

# 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)

EIGHTH REVISION

THE  
REVISED STATUTES

OF THE  
STATE OF MAINE

PASSED SEPTEMBER 20, 1944, AND TAKING EFFECT  
DECEMBER 30, 1944

VOLUME II



By the Authority of the Legislature

---

AUGUSTA  
KENNEBEC JOURNAL PRINT

INDEX

TO THE

REVISED STATUTES

OF THE

STATE OF MAINE

EIGHTH REVISION

## NOTE TO INDEX

No printed work is so frequently attacked as an index. Rarely, in fact almost never, is such criticism constructive, however. The work of improving an index is most difficult and rests heavily with the indexer. In addition to being scientific for the orderly student, the index must more frequently anticipate the careless and undisciplined searcher. The additional time granted the indexer allowed for increased reflective arrangement of titles, references, and treatment.

In this revision, an innovation in the form of a topical index preceding the descriptive word index will be found. It is intended by this to give an overall picture of the statute book, much like a table of contents. The use thereof should be limited, however, to getting into a particular chapter or subject and should not be relied upon as a substitute for the descriptive word index. It will be of great assistance in finding a particular chapter. For example, because the duties of the Secretary of State extend throughout the entire statute book, it is not a substitute for discovering his duties in some particular. The descriptive word index will be necessary, for only a small part of the law regarding the Secretary is under the chapter relating to his office. However, a topical index, like a table of contents, is a valuable aid in becoming familiar with Statutes, if rightly used. Its constant use will acquaint one with the logical arrangement of the law of the State, making searches easier.

Another change that will be found in the present index is the omission of boldface type in sub-headings. By changing to lighter face, the main headings show up better. The great majority of States apparently agree on this. It was not done in the last revision because it was not felt best to leave too suddenly the type of index in use in Maine for so many years. Catch-words under sub-headings are capitalized in this edition to bring them out more noticeably. A dash mark is added in the citation between page and section number in order to make the reference more easily read.

No such things are mentioned in the statutes as Drunken-Driving, Hit and Run, Building and Loan Associations, and many other subjects commonly referred to in conversation. Yet, there will be found in this index many such common phrases because of their universal and common use.

Cross-reference, for some unexplainable reason is often resented, altho it is the greatest single aid to the searcher. Few will deny that it is unnecessary to repeat all the law pertaining to Executors and Administrators under both the titles Executors and also Administrators, then again under Estates, then again under Probate, etc. By such a method, the index becomes larger than the book. It makes little difference whether the subject is treated under Administrators and Executors or vice versa and referred to by reference from allied topics, so long as the treatment is complete wherever found.

Much statutory law appears referring to Public Utilities. Many of the provisions are equally applicable to railroads, railways, street railways, telephone and telegraph companies, etc. Assuming the searcher is interested in a statutory question relating to public utilities generally, but his approach is through Railroads because he is searching for the general provision with relation to its application to railroads, without reasoning in this manner. He only thinks: "There is such a law applicable to railroads." He goes to Railroads as a subject and is referred to Public Utilities. Resentment immediately follows because he believes that the law should be under the topic first thought of. This is, of course, impossible as well as impractical. Another searcher for the same provision may first go to Steam Railroads, another to Carriers, another to Common Carriers, etc. Again resentment follows. Throughout our Statutes, there are many laws having general provisions covering many similar features, yet, to index every phase of the law under the various catch-words would lead to considerable duplication and render the index impractical. The Maine Statutes are already more heavily indexed than those of most States. For every five pages of text in our Statutes, there is one page of index. However, cross references will be placed at the end of a treatment instead of at the beginning, to insure exhaustion of the subject first thought of before referring to another.

The general index will include more references and an improved arrangement without the substitution of a radically new system. Whenever possible, the section and page number will be added to a cross-referred subject matter providing the treatment thereof is confined to a specific section or paragraph in the Statutes.

In addition to members of my own staff, acknowledgment must be made to the Committee on Revision for their kindly cooperation, particularly to the Chairman, Hon. Joseph E. Harvey and the Revisors, Hon. L. Smith Dunnack and Hon. Samuel H. Slosberg.

RICHARD H. ARMSTRONG, LL.B.

November 1, 1944  
Biddeford, Maine

V

	Sec. Page		Sec. Page
<b>VACANCIES</b>		<b>VENEREAL DISEASES—Continued</b>	
Defined .....	21—157	Pre-marital medical examinations 107 et seq—	394
Failure to qualify, upon .....	8—164	Prenatal examinations .....	116 et seq—396
Town office, in .....	22—1414	Prostitution or lewdness, probation ....	12—1846
Election .....	38—1418	See also Health and Welfare	
Trustee vacancies .....	18—2029	<b>VENIRES</b>	
See also particular titles		See Jury and Jurors	
<b>VACATION</b>		<b>VENUE</b>	
Appointments by courts in .....	2—1700	Accessories .....	2—1908
Appointment of stenographer for hear- ings .....	186—1732	Arrest in other county .....	5—1919
County clerk hire, for .....	269—1408	Assignee of choice in action .....	9—1676
Guardian ad litem appointed .....	58—1709	Attachment gives jurisdiction .....	12—1676
Hearings and judgments in .....	39—1706	Audita querela .....	2—1810
Orders and decrees in .....	2—1700	Change of by superior court .....	24—1704
Order of notice in .....	1—1699	Change where state a party .....	15—1677
Probation violations, hearing .....	31—1940	Corporations as parties .....	13—1676
Writs issued in by clerks .....	2—1674	Counties as parties .....	13—1676
<b>VACCINATION</b>		Crimes, boundaries, near .....	7—1910
Free annually .....	54—384	County lines near .....	7—1910
Paper mills require employees .....	55—384	Death within state, injury without ..	6—1909
See also Health and Welfare, Animals		Death without state, injury within ...	6—1909
<b>VAGABONDS AND VAGRANTS</b>		Tide waters, at or in .....	9—1910
Burial .....	12—1267	Tide waters, county lines at or in ....	8—1910
Crime and penalty .....	35—1874	Debt on judgment .....	11—1676
Dwelling, refusal to leave, penalty .....	33—1874	Duelling out of state .....	3—1862
Military duty, unfit .....	28—176	Forfeitures, for recovery .....	14—1677
Non-resident, by, penalty .....	30—1873	Inferior courts .....	16—1677
Overseers of poor records .....	12—1492	Parties in different counties .....	16—1677
Paupers arrested as .....	33—1499	Insane criminals, in case of .....	129—497
Workhouses for .....	1 et seq—1502	Kidnapping .....	14—1819
See also Tramps		Local and transitory actions .....	13—1676
<b>VALUATION</b>		Municipal court criminal jurisdiction ..	2—1912
Bonds of life insurance company .....	128—1160	Murder by duelling .....	3—1818
Cash surrender value life policy .....	117—1156	Parishes as parties .....	13—1676
First of towns .....	13—1623	Personal and transitory actions .....	9—1676
General, every ten years .....	7—34	Polygamy .....	4—1845
Retirement system for state employees ..	11—1254	Probate court .....	16—1960
Standard valuation law, insurance 122 et	seq—1158	Prostitution etc., in cases .....	21—1848
State taxes, for .....	65—219	Replevin of goods .....	9—1801
See also Taxation		Sea and shore fisheries offenses .....	151—771
Trustee process, articles .....	46—1741	Sheriff's bond, action on .....	9—1676
<b>VALUES</b>		State, actions in behalf .....	15—1677
Life insurance policies .....	114 et seq—1153	Change on motion, costs .....	15—1677
<b>VALVES</b>		Transfer, when, ordered .....	9—1676
Compressed air work .....	74 et seq—566	Transportation for prostitution etc. ....	20—1848
<b>VANS</b>		Trial justice, accused brought before local	10—1914
Special permits .....	92—314	Assignment .....	9—1676
<b>VARIANCE</b>		Parties in different counties .....	5—1666
Allegations and proof, in .....	14—1911	Parties in same county .....	4—1666
Insurance policies, actions on .....	40—1706	Trustee process .....	5—1735
<b>VASECTOMY</b>		Trustee process, see Trustee Process	
Authorized procedure .....	158 et seq—506	Two counties, accused charged with crime	
<b>VAULTS</b>		in .....	7—1920
Records of municipalities, for .....	135—1445	Two defendants in different counties ...	16—1677
<b>VAULTS FOR BURIAL</b>		See also Jurisdiction	
See Burying-Grounds		<b>VERDICTS</b>	
<b>VEAL</b>		Lastardy case .....	29—2055
Sale of young, penalty .....	3—1867	Criminal cases, proceedings in case of ..	29—1931
<b>VEGETABLES</b>		Bail after .....	29—1931
Bounties for Indians .....	316—444	Crimes, acquittal of part, conviction of	
Burning, penalty .....	5—1825	residue .....	10—1910
Sale by measure; penalty .....	201—1619	Disagreement, proceedings .....	108—1718
Trespass to injure or take .....	39—1832	Equity case tried by jury .....	32—1656
Digging or taking .....	41—1833	Exceptions, see Exceptions	
Liability for .....	11—1798	General or special .....	107—1718
See also Produce		Improper joinder cured by .....	51—1708
<b>VEHICLES</b>		Interest on .....	20—1648
Attachment and execution, exemption ...	67—1688	Jury, irregularities regarding .....	111—1718
Defined .....	1—277	Improper practices .....	112—1718
Injuring or tampering .....	26—1829	Irregularity in choice .....	4—1753
Malt liquor sales from .....	34—1215	Law court, see Supreme Judicial Court ..	8—1632
Railroad crossings, precautions .....	70—893	Motion to set aside .....	59—1709
Railroad track, on penalty .....	67—909	Jurors, improper practices with .....	112—1718
Use without consent, penalty .....	25—1829	Single justice may act when .....	60—1710
See also Motor Vehicles		Murder and concealment of death of in- fant .....	10—1846
<b>VENDORS</b>		New trials, see New Trials	
Itinerant .....	83 et seq—1593	Replevin cases, in .....	159—1728
Posing as Indians .....	321—445	Separate on more than one defendant ..	106—1718
<b>VENEREAL DISEASES</b>		Set-off, costs .....	161—1728
Advertisements about .....	87 et seq—391	See also Juries and Jurors	
Blindness, precautions at birth .....	120—397	<b>VERONAL</b>	
		Sale regulated .....	24 et seq—1276
		<b>VESSELS</b>	
		Anchorage obstructed, removal .....	5—1566
		Attached for unlawful fishing .....	47—744

	Sec. Page		Sec. Page
<b>VESSELS—Continued</b>		<b>VETERINARY SURGEONS—Continued</b>	
Attachment on stocks .....	16—2131	Certificate to be issued .....	5—1314
Ballast, throwing, penalty .....	16—1572	Unlawful practice without .....	4—1313
Breaking and entry, penalty .....	11—1326	Clerk of courts, fees of .....	115—1371
Burning, penalty .....	3—1325	Commissioner of agriculture may employ .....	68— 620
Called out to protect coast .....	10—164	Examination of applicants .....	3—1313
Channels .....	2—1566	Exempted surgeons .....	4—1313
Crew put on by harbor master .....	5—1566	Narcotics, sale to .....	38—1280
Cutting loose or injury to .....	29—1330	Professional use .....	40—1282
Damages .....	10—1571	Records to be kept .....	42—1283
Deaths reported .....	379— 460	Practicing defined .....	4—1312
Definitions under public utilities commis- sion .....	15— 852	Prescriptions to addicts forbidden .....	19—1275
Destruction or fitting for .....	31—1343	Revocation of license etc. ....	7—1314
Discrimination against persons .....	44—1877	Unlawful practice, penalty .....	7—1314
Disease on; procedure .....	127 et seq— 398	Vacancies and removal .....	1—1313
Inspection for .....	26 et seq— 377	<b>VETO</b>	
Distress, in .....	9—1570	Governor, by, procedure .....	2— 26
False affidavits and protests .....	33—1844	Passage over .....	2— 26
False estimate of shipments .....	32—1844	Peoples' veto and direct initiative .. 1 et seq— 144	
False invoices, penalty .....	32—1844	<b>VEXATION</b>	
Ferries, obstruction .....	87—1365	Crime and penalty .....	29—1822
See also Ferries		Trustee process, brought for .....	85—1748
Harbor master appointment .....	1 et seq—1565	<b>VICE</b>	
Hypothecation need not be recorded .....	6—2129	Idle or vicious minor .....	91— 488
Infected; procedure .....	127 et seq— 398	<b>VICE PRESIDENT OF UNITED STATES</b>	
Disinfection .....	62— 385	Military duty, exempt .....	27— 175
Inspection of inland vessels .....	4— 943	Presidential elections .....	76 et seq— 127
Kidnapping apprentice .....	15—1820	See Index to U. S. Constitution	
Larceny from .....	3—1834	<b>VICTUALERS</b>	
License for lobster .....	119— 761	Bond of .....	27—1581
Liens on .....	12 et seq—2130,	Discrimination against persons .....	44—1877
See also Liens		Duties of .....	30—1582
Lumber on survey .....	156—1608	Fraud upon .....	41—1584
Master, see also Master		Gambling not allowed .....	31—1582
Moorings .....	3 et seq—1566	Or diversion on Sunday .....	43—1854
To buoy .....	24—1829	Licenses .....	26—1581
Narcotics, use of .....	38—1280	Bond for .....	27—1581
Notary warrants of survey .....	24—1670	Fee and record .....	28—1581
Part owners, equity jurisdiction .....	4—1650	Keeping without penalty .....	33—1582
Pilots .....	1 et seq—1569	Part time .....	26—1581
Port wardens, election, duties etc. ....	7 et seq—1570	Revocation .....	26—1581
Registers, copies as evidence .....	147—1725	Sunday violations .....	43—1854
Riotous assembly, damages by .....	7—1363	Suspension and revocation .....	48—1586
Seamen to desert, aid, penalty .....	34—1844	Lunch wagons .....	51—1586
Ship owners liability .....	5—1569	Motor vehicle tourist service .....	233 et seq—1189
Spiked boots forbidden .....	36—1831	Oleomargarine, serving at .....	7—1369
Taxation as personality .....	5—1448	Reveling and drunkenness at .....	32—1582
Lien .....	13—1453	Sunday, operating on .....	39—1852
Of personal used in building .....	13—1452	Violations, prosecutions .....	34—1582
Rebuilt .....	27—1457	See also Inns and Innkeepers	
Sailing .....	26—1457	<b>VIEW OF PREMISES</b>	
Unfired steam pressure .....	51 et seq— 559	Arrest without warrant .....	11—1915
Use without consent, penalty .....	25—1829	Attachment of realty, not necessary .....	60—1686
See also Steam Navigation Companies, Harbors, Pilots, Boats, Public Utilities Commission etc.		Criminal case, in .....	17—1928
<b>VESTIBULE</b>		Defective ways, action for injuries .. 88 et seq—1526	
Patent medicines thrown in .....	13—1870	Jury, by .....	104—1717
<b>VETERANS</b>		Real action, in .....	41—2100
Guardianship act .....	1 et seq—2022	Ways, of by county commissioners .....	63—1521
See also Guardian and Ward		Ways on appeal from commissioners 56 et seq—1359	
Liquor sold within two miles of home ..	70—1224	<b>VIEWERS AND CULLERS</b>	
Paupers, not .....	10—1492	Fees .....	164—1610
Settlement .....	6—1491	Neglect or fraud by .....	162—1610
Pensions .....	295 et seq— 441	Staves and hoops, of .....	149 et seq—1607
State employees status .....	23—1246	<b>VILLAGE BY-LAWS</b>	
Support of dependents .....	299 et seq— 441	See Towns III	
Tax exempt, when .....	6—1450	<b>VILLAGE CORPORATIONS</b>	
Voting when in home .....	67— 125	Accounting system for .....	116 et seq—1441
War orphans education .....	119 et seq— 809	Accounts and claims, against .....	10—1769
See also Soldiers, Sailors		By-laws, see Towns III	
<b>VETERANS' BUREAU HOSPITAL</b>		Libraries, may establish .....	24— 843
Commitment to .....	15—2025	Meetings, how called .....	9—1411
<b>VETERANS' GUARDIANSHIP ACT</b> .. 1 et seq—2022		Parks and playgrounds, land held for ..	4—1506
See Guardian and Ward		<b>VILLAGE IMPROVEMENT SOCIETIES</b>	
<b>VETERANS OF FOREIGN WARS</b>		See Charitable or Social Corporations	
Tax exempt .....	6—1448	<b>VINEGAR</b>	
<b>VETERINARY SURGEONS</b>		Adulterated or misbranded, sale pro- hibited .....	171— 653
Barbital, veronal etc. sales .....	24—1276	Carriers not liable .....	175— 654
Board of veterinary examiners, appoint- ment .....	1—1313	Exemptions .....	187— 657
Annual report .....	2—1313	Penalty .....	186— 656
Compensation and expenses .....	1—1313	When adulterated .....	173— 654
Fees .....	2—1313	When misbranded .....	174— 654
Funds of .....	27— 269	Definitions .....	172— 653
Meetings and examinations .....	3—1313	<b>VINES</b>	
Oath and testimony before .....	2—1313	Planting along highways .....	72 et seq— 346
Organization and officers .....	2—1313	<b>VIOLENCE</b>	
Record of practitioners .....	6—1314	Dispute between utilities and workmen ..	17—1865
Seal .....	2—1313	See also particular titles	
		<b>VISITORS, BOARD OF</b> .....	17— 471
		<b>VITAL RECORDS</b>	
		See Vital Statistics	

	Sec. Page
<b>VITAL STATISTICS</b>	
Ancient, publication, distribution .....	21, 22— 843
Births reported to town clerk .....	367— 456
Assessors return .....	384— 462
Foundlings .....	380— 460
Legitimized child .....	381— 461
Reports within six days .....	379— 460
Unincorporated place .....	382— 461
Blanks furnished .....	366— 456
Certified copies of clerk .....	388— 463
Chiropractors reports .....	11—1298
Clerks fees .....	388— 463
Another provision .....	391— 464
Clerks records as evidence .....	388— 463
Death record sent to town clerk .....	371— 458
Certificate .....	370— 458
Cremation .....	376— 460
No physician .....	373— 459
Permit for burial .....	375— 459
Contiguous towns .....	378— 460
Reported within six days .....	379— 460
Subregisters .....	377— 460
Tuberculosis, from .....	372— 459
Unincorporated places, in .....	382— 461
Violence, by, return of .....	261— 1406
Defective and erroneous records .....	389— 463
Deorganized towns, in .....	14—1629
Divorce, of .....	386— 462
Duties of clerks .....	391— 464
Duties of registrar .....	392— 464
Duty of registrar .....	387— 463
Expenses, prosecutions .....	392— 464
Marriages reported to town clerk .....	368— 456
Intentions .....	4 et seq—2049
Intentions filed .....	369— 457
License to solemnize; registrar to enforce law .....	11—2051
Unincorporated place .....	382— 461
Monthly record by clerk .....	383— 461
To registrar .....	385— 462

	Sec. Page
<b>VITAL STATISTICS—Continued</b>	
Old record of purchased .....	21— 843
Distribution .....	22— 843
Osteopaths, reported by .....	12—1294
Penalty for violations .....	390— 463
Recording fee of town clerk .....	27—1416
Registration of .....	366— 456
Study by department of health and welfare .....	2— 371
Tuberculosis, death from .....	372— 459
<b>VIVISECTION</b>	
Animals, of, penalty .....	25—1894
<b>VOCATIONAL EDUCATION</b> .....	
Apprenticeship council .....	169 et seq— 821
See also Education .....	117— 579
<b>VOCATIONAL REHABILITATION</b> .....	
See also Labor and Industry .....	22— 376
<b>VOCATIONAL TRAINING</b>	
State institutions, at .....	3— 466
See also Education .....	
<b>VOLUME</b>	
Attesting city records by .....	138—1445
<b>VOLUNTARY APPRENTICESHIPS SYSTEM</b> .....	
See also Education .....	116 et seq— 579
<b>VOLUNTARY ASSOCIATIONS</b>	
Exempt from fraternal benefit law .....	163—1171
See also Charitable or Social Corporations .....	
<b>VOLUNTARY TRUSTS</b>	
Appointment, bond etc. ....	15 et seq—2029
See also Trusts .....	
<b>VOTERS AND VOTING</b>	
See Elections .....	
<b>VOTING COMPARTMENTS</b>	
See Elections .....	
<b>VOTING MACHINES</b>	
See Elections .....	

W

<b>WAGER</b>	
See Gambling .....	
<b>WAGES</b>	
Action of parent for children .....	17—2053
Assignment, recording .....	9—1768
To small loan company .....	201—1114
Children, action of parent for .....	17—2053
Convicts, of, wages for .....	34—1874
County clerk hire .....	269—1408
Deduction for contributions to unemployment fund .....	15— 532
Defined as to workmen's compensation act .....	2— 583
Depositions .....	1—1754
Disclosure, not required to assign .....	29—1777
Improvement of low lands .....	160 et seq—1453
Lien for labor on granite, slate etc. ....	32—2134
See also Liens .....	
Married women, suit in own name .....	37—2057
Notice to quit employment .....	39— 556
Payment, time of etc. ....	38— 556
Exemption unemployment law .....	26— 544
Pick clock .....	100— 574
Prison officials, deduction from .....	35— 474
Prisoners, of, before sentence .....	196—1391
Public works, on .....	40— 557
Report to overseer of poor .....	13—1493
State employees fortnightly .....	27— 210
Trustee process, exemptions .....	55—1743
Unfair wage agreements .....	41— 557
Wage boards in fish packing .....	101 et seq—574
See Unemployment Compensation Law .....	
<b>WAGONS</b>	
Attachment and execution, exemption ..	67—1688
See also Vehicles .....	
<b>WAIVER</b>	
County or town as party, judge may sit by consent .....	56—1709
Hearing in inferior court, appeal .....	24—1918
Intentions of marriage .....	4—2049
Mortgage foreclosure; redemption .....	7—2118
Pre-marital examination of .....	107 et seq— 394
Trial and appeal in civil case .....	5—1672
Unemployment benefits .....	15— 532
Workmen's compensation act, rights under .....	24— 592

<b>WALDO COUNTY</b>	
See Salaries and Pay .....	
<b>WALKATHONS</b> .....	36—1875
<b>WANTON AND LASCIVIOUS PERSONS</b>	
Crime and penalty .....	35—1874
<b>WAR</b>	
Aliens registering .....	3— 31
County commissioner entering .....	4—1345
Limitation of actions during .....	101—1697
Special deputies during war time .....	168—1387
State employee, substitutes .....	23—1246
Pension, affecting .....	3—1250
<b>WAR CONTRACTS</b>	
Ratification of unauthorized .....	102—1438
Valid, when .....	101—1437
<b>WARD CLERKS</b>	
See Elections .....	
<b>WARD LISTS</b>	
See Elections .....	
<b>WARDEN OF STATE PRISON</b>	
See State Prison .....	
<b>WARDENS</b>	
Fingerprinting .....	14— 199
Fire .....	81 et seq— 729
Forest fire .....	58 et seq—1562
See also Forestry .....	
Port, election duties etc. ....	7 et seq—1570
Tree, see Tree Wardens .....	
See also Sea and Shore Fisheries .....	
<b>WARDENS AT ELECTIONS</b>	
See Elections .....	
<b>WARDS</b>	
See Guardians and Wards .....	
<b>WARDS</b>	
Fire .....	1 et seq—1550
See also Fires .....	
<b>WARDS OF CITIES</b>	
Change or alteration of limits .....	71—1425
<b>WAREHOUSE</b>	
Breaking and entry, penalty .....	11—1826
Fraudulent receipt .....	12—1839
Trucks reshipping from .....	28— 939