 1196
Non-resident estates, of.....	32 1196
insolvent, procedure when.....	33 1196
order of payment of debt.....	33 1196
proceeds of land sold under foreign wills	35 1196
residue, distribution of.....	34 1196
Non-resident guardian, delivery of estate	
to.....	28 1207
Order of distribution, issue of.....	21 1193
neglect as to, procedure.....	21 1193
probate bond, action on to enforce....	15 1230
Real estate, surplus proceeds of.....	21 1193
Specific articles, of; appraisal.....	22 1194
assignment of debts.....	23 1194
method of collection of.....	23 1194
Unclaimed shares, disposition of.....	21 1193
payment by county treasurer.....	24 1194

DISTRIBUTOR.

Definition of under gasoline tax.....	79 251
---------------------------------------	--------

DISTRICT HEALTH OFFICERS.See **Health.****DISTRICTS.**

Division of state into.....	1 55
Counties divided into jury districts.....	6 1482
Law court, for, state constitutes one....	5 1259
Registries of deeds, for; Aroostook.....	7 304
Oxford	6 303
Senatorial, when and how formed.....	2 24

DISTURBANCE.

Assemblies, of lawful.....	45 1581
Intoxicated person, by.....	18 1598
Railroad cars, boats, etc., on.....	70 1083
offender, arrest of.....	71 1083
Religious worship, of, penalty.....	36 1580
arrest of offenders.....	38 1580

DISTURBANCE—continued

Schools, of.....	197 399
Town meetings, of.....	35 103

DITCHES.See **Drains and Sewers.**

Highway, municipal officers may construct	26 495
land taken for; limitation.....	26 495
proceedings; damages.....	27 496
maintenance and repair, liability for..	26 495
wilful interference with.....	26 495
Salt marshes, for drainage and partition of	17 610
agreement as to recorded, valid.....	19 611
maintenance of, liability for.....	18 610
owner ceasing to improve, relieved...	19 611
size of ditch, fence viewer to fix.....	18 610
State highways, on.....	7 541
Swamps, meadows, etc., for, see Drains and Sewers.	
Ways, along, not to be obstructed.....	83 538

DIVERSION OF WATERS.See **Mills and Mill Dams.****DIVIDENDS.**Corporations, by, see **Corporations II.**Insurance companies, of, see **Insurance V, B.**

Loan and building association, of.....	117 932
Savings banks, of, see Banks and Banking VI.	

DIVORCE.

Adultery by both parties bars.....	2 1147
Alimony, decree for.....	9 1148
new trial as to.....	11 1149
Allowance, to wife pending libel.....	6 1148
final decree, upon.....	9 1148
husband, to, for fault of wife.....	10 1149
Annulment of marriages, proceedings...	15 1150
care, custody and support of children..	14 1149
effect upon legitimacy of issue.....	16 1150
prior marriage, in case of.....	17 1150
Attachment in libel.....	3 1148
Causes, enumeration of.....	2 1147
Children, care and custody of.....	14 1149
adoption of, consent to.....	36 1209
inheritance rights not affected.....	13 1149
libel pending, while.....	6 1148
support of.....	14 1149
Cohabitation of parties after, adultery...	1 1573
Collusion as a bar.....	2 1147
Decrees, enforcement of.....	14 1149
Deposition, use of.....	1 1485
Foreign, validity in this state.....	12 1149
Grounds, enumeration.....	2 1147
Hearing at return term when.....	8 1148
Interlocutory orders, granting of.....	6 1148
personal liberty of wife, to preserve....	7 1148
Issue, rights of, not affected.....	13 1149
Jurisdiction in superior court.....	2 1147
Jury trial in.....	8 1148
Libel, filing and service.....	3 1148
allowance to wife pending.....	6 1148
care and custody of children pending..	6 1148
notice, order of.....	3 1148
perjury in, penalty.....	5 1148
personal liberty of wife pending.....	7 1148
property may be attached on.....	3 1148
residence of libellee, stated in.....	4 1148
Libellee, service upon, residence unknown	4 1148
Life imprisonment, effect of.....	1 1147
Marriages prohibited are void.....	1 1147
Name of wife, may change.....	14 1149

DIVORCE—continued

New trial when granted.....	11	1149
Notice by publication, where adultery charged	4	1148
Perjury, penalty for.....	5	1148
Property rights, husband, of.....	10	1149
wife, of	9	1148
Record, as court may order.....	10	1287
Residence requirement.....	2	1147
Returns to register of vital statistics....	31	1138
Service, method of.....	3	1148
libellee, where residence unknown.....	4	1148
publication, where adultery charged....	4	1148
Witness, either party may be.....	2	1147

DOCK.

Lien for use of by domestic vessel.....	7	1411
building of vessel, for.....	8	1411

DOCKET.

Law court, of,	7	1259
Magistrates to keep, examination.....	9	1673
capias for failure to produce.....	10	1673
Probate court, required in.....	23	1159

DOCTORS.

See Physicians and Surgeons.

DOCUMENT ROOM.

See Libraries.

DOCUMENTS.

Filing in clerk's office, notice, etc.	22	1334
Forgery of, punishment.....	1	1559
Fraudulent alterations, penalty.....	7	1560
Production of, court may order.....	23	1334
Public, distribution of, see Public Documents.		

DOGS.

I. In General.

II. Licensing of.

I. In General.

By-laws or ordinances respecting.....	136	123
towns may make as to going at large of	136	123
Damages by, liability for.....	165	130
how assessed and paid.....	166	130
injuries to domestic animals.....	166	130
liability of owner, joint and several....	167	131
procedure upon complaint.....	166	130
owner or keeper liable to state.....	166	131
penalty for keeping dogs that kill.....	166	131
Dangerous dogs, complaint to magistrate	172	132
proceedings and order of magistrate....	172	132
subsequent injuries, liability for,		
damages	173	132
Deer, moose and caribou, hunting with..	64	677
Domestic animals, worrying, may be killed	65	678
Fights by, penalty for promoting.....	51	1582
owning or training for.....	53	1583
authority to prevent.....	54	1583
places for, prohibited.....	52	1583
Game, chasing may be killed.....	65	678
Jurisdiction of offenses.....	175	133
finer, disposal of.....	175	133
Killing, justifiable, when.....	171	132
trial justice or court ordering killing..	171	132
unlawful, liability for.....	170	132
Malicious injuries to, liability for.....	170	131
Malicious injury or theft, etc., to.....	1	1623
Neglect of duty by officer, penalty.....	169	131
Owning for hunting big game, penalty....	64	677

DOGS—continued

Permitting to chase big game after notice	64	677
Persons, assaulting, may be killed.....	65	678
Poison exposed, with intent to kill.....	18	481
Special kennel license, fee for.....	158	129
Stealing licensed dog; liability for.....	170	131

II. Licensing of.

Accounts of receipts and expenditures....	160	129
Assessors of taxes to make lists annually	157	128
Clerks of cities and towns to issue.....	159	129
Collar around neck necessary.....	158	129
Date of issue.....	158	129
Fees for males and females.....	158	129
paid to clerk.....	158	129
Jurisdiction of offenses.....	175	133
finer, how disposed of.....	175	133
Keeping unlicensed, penalty.....	161	129
Killing unlicensed, procedure.....	162	129
Law regarding, copies of forwarded to		
town clerks	164	130
copies of to be posted.....	164	130
Lists of dogs made by assessors.....	157	128
returned to state treasurer.....	157	128
failure to make return to treasurer....	157	128
Neglect of duty by officer.....	169	131
Penalty for keeping unlicensed dog.....	161	129
Person becoming owner during year, to		
license	158	129
Registered and licensed annually.....	158	129
Special kennel license.....	158	129
Towns to pay license fees to state.....	159	129
balance credited on state tax.....	168	131
deficiency added to state tax.....	157	129
Town treasurer to keep account of fees..	160	129
fees to pay to treasurer of state.....	159	129
Unorganized plantations, when kept in...	174	133
Warrant to kill unlicensed dogs.....	162	130
contents, return of.....	163	130
fees of officer for.....	163	130
return of warrant and contents.....	163	130

DOMESTIC ANIMALS.

See Animals.

DOMICILE.

Judicial declaration of, petition.....	31	1265
change of residence, in case of.....	33	1266
notice to attorney general.....	32	1265

DONATIONS.

See Gifts.

DOORS.

Public buildings, to open outwards.....	37	631
Schoolhouses, to open outwards.....	37	631

DOWELS.

Lien on, for labor and team.....	53	1421
----------------------------------	----	------

DOWER.

Abolishment of estate.....	8	1245
existing rights not affected.....	8	1245
Action of dower, recovery by.....	1	1465
service of writ.....	1	1467
tenant of freehold, against.....	6	1465
Assignment in actions on covenant of deed	35	1335
Costs, how apportioned.....	10	1466
Damages for detention.....	5	1465
prior tenant, against.....	6	1465
tenant, if demand not made on.....	6	1465
Death of demandant, proceedings.....	7	1465

DOWER—continued

Demand on tenant of freehold.....	2	1465
corporation, on an officer of.....	3	1465
time between demand and suit.....	2	1465
corporation, in case of.....	3	1465
Eviction, endowed anew.....	12	1466
Judgment for dower, proceedings.....	8	1465
Mortgaged property, release of in.....	17	1247
Non-tenure pleaded in abatement.....	4	1465
Release of, bars right by descent.....	16	1247
Rents and profits, assignment from.....	9	1466
Waste, liability for.....	11	1466
liability of tenant for.....	1	1440
Widow entitled to, only, when.....	18	1247
Writ of seizin.....	8	1465

DRAFTS.

See Negotiable Instruments.

DRAINS AND SEWERS.

Abutters, see infra "Assessments."

Action against town, for non-repair.....	18	494
Action at law to collect assessments.....	10	493
Arbitration of assessments.....	6	492
entrance permits, of.....	14	494
payment of award, fees of arbitrators	20	495
record of award.....	20	495
Assessment for benefits, notice of.....	5	491
acceptance of provisions by town.....	12	493
action at law for; interest on.....	10	493
arbitration, determination of, by.....	6	492
lien created to secure payment of.....	8	493
in favor of person paying.....	11	493
sale of land for non-payment.....	8	493
redemption from.....	9	493
town clerk to make and certify list of	8	493
treasurer to enforce by sale.....	8	493
Common drains, apportionment of expense	23	495
appeal to county commissioners.....	23	495
notice of amount; payment.....	24	495
opening, notice given before.....	25	495
private, when may enter.....	7	492
Construction and control of public drains	2	491
authorized by vote of town.....	2	491
railroad across location of.....	4	491
taking of land for.....	2	491
assessment of damages.....	3	491
Highway ditches, construction of.....	26	495
action against town for non-repair of..	26	495
land taken for; limitation.....	26	495
assessment of damages.....	27	496
maintenance, liability for.....	26	495
wilful interference with.....	26	495
Highways not to be opened without con-	1	491
sent	22	495
Injury, public liability for.....		
Lands, inaccessible, drainage of, see infra		
"Swamps."		
Marshes, meadows, etc., improvement of,		
see Marshes, Meadows and Swamps.		
Meadows, inaccessible, drainage of, see infra		
"Swamps."		
Mines, inaccessible, drainage of, see infra		
"Swamps."		
Municipal officers may construct public..	2	491
common drain, expense of to apportion	23	495
notice, payment.....	24	495
opening, notice given before.....	25	495
entrance permits, record of.....	19	494
fees of arbitrators, record of award..	20	495
highway ditches construction authorized	26	495
proceedings of; record of permits.....	19	494

DRAINS AND SEWERS—continued

Nuisance caused by private drain.....	17	494
Private drains, when may enter public....	7	492
another provision as to.....	13	493
apportionment of expense for entering..	23	495
notice; payment.....	24	495
notice given before opening.....	25	495
arbitration on sum to be paid therefor	14	494
payment of award; record.....	20	495
entrance without permit, may be de-		
stroyed	16	494
penalty for.....	16	494
permit, when forfeited.....	17	494
record of permits issued.....	19	494
repair by town at owner's expense.....	21	495
violation of conditions of permit.....	17	494
Public drains, injury to, liability for.....	22	495
management and control of.....	15	494
Public utilities comm'n, duties as to.....	13	1027
penalty for violation of orders.....	81	1049
Railroad across location of.....	4	491
jurisdiction of public utilities comm'n..	4	491
Repair of private drains by town.....	21	495
Salt marshes, ditches on, see Ditches.		
State highways, on.....	7	541
Streets not to be opened without consent..	1	491
Swamps, inaccessible, drainage of.....	28	496
bond for cost and damage.....	29	496
committee, appointment of.....	30	496
proceedings before.....	30	496
report of acceptance.....	31	496
record of adjudication.....	32	496
damage to drains and ditches, penalty	35	497
improvement of drains and ditches.....	33	496
damages how determined.....	34	496
location of drains and ditches.....	30	496
assessment of damages for.....	30	496
damages, payment of.....	32	496
petition to county commissioners.....	29	496
proceedings before.....	30	496
repairs of drains, ditches, how made....	33	496
Town, management when constructed by	15	494
maintenance and repair of public by...	18	494
Violation of conditions of permit.....	17	494
Ways, along, not to be obstructed.....	83	528

DRINKING FOUNTAINS.

Establishment by towns authorized.....	92	529
--	----	-----

DRINKING HOUSE.

Keeping of, prohibited, penalty.....	13	1597
Prosecution by indictment.....	20	1599

DRINKS.

See Beverages; Food; Milk.

Sale of unwholesome, penalty.....	4	1631
-----------------------------------	---	------

Water supply, corruption of.....	1	1630
----------------------------------	---	------

DRIVING.

See Motor Vehicle Law II.

DRUG ADDICTS.

See Health, I.

DRUGGISTS.

See Apothecaries; Poisons.

DRUGS.

See Apothecaries; Poisons.

Adulterated, sale prohibited.....	1	715
exemption from prosecution.....	37	727
penalty for violation.....	36	727
when deemed to be.....	18	720

DRUGS—continued

Analysis of annually, results published....	30	726
certificate of presumptive evidence.....	35	727
Children , giving or selling to.....	39	1552
evidence required to convict.....	43	1552
other laws not affected.....	41	1552
sentence, suspension of.....	42	1552
Commitment of person suffering from....	131	472
agreement for personal restraint.....	132	472
investigation of progress of case.....	133	473
Definition of term.....	2	715
Dentists , prescriptions by.....	33	432
Enforcement of law by commissioner....	67	735
appointment of deputies.....	68	735
appropriations for.....	71	736
method of expenditure.....	73	736
hearings as to violations, notice.....	66	735
jurisdiction of offenses.....	70	736
recovery of penalties.....	67	735
disposal of fines.....	70	736
rules and regulations to be made.....	65	735
standards of purity, established.....	65	735
Misbranded , sale prohibited.....	1	715
exemption from prosecution.....	37	727
penalty for violation.....	36	727
term defined.....	19	722
when deemed to be.....	19	722
Motor vehicle , operation under influence of	38	590
Poisonous drugs , sale of regulated.....	16	488
penalty for violation of law as to.....	16	488
Rules of construction.....	69	736
Standards of purity, etc., may be fixed....	65	735
Throwing on doorsteps, penalty.....	12	1575

DRUNKARDS.

Appointment of guardians for, see Guardian and Ward.		
Contracts for necessities, liability on....	2	1794
Injuries by, responsibility for.....	19	1599
Militia , excluded from enrolment in.....	4	324
Pauper sent to house of correction.....	38	623
Punishment of.....	6	1707
county farm, may be sentenced to.....	18	1598

DRUNKENNESS.See **Intoxication.****DRY DOCK.**

Use of, by domestic vessels; lien.....	7	1411
building vessels, for; lien.....	8	1411

DUCKS.See **Inland Fisheries and Game, V, C.****DUELS.**

Acceptance of challenge, or aiding in....	11	1547
residents, by, without the state.....	12	1547
Challenging or engaging in, penalty.....	10	1547
residents, by; without the state.....	12	1547
Disability as result of.....	10	1547
Murder , in; prosecution.....	7	1547
second, declared an accessory.....	8	1547
trial in another state, effect.....	9	1547
Posting for not fighting; penalty.....	15	1548
Second in, deemed accessory.....	8	1547

DUE PROCESS OF LAW.

Constitutional guaranty of; U. S. const. ..	V	11
state constitution, under.....	19	19
states against action by.....	1	13

DURESS.

Bill of lading, negotiated by, rights under	38	1757
Warehouse receipts , effect on negotiation	47	1769

DWELLING-HOUSE.

Births and deaths, householder to notify of	23	1136
Breaking and entering in daytime.....	8	1556
Burglary in, punishment.....	6	1555
Burning of.....	1	1555
curtilage, within the.....	2	1555
wife, by, without consent of husband..	5	1555
Burying-ground , not to be located near..	9	487
Ceded to U. S.	5	61
Compulsory cleaning of.....	67	462
vacating of, until cleansed.....	67	462
penalty for non-compliance.....	67	462
Compulsory disinfection of.....	53	460
letting without, forbidden.....	70	462
notice of owner or occupant.....	53	460
board of health to act after.....	54	460
expense recovered by town.....	54	460
penalty for non-compliance.....	54	460
Definition of.....	9	1556
Destruction of, by mob, penalty.....	19	1572
liability for, in civil action.....	19	1572
towns, of.....	20	1572
Electric power company lines not to be located near.....	9	1110
Entering in nighttime.....	7	1556
Fence for division, consent to.....	1	607
Foreigners , householder to notify of when	3	624
Highway ditches not within 20 feet of, unless	26	495
Impressment , for contagious diseases....	82	464
compensation for.....	87	465
infected articles, for safe-keeping of....	84	465
service of warrant for.....	85	465
Profiteering in rents, penalty.....	32	1622
Railroad not to take without consent....	29	1057
crossings, not to be moved as obstruction	97	1088
Schoolhouse , land not taken within fifty feet of	3	352
unorganized territory, not within 50 feet of	141	385
Search warrant , authority to issue.....	14	1646
essential by fish warden.....	5	787
fish and game, for.....	98	695
intoxicating liquors, as to.....	36	1604
not for narcotic drugs, unless.....	32	485
search in night time, for.....	17	1646
Street railroad , not to take without consent	18	1095
Tramp entering, penalty.....	21	1634
refusing to leave on request.....	27	1635
Widow's use of, without rent.....	17	1192

DYNAMITE.

Sale prohibited by military commander..	41	335
Shore fishing , use in prohibited.....	88	810