





# Oxford Democrat.

PARIS, MAINE, MARCH 26, 1872.

## An "Independent" View.

In an article on the Presidential campaign, the Boston Globe, which is independent in politics, remarks on the failure of the attacks on the administration and predicts the inevitable defeat of the Democracy, as follows:

At the present moment, when the Republicans are preparing for the Philadelphia convention, and choosing delegates to represent them there, they are confounded at the sight of the Massachusetts Senator coquetting with the Cincinnati convention. This, according to a contemporary, "will cause profound regret to thousands of his friends who cannot follow him there." This disjunction in the ranks of the dominant party commenced in Missouri, with few, but strong men, and doubtless Mr. Sumner thinks that he sees therein an opportunity at once to gratify his vindictive feeling towards the administration, and—vain hope—a possibility of carrying his friends with him to the ranks of the opposition, and thus to secure what he has so long hoped for, strove for, and lived for, the dream of his existence—the Presidential nomination.

"Whom the gods would destroy, they first make mad." When Mr. Sumner made that egregious blunder in presenting the inquiry as to the sale of French arms, he disappointed his best friends, and when he withdrew the preamble to his resolution of inquiry in the Senate, he expressed what the people felt every where, that the Republicans would not approve of attacks on the administration to pave the way for investigation, but that investigation should be first and judgment afterwards. The whole onslaught was a failure, proving a victory for Mr. Sumner's opponents from the outset. Viewing the field from an impartial standpoint we do not think that the anticipated disruption of the Republican party will amount to anything serious as to the result, and yet there may some new issue spring up which will alter materially the political aspect before election.

No especial or distinguished leader has presented himself to marshal the ranks of the Democrats, indeed it does not seem that any formidable fight will be made by that division of the body politic. Undoubtedly they will march forth under their own flag, and as seems clear to our vision, they will march to defeat, as far as a Presidential campaign is concerned, whether united with Judge Davis's forlorn hope or otherwise, the result will doubtless be the same. We speak only of the present probabilities, but as to which great political division of the country may win in another campaign, only time can show.

## Connecticut Election.

After New Hampshire, Connecticut. The next struggle will be witnessed in this State on Monday week. This State, like New Hampshire, is pretty evenly balanced, and being contiguous to New York, and the "roosting place" of the side influences hard to meet. Both parties are making desperate efforts, and as Tammany is a "little short" of funds, and the State government is in our hands, we hope for favorable results. The Democrats are "trying on" a new policy here. They are putting out "feelers" to test the passive dodge, and see how many conservative Republicans they can catch. They have dropped their old and popular candidate, Gov. English, and their old and unpopular platform. They have taken a candidate who was never much of a party man, an out and out democrat, who was once elected to congress, but refused to go a second time, and who cares nothing for office. For Leitch Governor they have put up a liberal Catholic, and woman's right man, and if they are not "fishing for gulls" with these elements, we don't know.

The Republicans have their old candidate, Gov. Jewell, and there is nothing bogus about him. The election of a United States Senator gives interest to the contest, and the democrats will bid high. It is impossible to predict the result in so close a State, and we can only wait for the election, trusting that the current moving on for Grant and victory may not be stayed by any leg rolling or "jams" in the nutmeg State.

## The Paris Investigation.

From the announcement of the Register, a week in advance, that an article on this subject was in course of preparation, we supposed something very conclusive and exhaustive on the subject might be looked for—but "B." has thrown as little light upon it as ever, and his article consists only of appeals to others to show what he has failed, with all his time and labor, to show. And the editor of the Register, an adept at figures, backs him up, of course.

The truth is, like the boy watching the hole of the Possum, they are out of meat, and must harp on the matter!

Somerset County has been greatly stirred by the removal of the County seat from Norridgewock to Skowhegan. The legislature refused to submit the question to the legislature, which looks as though the movers were afraid of a popular expression. The March term assembled at Norridgewock last Friday, and the Skowhegan people claimed that the term should be held there. The County Commissioners were ready to move but Judge Danforth, presiding, was in doubt, so he called in Judge Kent. Elaborate arguments were made pro and con and Judge Kent finally decided to go to Skowhegan, which he did and opened Court in Coburn Hall, where the Grand Jury went to work and the Traverse Juries were empaneled. The excitement was almost a revolution, and the end may not be yet.

## General Beal Pension Agent.

The President nominated, on Friday last, Gen. Beal, of Norway, as Pension Agent at Portland. The termination of this matter is peculiarly gratifying to the soldier element of the State, represented so unanimously by the successful competitor, and it is an appointment eminently fit to be made, as no soldier has won more enviable record than Gen. Beal.—Mr. Lynch made a desperate effort to retain the present incumbent, and Mr. Frye is entitled to great credit and the lasting gratitude of the soldiers of the whole State, for the energy and ability which he has manifested in overcoming all obstacles, and securing to a worthy applicant of the 2nd district so important a position.

It is understood that the appointment turned in Gen. Beal's favor on the ground that as Pension Agents had to deal with soldiers, it was proper—other things being equal—that a soldier should fill the place—an argument which Gen. Grant accepted as just and proper.

The Register of last week copies from the Portland Advertiser and Portland Monitor, to show "how the attempt to stifle investigation of the financial affairs of this town is viewed by disinterested parties outside of Paris." Yes, and they comment on the Register's one-sided partisan version of the affair—and they know just as much of the matter as the Register does, and no more. The two statements of the Register, which they comment upon, are both false, to wit: first, that "leading Republicans tried to stifle investigation," and that we said, in town meeting, "that the attempt to investigate the finances of the town was an attack upon the Republican party."

Capt. Peter Hardy, of this place, died this Monday morning. Deceased was seventy-three years of age last November, and, we believe, was born in Fryeburg. Mr. Hardy came to this place three years ago next May. By his exemplary and Christian life he won the respect of all with whom he became acquainted. For the last 25 or 30 years previous to his coming here, he resided in Stow. For many years he was a leading man in that town, and did much of the town business. He was a man of decision and much firmness of character. He adhered firmly to what he believed to be right, and was a worthy member of the Congregational church at South Paris. There will be a prayer, on Tuesday morning, at his late residence, at 9 o'clock, and funeral services at West Fryeburg, on Wednesday forenoon, where his body will be taken for interment.

## Oxford Normal Institute Course of Lectures.

Gov. Perham delivered a lecture in this course on Friday evening last, at the Congregational Meeting House. His subject was Success in Life. The lecture was replete with valuable suggestions and advice. It was delivered in a conversational and easy style, the speaker not being confined to his notes. The house was filled, and all seemed highly interested. It was the right kind of a lecture to profit the students, and full of interest to the public in general.

The next lecture will be by Professor Thwing, who will instruct a class in the history of the world.

Rev. Mr. Tabor, of Norway, will deliver the first Sunday evening lecture next Sabbath.

## Paris Lodge F. & A. M.

The following resolutions were drafted by a committee appointed by the Paris Lodge, as expressing its feelings at the loss of Bro. Horace Hill, whose death occurred on the 28th of February. He was 41 years of age, and was admitted to the Lodge on the 6th of Sept. 1859:

Whereas, It has pleased the Supreme Grand Architect of the Universe to remove our Bro. Horace Hill from our Lodge to the Grand Lodge above, be it therefore

Resolved, That in his death we are deprived of a true and worthy brother, whose example in acts of charity and other Masonic virtues, may all be followed and imitated by us who survive him.

Resolved, That we will ever cherish the remembrance of his amiable disposition, and his quiet but strict fidelity to our principles.

Resolved, That we extend our heartfelt sympathy to his widow and orphans, in this their deep affliction, and assure them, that, although we have but little of this world's comfort to offer them, yet, should adversity overtake them, they will not be without friends.

## Europe.

The Town Council Hall and the world famed Academy of Art at Dusseldorf were burned Wednesday, the 20th inst., and a large number of the most valuable paintings in the latter building were destroyed.

The workmen at the mines of Rothschids at Wittkowitz, Moravia, enraged at the non-payment of their wages, attacked the office of the superintendent, and gaining an entrance they burst open the safe, appropriated the contents and then demolished the building. The soldiers were called out and fired on the rioters. Four were killed and fifty wounded, and a hundred arrested. Order was restored, but the mines are guarded by the military.

The German Emperor William, now in feeble health, will omit his birthday celebration this year, in order that he may better his chances of seeing another.

A London despatch says a driving snow storm the first in fourteen months, prevailed there Thursday morning. The city was enveloped in a dense fog, at 3 P. M. the day was as dark as midnight.

Thursday, the 4th of April, is to be Fast-day in New Hampshire.

## S. J. Court—March T.

Charles P. Bartlett vs. Inhabitants of Hanover. Petition for Certiorari. The plaintiff complains and attempts to show that the Court should grant a writ of Certiorari to revise the proceedings of the County Commissioners in establishing a highway in Hanover—that no road really exists; that the town have no right to pass over his land, and that a remedy should be afforded him by this Court.

The judgment of the Court was against the plaintiff and in favor of the town. Gibson vs. Foster. Cyrus Wormell et al. vs. County of Oxford.

The pliffs, in the action petitioned to the Legislature at its last session for compensation for services performed in guarding the Alfred jail, to secure the arrest of Dr. Truman F. Young, the Norway Savings Bank robber. The Legislature resolved to refer the case to the court. In 1869, it seems that Dr. Young was in Alfred jail, under arrest for some crime committed in York county. The pliffs, at the same time held a warrant for his arrest for robbing Norway Savings Bank, and fearful that he would succeed in procuring bail on the York county crime, (his bonds being set at only \$2,000,) proceeded to Alfred to be in readiness to arrest Young for the bank robbery, in case his friends bailed him out of Alfred jail.

The claims presented under these three petitions amounted to about \$550. The Judge had assigned Tuesday of the second week of Court for the hearing on said claims. The County Commissioners were notified and were present.

The County Attorney appeared for the County, and filed two motions in writing against the allowing of said claims, as he alleged, the Resolve was unconstitutional, inasmuch as the Legislature had no legal right to refer any matter between individuals without their consent, as it was in contravention of Sec. 20 of Article 1 of the Constitution of the State of Maine, in which parties have a right to a trial by Jury when either party claims that right; that this was a controversy between the petitioners and the County of Oxford, which was an aggregate corporation and had all the legal rights of an individual, and inasmuch as it had had notice when the Resolve was passed by the Legislature, and had never consented to allow the Legislature to step in and assume the right to choose arbiters in this case, the County would protest against the jurisdiction of the Judge thus appointed, if it was compelled to defend.

Mr. Foster for the County, denies the County's liability for the services, on the ground that it was unnecessary precaution, as the jail was well guarded by its jailer. Gibson & Bolster appeared for Cyrus Wormell, and on his claim, the judge allowed \$70.68. S. R. Hutchins was allowed \$60.47. In regard to the case of Cyrus M. Wormell, the claimant not being present, the judge dismissed his claim, and the resolve reads that it shall be referred to the court at this March term.

In the case of Kendall v. Morton, reported last week, where debt prevailed, the counsel were Hammons for Plff., and Gibson and E. Foster, Jr., for dett.

## New York.

The steamboat Middleton of the Staten Island ferry, has been seized by the sheriff to satisfy suits against the company on account of the Westfield explosion.

The Health authorities of Brooklyn are at present much exercised over the sudden appearance the last few days, of a singular disease in their bailiwick. The malady is a species of spotted fever. The progress made by the disease is alarming, many deaths having occurred within the past few days. The symptoms are pain in the back and head, and a rigidity of the neck.

St. Patrick's Day was celebrated on the 18th inst. As usual, the Hibernian societies paraded in full ranks, blocking up the principal thoroughfares, and causing all travel to cease or be carried on in side streets. The societies had the honor (?) of being reviewed by Mayor Hall, and in the evening the Mayor, with several other doubtful characters partook of a feast at Delmonico's, as guests of the "Knights of St. Patrick."

The trial of Mayor Hall in the Common Pleas Court is terminated and the remaining eleven jurors discharged. This course was necessitated by Recorder Hackett on Wednesday last, deciding that the court held by him (Hackett) was regular, thus making the court held by Judge Daly before which Mayor Hall was being tried, unconstitutional. After Judge Daly rendered a decision in the trial of the people against Mayor Hall, declaring the sitting of the court invalid and discharging the jury, the unusual spectacle was presented of the eleven jurors immediately upon quitting their seats in the jury box, approaching Mayor Hall and congratulating him upon his temporary triumph, at the same time expressing their dissatisfaction that an opportunity had not been offered them of recording their convictions that he was entirely innocent of the charges against him. The Mayor seemed deeply affected.

## Central and South America.

Two Americans, Capt. Cunningham and Mr. Simpson, were severely wounded by Nicaraguan soldiers for neglecting to remove their hats in the presence of a religious procession at Managua. Both had been in the country but a fortnight, and neither understood Spanish. A rupture between Honduras and San Salvador is feared, Manuel Murillo Toro has been chosen President of Columbia.

The new treaty between Brazil and Paraguay creates great alarm among South American republics, and an alliance against Brazil is openly talked of.

A Bangor lady gave birth to triplets, two sons and a daughter, Monday afternoon, the 18th inst.

## State Items.

—The Maine Methodist Conference meets this year at Gardiner, in April.

—There is a snowdrift on the line of the Bangor and Piscataquis railroad twenty feet deep, towering far above the smoke stacks of the passing locomotives.

—Representative Frye has appointed Messrs. John H. Kimball of Bath, Geo. E. Wing of Auburn and E. S. Keyes of North Jay, a committee to examine applicants for admission to the Naval Academy at Annapolis.

—The Riverside Echo has changed hands and is now published by Messrs. H. A. McKenney & Co., who are also the publishers of the "Good Seed."

—A farmer's child near Biddeford, died recently, of cold, while its parents were away drunk, and a famished hound mutilated the corpse.

—A serious railroad accident occurred at Bangor on the 19th inst. Augustus Beckford, conductor of a wood train, fell between the moving cars. His head was horribly cut, the flesh on one side being torn almost entirely away, and hung down over his neck. There were three other cuts on his head. His recovery is doubtful, though no bones were broken.

—The hay famine is getting to be very severe in the vicinity of Moosehead Lake. There is none to be bought at any price. The last price at the foot of the lake was \$40 per ton.

—The Grand Master has issued a Dispensation for a new Masonic Lodge at Canton, to be called Whitney Lodge. Hiram A. Ellis is to be Master.

—The station on the Maine Central Extension heretofore called Perley's, is hereafter to be called "Gray" and "Chandler's" is to be called "New Gloucester Station."

—The Bangor society for the prevention of cruelty to animals reports that four persons have been prosecuted the past year and have paid their fines amounting to \$37. The practice of shipping fowls to Boston from Bucksport and Orono, in crowded coops, without food or drink on the passage, has been broken up; also the shipping of doves from Bangor to Boston in a similar manner.

The Maine Central directors voted, at a meeting held at Augusta, Wednesday, to issue bonds not exceeding \$9,000,000, on forty years, at 9 per cent., for the purpose of retiring the bonded indebtedness of the road and its branches and its equipment in first class condition. Artemus Libby, Esq., of Augusta, on the part of the Portland & Kennebec Company, Hon. J. H. Drumm of Portland, on the part of the Maine Central Company, and Mr. G. C. Moses on the Androscoggin Company, were made Trustees of the bonds. It is claimed that this restriction upon the amount of bonds will materially increase their value and prompt sale.

The News says at a prayer meeting recently held in a neighboring town, as the worthy Deacon who conducted the exercises was about to kneel to offer the concluding prayer, he was rather suddenly jerked back by the words "talk to his seat by a zealous brother, in order to give a sister an opportunity to "speak in meeting."—The amusement of the audience at this sacrilegious proceeding was not less than the astonishment of the good Deacon at the violent attack in the rear.

The vote in Lewiston for Mayor was 1197 for Cowan, Republican, and 670 for Gill, Democrat. In Ward 3 Dr. Garcelon, the present Democratic Mayor, was run for Alderman, but was defeated by C. J. Barker, Republican. Last year Dr. Garcelon had 168 majority in that Ward for Mayor.

Farmington will send a class of sixty singers to the International Peace Jubilee. Weekly rehearsals are held, and much interest is manifested.

The Bridgton News says a man in Naples has allowed his cow to starve to death but it doesn't say that his neighbors have tarred and feathered him for it, which would make the account read as it should.

Mr. Luther Houghton of Waterford, has been choirist in the Congregational church of that town for over forty years, and is still successful and popular. He is indeed one of the sweet singers, and in former days many were drawn to the house of worship by the singing, over whom preaching had no attractive influence, says the Bridgton News.

Miss Susan King, the lady who, in connection with Madame Demorest of New York, has successfully entered into the business of importing tea, and who has visited China and Japan in furtherance of her plan, is a native of Gorham, and a sister of the Messrs. King of Sacarappa.

—An exchange says that patients who have recovered from the small-pox enjoy much better health than they did before the attack. But we rather think persons will continue to enjoy poor health, rather than seek good health that way.

—Mr. Frye, from the Committee on Claims, in the National House, on Tuesday, reported a bill to pay B. C. Bailey of Bath, Me., the sum of \$4868.34 for damages resulting directly from the seizure of a ship and cargo in 1861. The bill passed.

—As the morning train on the Grand Trunk Railroad was nearing Stratford Station, on Thursday last, the rear car was precipitated down an embankment twenty feet, by a broken rail. The train was moving slowly, otherwise the destruction of life and limb must have been fearful. But one passenger, a lady, was slightly injured.

—A correspondent of the Lewiston Journal writes: Maj. Abernethy Grover of Bethel, has sold his house and lot to Levi Philbrook of Boston, who intends to occupy it the coming summer. Maj. Grover is preparing to build the present season.

## Death of a Good Man.

"Far from the madling crowds ignoble strife His sober wishes never learned to stray, Along the cool sequestered vale of life He kept the noiseless tenor of his way."

When I heard of the death of Consider Fuller at West Paris, on the 2d inst., I hoped that some one acquainted with his early history would prepare an obituary notice for the Democrat. To but few is it given to live ninety-two years; and when one of these old landmarks falls, it seems to me that he should receive more notice than the simple announcement of his death. I have a veneration for these old people, and how ever simple their lives may have been, I feel to honor them when they die. This man was born during the dark days of the revolution, and was older than the nation itself, if we date that from the close of the war, when our nationality was made certain. What great events have transpired during this single lifetime! A nation has been born again, to say nothing of great events which have transpired in the old world. And what advancement has been made in human knowledge during this single lifetime! Steamboats, railroads, telegraphs, and a thousand other wonderful inventions have become so familiar to us as to cease to excite wonder, since this old man was a child!

Of Mr. Fuller's birth-place and parents, age I know nothing. I have heard him say that when a young man he went to live with the Shakers, whether from necessity or choice, I am unable to state. When he came to his majority, he preferred to lead a different life than that required of him there, and leaving them he strayed up into Oxford County, and began to clear up a farm among the hills of Letter E Plantation, now called Woodstock. I know not the precise year when he came to Woodstock, but it must have been soon after 1800—and if so, he was among its first settlers, for in 1801 there were only four families in town.

He married Elizabeth, daughter of Isaac Cummings of Paris, and raised up a large family of children, all being daughters but one. His daughters were as follows: Christiana, married Charles Brooks; Betsey, married Jonathan Fickett; Lucy, married Eli Cushman; Chloe, married Rufus Farrar; Abigail and Louisa married Stephen Davis, and Lydia married Joseph H. Briggs. Several of the daughters died many years ago, and but three of them survive their father. His son, Consider Jr., went to Massachusetts when a boy, and has always resided there.

Mr. Fuller was a man possessed of wonderful physical powers, and when in his prime, there were few if any men in Woodstock who could cope with him in many kinds of manual labor. His favorite implement was the axe, and in the use of this tool, whether in cutting down trees or in cutting them up he had no equal. Hence he was very a useful man in a country covered with primeval forests, from which farms were to be made, as was the case in Woodstock at that time. When I first knew him, forty years ago, he did not live in Woodstock, but had cleared him up a little farm just over in the edge of Greenwood. His farm was tough, as all the land in that vicinity, and it was always a marvel to me how the old man could get a comfortable living, which he always had, from those few rocky acres. When in his prime he was a great reaper, cutting easily an acre of grain in a day, and during the grain harvest he never lacked for employment. This was before the day of patent reapers or even of grain cradles.

His wife died over twenty years ago, and since that time he has lived with his daughter, first in South Woodstock, but more recently at West Paris, where he died. His son offered him a home, and the old gentleman went to Massachusetts a year or two ago, with a view of spending his days there, but after making a visit he began to be discontented, and longed again for the faces with which he had so long been familiar, and returned again to die amid the scenes of his life struggles and triumphs. Of his contemporaries, the first settlers of Woodstock, only one remains, viz: Jacob Whitman of Hebron, who is ninety-two years old the present month. Mr. Fuller always sustained an excellent character in the community where he resided. Honest and upright in his dealings, of an obliging and generous disposition, even tempered and always cheerful, he was universally respected. He had been a member of the Christian church for nearly three-fourths of a century, and by his daily walk and conversation he clearly demonstrated the inestimable value of the Christian religion to the human soul.

This humble tribute to the memory of a good man, is by one who remembers "Uncle Fuller" as among his earliest acquaintances, and from a knowledge of his walks and ways for more than forty years, feels well prepared to judge of the qualities of which he speaks.

## ASOX.

—A Detroit man, who had contributed a bundle of his cast-off clothing for the relief of the victims of the Minnesota fire, received from one of the sufferers the following note: "The committee man give me amongst other things what he called a pair of pants, and would make me pant some to wear em. I found your name and where you live on one of the pokits, my wife luffed so when I shode in to her that I tho't she would have a cinch upon it. She wants to no if there lives and breches a man who has legs no bigger than that. She sed if there was he o'ter be taken up for vagrancy for havin no visable means of support. I coud get em on my oldest boys, so I used em for gun cases. If you have another pare to spare my wife would like to get em to hang up by the side of the fireplace to keep the tongs in."

—There will be three State elections during April. Connecticut on the first, Rhode Island on the eighth and Virginia on the twenty-fifth.

## Norway.

Several members of the Oxford Bar were treated to a dinner at Beal's fine hotel, on Wednesday last, by Hon. N. S. Littlefield. We believe that Maj. Hastings' turn comes next, and that the practice will be continued till all have served, then they will probably "follow their hand" around again. They are pleasant occasions, and no where more enjoyable than at the General's popular hostelry.

There is quite a movement in real estate, in this enterprising village. The Whitman lot has been opened, or is to be, by a new street and several building lots disposed of at \$500 each. Twelve or fifteen houses are already projected for the coming season, which will be built, without doubt.

The Clothes-Pin Manufactory at Steep Falls, is doing a smart business. We are told that a cord of birch manufactured, makes a profit of forty dollars in this article.

Cummings & Mann are engaged in this enterprise, and they also manufacture Pail handles. They have about 300 cords of Cedar, Bass and Birch on hand.

Other industries in town are also prospering, while the new banking capital will afford facilities for a large increase in business.

The appointment of Gen. Beal to the Pension Agency, is received with great joy, and all, without respect to party, congratulate him upon his success.

Any one having bills of broken National Bank can sell them to the officers of the new Bank here, as they are just as good for deposit as a banking capital as any other money; government bonds being pledged for their redemption.

Many small manufacturing establishments are obliged to leave the large cities on account of the high rent, &c. They can find water power here, and rent at such reduced terms as will enable them to live and make money. Smaller manufacturing must come to our country towns, on this account, and thus build them up, and every town should be on the alert to take advantage of this fact. Sanborn & Son are doing a smart business making Shovel handles.

Ames & Nevers are manufacturing Piano Forte and Organ keys, and doing a large business. Last year they turned out 37,866 dollars worth of work, which sells readily in Boston. The keys are made of the best of Pumpkin Pine from Canada, and venerated with Ivory. They have the agency of some splendid Pianos and Organs also, and are liberal men to deal with.

The Pulp and Paper Company of the Messrs. Parsons & Morton are driving night and day, manufacturing different qualities of paper for Boston market principally.

There are numerous other industries in this town which we have previously referred to, and shall take occasion to refer to from time to time, as they develop.

At the annual meeting of the Norway Savings Bank, held on Monday the 18th, the following were chosen directors: Robert Noyes, Ceylon Watson, Alva Shurtell, Freedom Howe, Wm. Frost, 2d, A. Oscar Noyes.

At subsequent meeting of the directors Robert Noyes was chosen President, and Henry M. Bozore, Treasurer.

The assets of the bank are now rising a quarter of a million dollars.

All the capital stock of the Norway National Bank is subscribed and the bank will go into operation about May 1st.

A Correspondent of the Lewiston Journal writes: The wind blew Wednesday night in Norway, with a violence rarely ever experienced before. Beal's hotel, which is a substantial building, rocked like a cradle. There have been as yet but two or three days in March when the snow melted at all in the streets of Oxford County.

## Rumford.

A correspondent of the Lewiston Journal writes: Rumford Center has increased somewhat in business importance within the past year or two. The two public houses have been enlarged and improved, and also the stable accommodations. It has received the addition of a large blacksmith shop, run by Jackson Bro's, a carriage manufactory, by Pratt Bro's, good workmen, and a dentist's office. The builders and proprietors of these shops of skilled labor are all young men, just beginning life. A fine glass-front store also, was built the past season by N. S. Farnum, a native of the place.

Rumford wisely voted at a town meeting held on Saturday, March 16th, to exempt all capital invested in manufactures of any kind, at Rumford Falls, from taxation for the term of 10 years, provided that sum shall not be less than \$2,000, and also that it shall be invested within five years from the date of the vote. We have one of the largest water powers in the State, and thousands of white birch, poplar and other woods suitable for spools, boxes, &c., which can be bought from \$3 to \$4 per cord, and from the Falls to the railroad is but 14 miles. To the right kind of a man a good chance for investment is offered. There are other water powers in town near the railroad that can be bought very low. One at Rumford Centre, but nine miles from the railroad and one at Abbot's Mill, but seven, with plenty of birch, oak and poplar near each of them.

A shoe shop has been recently started at Rumford Corner by a Mr. Elmeridge from Lynn, Mass., an experienced workman, assisted by Messrs. V. Martin and Henry Goddard. They now employ ten hands and turn out some sixty pairs a day of ladies and misses cloth boots.

The continued cold and lack of corn is diminishing the hay mow rapidly and many who thought they had plenty of hay, will have to buy more or less before Spring. \$30.00 per ton is the price asked here for good hay.

The mother's heart gives 4th joy at the baby's 1st 2th.

## HANOVER.

Moderator—A. K. Knapp, rep. Clerk—Clark B. Frost, rep. Selectmen—H. N. Howe, rep. O. E. Saunders, dem., Almoner Roberts, dem. Agent—A. K. Knapp. Treas. & Collector—Gilbert Howe, dem. S. Committee—H. B. Smith, rep. Constables—Gilbert Howe, Clark Frost. All elected by a unanimous vote.

## WOODSTOCK.

Moderator—Ransom Dunham. Clerk—H. C. Davis. Selectmen—D. J. Libby, H. C. Davis, M. J. Rowe. Treasurer—Almon Chase. Agent—H. C. Davis. S. Committee—H. C. Davis. Collector—A. P. Cole. All in favor of Grant for President except 3d Selectman.

## Andover Items.

At this time of writing, March 21st, we have five feet of snow in the woods, (and it would average nearly that in the fields.) We have not had a thawing day this month, yet, and there is no maple sugaring until we have several warm days that will settle the snow; the prospect is for a light crop, as there is no frost in the ground.

Mr. J. S. Leavitt has sold his stand to Mr. Elijah Bedell. Mr. Leavitt has moved to Gorham, Me.

Hay is very scarce and high—from 30 to \$40 per ton. Corn can be bought at the stations on the Railroad for 93 to 95 cents per bushel.

## Hebron.

The Register learns that twenty-one students at Hebron Academy are sick with measles. There are eighty-five students attending the Academy the present term.

Dea. Alden Bumpus of Hebron, now 86 years old, who says that his name is a very provoking one, keeps up a regular correspondence with a playmate, Gen. Elihu Packard of Medford, Mass., aged 82. Such an instance of epistolary correspondence is of exceedingly rare occurrence. The worthy Baptist Deacon says that he is ready to jump over Jordan, while his Congregationalist brother jumps over the fence to shake hands with him.

## Brownfield.

The Bridgton News says that E. T. Cotton & Co.'s steam mill at Brownfield is now in operation; and having put in first class machinery, they are getting out a superior article of staves, planed and jointed, ready for use. They have some hundreds of cords of birch, maple, oak and poplar already at the mill, and more coming, sufficient to keep the mill running till another winter.

## Dixfield.

A correspondent of the Lewiston Journal writes: Mr. Carver of Dixfield, came very near perishing the 4th ult. He called at a neighbor's in the early part of the evening; then started for home about nine o'clock, distant about one-half mile, became bewildered by the drifting snow, and wandered off a mile in a northerly direction from his home, remaining out until 12 o'clock, freezing his hands to some extent, and an ice coating had formed over his face. In this state he made his way to a neighbor's house. He could have survived but a short time longer, had he failed to gain shelter.

## Denmark.

The News says the Peperell Co., at Denmark, have commenced preparations for the construction of the dam on Moose Creek, and have quite a number of hands at work quarrying and hauling stone. They have lately received at this place some nice white pine plank for the frame, a ton and a half of iron bolts, &c. We understand that Mr. Dreyer is to have the lease to draw water from the pond seven years, for the purpose of running a saw mill and grist mill.

## Woodstock.

George Adams, a son of Moses Adams, of the Persim District, three miles above Andrews Mills, died from an attack of small-pox during the past week. Much excitement prevailed, as several persons have been exposed, but as precautionary measures were immediately taken by the Selectmen and citizens, it is hoped there will be no further trouble from the pestilence.

I. W. Andrews, the veteran Undertaker, is enlarging his works to accommodate his increasing business. He is filling several shops with a stock of his elegant burial materials.

Neck-tie Sociable—Bryant's Pond. The gentlemen of Bryant's Pond and vicinity, will give a neck-tie sociable at Stephen's Hall, Wednesday evening, March 27th, the reverse of the usual custom. Each gentleman is expected to bring a lady's neck-tie to compare with the one he wears, to be drawn by some lady.







# Poetry.

## THE GOLDEN WEDDING.

BY MRS. MARY E. NEALEY.

Fifty years of blithe and bloom,  
Fifty years of summer weather,  
Fifty years of winter's gloom,  
Through life's joy and through its sorrow—  
Joy to-day and grief to-morrow.

Fifty years—how long, my love!  
Then your cheeks were like the roses;  
Yet he knows, who rules above,  
Every year its charms disclose,  
Now upon my brow do cluster  
Asphodels of faded lustre.

Fifty years, with soul of truth,  
Thou hast walked, dear wife, beside me,  
From the spring-time of your youth—  
Fifty years, still, water beside me,  
Yet the poet, dooming humbly,  
Writes that "Fifty is woman."

Fifty years—a world has seen  
Revolutions and convulsions;  
Yet thy life has been a dream,  
Through reverses and rejoicings,  
Like a flower in shaded ways—  
Like a tree on sunny highways.

Fifty years—a row of graves  
Yonder where the hills are parted,  
Tells how sorrow's wildest waves  
Left us lone and broken-hearted,  
Yet, dear wife, the woe of being  
Poured from out thy heart of healing.

Wife, dear wife, the way is short,  
Down the hill the road is winding;  
Soon we'll reach the last great part,  
Eyes grow dull and eyes are blinding,  
Soon our lives will be a shadow  
Like the cloud-wing on the meadow.

Grant, O God! that down the slides  
Where the twilight folds together,  
I may have her gentle smiles  
Lighting me in sunny weather,  
Till the curtain falling round us  
Seals in Heaven the love that bound us.

(N. Y. Post.)

# Miscellany.

## A Maine Woman who is a Millionaire.

A correspondent writes to an exchange the following interesting account of the business success of a Maine woman and of the enterprise in which she has embarked. Miss King is a native of Gorham, Maine, and sister of the Messrs. King, successful merchants of Saccarappa:

New York, February, 1872.

Probably you have seen in your metropolitan exchanges, frequent mention of a woman who recently traveled alone to—indeed, I might say through—China; but possibly you may not be aware that this same enterprising lady, Miss Susan A. King, is a daughter of Maine, who by main force of character holds in her own position as a woman of business, and as a courageous traveler.

Born and educated in one of the smallest towns of Maine, she when quite young left her native State to become a cosmopolitan, and to exercise those talents which have had so brilliant fruition in success and wealth.

She engaged in business which, largely increasing through her indomitable energy, compelled her to travel extensively over the mountainous country of the Middle States, the prairies of the West, and the savannas of the South, until every "section" was as home to her, and she could eat Southern "hog and with the zeal and serenity of an accustomed traveler.

In this school of Mississippi and of conduray roads, and frontier fare, she was disciplined for her latter experience of Chinese junks, sedan chairs, and chow chow, not to mention such delicacies as Mandarin banquet, as bird's nest pudding, and shark's fin soup.

The outbreak of the rebellion rendering the business she was engaged in no longer lucrative or safe, Miss King withdrew from that large field to enter the far more difficult business—for a woman—of real estate speculation.

I should qualify the above remark by stating that it is a generally which will not apply to Miss King in particular, since, for her, the rise and fall, the sale and purchase of property, improved or unimproved, had no difficulties whatever. She bought—and profited; she sold—and profited again! I think the secret of so much profit, and so little loss, lay in her just understanding what she was about. The men and women who don't fail; for her evidently there "no such word."

Wearied of the labor that "possession" brings, for increase of millions is also increase of care, Miss King finally retired from business, and brilliantly signified the event, by her closing sale of a plot of over ninety city lots for the use of the Protestant Theological Institute, for the sum of \$250,000.

But neither habit nor inclination would suffer her to rest, and she now had leisure to devote to the work of the World. Of its many problematic phrases, the condition of working women had come often under her observation, and interested her most deeply. Two years ago, while Jennie Collins, Sarah F. Morton, Eleanor Kirk and Susan B. Anthony were discussing this question and endeavoring to talk out a better state of things, Miss King and other ladies of wealth and influence whom she had interested in the matter, were revolving practical means for helping women and ennobling their work.

They formed an Association which they named the "Woman's Tea Company," elected for its President Madame Demorest whose establishment on Broadway has given "style" to the fashionable world for the last decade; and named for its treasurer, Miss King, who, in its interest, undertook this voyage to China. En route, she visited Japan, where she rented several tea fields for the purpose of experimenting in the culture of new and superior varieties; but this was purely a private enterprise.

In China, where she resided something less than two years, she emulated the daring of the few women travelers whose story we know—penetrating far beyond the treaty boundaries with only her coolies, now traversing the native forest,

plains and hills even to the foot of the Himalaya range, in her sedan chair; and now exploring the rivers in her junk; or "Sampan." Though the principal object of her voyage was to become versed in the varieties of tea offered in that market to the tea drinking nations—she found time in the interval of business to visit interior cities to inspect pagodas to make pilgrimages in places of interest like the Tomb of Confucius, to collect many rare birds and beasts to add to the Zoological department of the Central Park, and to become conversant with matters of political, religious and social interest.

Having at length selected the "mandarin tea" as possessed of superior flavor and excellence, Miss King returned with the first cargo the company had imported and immediate preparations were made to inaugurate the enterprise.

The wholesale and retail houses with their many departments will, it is estimated, give lucrative employment to hundreds of women in the capacities of bookkeepers, cashiers, sales-clerks, etc.; and it is further proposed, in order to benefit women outside the city, to establish agencies all over the country, on extremely liberal terms and commissions.

In fact the end and aim of this generous enterprise, of wealthy and intelligent ladies, is to benefit the less fortunate of the sex, not only by supplying them with remunerative employment, but by ennobling works and with such aspirations, the women who originated and control this scheme are "better than benevolent."

"The Rose."

## Marriage.

Men and women, and especially young people, do not know that it takes years to marry completely two hearts even of the most loving and well sorted. But nature allows no sudden change. We slide very gradually from the cradle to the summit of life. Marriage is gradual, a fraction of us at a time. A happy wedding is a long time falling in love. I know young persons think love belongs only to brown hair, and plump, round crimson cheeks. So it does for its beginning, just as Mt. Washington begins at Boston Bay. But the golden marriage is a part of love which the bridal day knows nothing of. Youth is the tassels and silken flower of love, age is the full corn, ripe and solid in the ear. Beautiful is the morning of love with its prophetic crimson, violet and gold, with its golden days that are to come—beautiful also is the evening of love, with its glad remembrances and its rainbow side turned toward Heaven as well as earth.

Young people marry, their opposites in temper and general character, and such a marriage is commonly a good match. They do it instinctively. The young man does not say, my black eyes require to be veiled with blue, and my over-reverence requires to be a little modified with somewhat of dullness and reserve. When these opposites come together to be wed, they do not know it, but each thinks the other like himself. Old people never marry their opposites; they marry their similars, and from calculation. Each of these two arrangements is very proper. In their long journey, these young opposites will fall out to her a way a great many times, and both get away from the road; but he will charm her back to the road, and she will agree to go to the place they will go to and the road they will go by, and become a noble woman for having manhood beside her, that seeks to correct her deficiencies and supply her with what she lacks, if the diversity be not too great, and there be real piety and love in their hearts to begin with. The old bridegroom having a much shorter journey to make must associate himself with one like himself.

A perfect and complete marriage is, perhaps, as perfect personal beauty. Men and women are married fractionally, now a small fraction then a large fraction. Very few are married totally, and then only, I think, after some forty or fifty years of gradual approach and experiment. Such a large and sweet fruit is a complete marriage, that it needs a very long summer to ripen in, and then a long winter to mellow and season. But a real, happy marriage of love and judgment between a noble man and woman is one of the things so very handsome that if the son were, as the Greek poets fabled, a god, he might stop the world in order to feast his eyes on such a spectacle.—Theodore Parker.

## The Way Pat got to Boston.

Some years ago, a son of the Emerald Isle, in the city of Portland, Me., accented the captain of a steamer (plying between that city and Boston) to inquire the fare to Boston, when the following colloquy ensued:

"Good mornin', captain. Could ye be after tellin' me what's the fare to Boston?" "Three dollars," answered the captain. "But suppose I want outside?" "In that case," said the captain, "you could go for two dollars." This was undoubtedly beyond the extent of Pat's worldly possessions; so he scratched his head and looked perplexed for a few moments, when a bright thought seemed to strike him. "I say captain, dear, what would ye be after takin' a hundred and sixty pounds of freight for?" "Seventy-five cents," replied the captain. "Be jabers, thin ye may put me down, captain, for I'm jist the boy that weighs that!" The captain turned to the clerk, saying: "Put on the freight list one hundred and sixty pounds of live Irishman, and stow him in the hold."

—Elizabeth Cady Stanton alludes to the fact that some women suffragists picked up an orphan boy, bought him nice clothes, educated him for the ministry, and when they went to hear his first sermon, were struck with consternation to hear the text, "Let the women keep silent in the church."

## Trial by Jury.

Let us look at one positive advantage from abolishing jury trials. The rules of evidence, which have been accumulating for centuries as lights and guides to the temple of justice, have become so numerous and contradictory as to dazzle and bewilder, and more often shut out the truth than aid in its production. Now, if the jury system were abolished, nearly all of these blind guides could be safely swept away. The admission and rejection of testimony could be safely left to a judge, with only a few simple rules to limit his discretion.

But, after all, the decision of civil cases by juries is a humbug. It is said that juries in civil cases decide the fact—in criminal ones both the fact and the law. But in civil cases they do not even decide the fact. In every State there is a court of last resort, which is entirely composed of judges, and nearly every case tried in the inferior courts may be brought before this for review. If the judge of a lower court makes an erroneous decision, the party aggrieved appeals to the higher court, in which the case is reviewed, and the judgment, if wrong, reversed or corrected. The very same thing happens in trials by juries. If they decide against the weight of evidence, their verdict is set aside; if they pass upon a question of law which it was the duty of the judge to decide, a new trial is granted. In short, the trial of a civil case by a jury amounts simply to this—that if the higher court consider the verdict to be right, it stands; if not, then it is reversed.

Therefore, since civil cases are in reality tried and decided by judges, why retain the fiction that a jury composed of twelve ordinary men decide the cases which are brought before them? Why not abandon that mode of trial, and save the inconvenience, expense, and delay that we have shown to exist.—(Lippincott's Magazine.)

## Taming of the Bridegroom.

Mr. Spillman had just married a second wife. On the day after the wedding, Mr. Spillman remarked:

"I intend, Mrs. Spillman, to enlarge my dairy."

"You mean our dairy, my dear," replied Mrs. Spillman.

"No," quoth Mr. Spillman, "I intend to enlarge my dairy."

"Say our dairy, Mr. Spillman."

"No, my dairy,"

"Say our dairy, say our—," screamed she, seizing the poker.

"My dairy! my dairy!" replied the husband.

"Our dairy! our dairy!" screamed the wife, emphasizing each word by a blow on the back of her cringing spouse.

Mr. Spillman retreated under the bed. In passing under the bed-clothes his hat was brushed off. He remained under cover several minutes, waiting for a hail in the storm. At last his wife saw him thrusting his head out at the foot of the bed, much like a turtle from its shell.

"What are you looking for?" exclaimed the lady.

"I am looking for our hat, my dear," said he.

## The Culture of Forests.

Efforts for preserving forest lands, and encouraging their cultivation, are extending in all directions, and are likely to result in practical benefit to the country. In Nebraska the State Board of Agriculture, under the able and energetic management of Mr. J. H. Packard, propose that the 10th day of April shall be set apart in that State for the planting of trees, and shall be hereafter Arbor Day. A bounty of one hundred dollars is offered to the agricultural society of the country in which the greatest number of trees shall be planted on that day; and a farm library worth twenty-five dollars will be given to the person who properly plants the greatest number individually. These bounties are not extravagant in amount, but they may serve to stimulate competition to some extent, which would be an encouragement for more liberal premiums hereafter. At all events, the measure is a step in the right direction.

## Duplication of Organs.

It is very curious that all animals are really two joined together. Every man is corporally made up of two halves, precisely alike, united in a medical line. Thus we have two brains separated by a vertical partition; two eyes, two ears, two arms, two legs, and so on. In case of a palsy of one half of the body, a very common circumstance, the functions of life and the mental operations are carried on by the well half. For years, in some instances, one half of the body is dragged about without contributing at all to vitality. Were it not for this beneficent duplication, an attack of paralysis would be death de facto of the individual.

To Purify a Room.—Set a pitcher of water in a room, and in a few hours it will have absorbed all the respired gases in the room, the air of which will become purer, but the water perfectly filthy. The colder water is, the greater the capacity to contain these gases. At ordinary temperature, a pail of water will contain a pint of carbonic acid gas and several pints of ammonia. The capacity is nearly doubled by reducing the water to the temperature of ice. Hence water kept in a room awhile is always unfit for use. For the same reason the water from a pump should always be pumped out in the morning before any of it is used.—Impure water is more injurious than impure air.

SUBSCRIPTION OF LETTERS. Owing to the rapid increase in the mails and the establishment of new Post Offices throughout the country, the Postmaster General finds it necessary, in order to facilitate the distribution and to secure a speedy transmission of the heavy mails now passing, particularly over the trunk lines of railroads, to request the public that in all cases the name of the County as well as the Post Office and State, be subscribed upon letters, circulars, newspapers, and other matter to be forwarded by mail.

—The trial of the late Col. Fisk of New York, for assault with intent to kill upon Edward S. Stokes, makes slow progress; some informality in the presentation of the Grand Jury, by which blame seems to be thrown upon Mr. Stokes having been discovered. This righted, the prosecution, headed by John Graham, expect to be able to prove that Col. Fisk dogged Mr. Stokes to the Grand Central Hotel, chased him up the ladies' stairway, firing at him as he went, till at last, witnesses coming upon the scene, and detection being inevitable, the would-be assassin turned his weapon upon himself and committed suicide rather than be arrested. It is also expected to be shown that the pistol used by Mr. Stokes had been forced upon him in self-defense by a friend; that he did not know how to use it, and in handling it it accidentally exploded; that it was not loaded at all, and that he never had any pistol. Should any defense be attempted, Mr. Graham is prepared to prove—to the satisfaction of a New York jury—that Col. Fisk was not killed, but died a natural death, and that he is not dead at all, having been personated in his coffin by a hired Erie ruffian.—[Exchange.]

—Baron Alderson, learned, gentle and good, could make puns, and had much drollery. A jurymen once said that he was dead in one ear. Said Alderson "you may leave the box for it is necessary that the jurymen should hear both sides."

—A Tennessee woman's paper has terms thus singularly graduated: "Three dollars a year to men; \$1.50 to unmarried women; seventy-five cents to married women with lazy husbands to support."

—A minister at a colored wedding who wished to be humorous, said: "On such occasions it is customary to kiss the bride, but in this case we will omit it." To this ungallant remark the bridegroom pertinently replied: "On such occasions it is customary to pay the minister \$10, but in this case we will omit it."

## YOUNG PEOPLE'S CORNER.

Cross Word Enigmas.

My 1st is a word, but not in use;  
My 2nd is in use, but not in sleep;  
My 3rd is in sleep, but not in song;  
My 4th is in song, but not in use;  
My 5th is in use, but not in sleep;  
My 6th is in sleep, but not in song;  
My 7th is in song, but not in use;  
My 8th is in use, but not in sleep;  
My 9th is in sleep, but not in song;  
My 10th is in song, but not in use;  
My 11th is in use, but not in sleep;  
My 12th is in sleep, but not in song;  
My 13th is in song, but not in use;  
My 14th is in use, but not in sleep;  
My 15th is in sleep, but not in song;  
My 16th is in song, but not in use;  
My 17th is in use, but not in sleep;  
My 18th is in sleep, but not in song;  
My 19th is in song, but not in use;  
My 20th is in use, but not in sleep;  
My 21st is in sleep, but not in song;  
My 22nd is in song, but not in use;  
My 23rd is in use, but not in sleep;  
My 24th is in sleep, but not in song;  
My 25th is in song, but not in use;  
My 26th is in use, but not in sleep;  
My 27th is in sleep, but not in song;  
My 28th is in song, but not in use;  
My 29th is in use, but not in sleep;  
My 30th is in sleep, but not in song;  
My 31st is in song, but not in use;  
My 32nd is in use, but not in sleep;  
My 33rd is in sleep, but not in song;  
My 34th is in song, but not in use;  
My 35th is in use, but not in sleep;  
My 36th is in sleep, but not in song;  
My 37th is in song, but not in use;  
My 38th is in use, but not in sleep;  
My 39th is in sleep, but not in song;  
My 40th is in song, but not in use;  
My 41st is in use, but not in sleep;  
My 42nd is in sleep, but not in song;  
My 43rd is in song, but not in use;  
My 44th is in use, but not in sleep;  
My 45th is in sleep, but not in song;  
My 46th is in song, but not in use;  
My 47th is in use, but not in sleep;  
My 48th is in sleep, but not in song;  
My 49th is in song, but not in use;  
My 50th is in use, but not in sleep;  
My 51st is in sleep, but not in song;  
My 52nd is in song, but not in use;  
My 53rd is in use, but not in sleep;  
My 54th is in sleep, but not in song;  
My 55th is in song, but not in use;  
My 56th is in use, but not in sleep;  
My 57th is in sleep, but not in song;  
My 58th is in song, but not in use;  
My 59th is in use, but not in sleep;  
My 60th is in sleep, but not in song;  
My 61st is in song, but not in use;  
My 62nd is in use, but not in sleep;  
My 63rd is in sleep, but not in song;  
My 64th is in song, but not in use;  
My 65th is in use, but not in sleep;  
My 66th is in sleep, but not in song;  
My 67th is in song, but not in use;  
My 68th is in use, but not in sleep;  
My 69th is in sleep, but not in song;  
My 70th is in song, but not in use;  
My 71st is in use, but not in sleep;  
My 72nd is in sleep, but not in song;  
My 73rd is in song, but not in use;  
My 74th is in use, but not in sleep;  
My 75th is in sleep, but not in song;  
My 76th is in song, but not in use;  
My 77th is in use, but not in sleep;  
My 78th is in sleep, but not in song;  
My 79th is in song, but not in use;  
My 80th is in use, but not in sleep;  
My 81st is in sleep, but not in song;  
My 82nd is in song, but not in use;  
My 83rd is in use, but not in sleep;  
My 84th is in sleep, but not in song;  
My 85th is in song, but not in use;  
My 86th is in use, but not in sleep;  
My 87th is in sleep, but not in song;  
My 88th is in song, but not in use;  
My 89th is in use, but not in sleep;  
My 90th is in sleep, but not in song;  
My 91st is in song, but not in use;  
My 92nd is in use, but not in sleep;  
My 93rd is in sleep, but not in song;  
My 94th is in song, but not in use;  
My 95th is in use, but not in sleep;  
My 96th is in sleep, but not in song;  
My 97th is in song, but not in use;  
My 98th is in use, but not in sleep;  
My 99th is in sleep, but not in song;  
My 100th is in song, but not in use;  
My 101st is in use, but not in sleep;  
My 102nd is in sleep, but not in song;  
My 103rd is in song, but not in use;  
My 104th is in use, but not in sleep;  
My 105th is in sleep, but not in song;  
My 106th is in song, but not in use;  
My 107th is in use, but not in sleep;  
My 108th is in sleep, but not in song;  
My 109th is in song, but not in use;  
My 110th is in use, but not in sleep;  
My 111th is in sleep, but not in song;  
My 112th is in song, but not in use;  
My 113th is in use, but not in sleep;  
My 114th is in sleep, but not in song;  
My 115th is in song, but not in use;  
My 116th is in use, but not in sleep;  
My 117th is in sleep, but not in song;  
My 118th is in song, but not in use;  
My 119th is in use, but not in sleep;  
My 120th is in sleep, but not in song;  
My 121st is in song, but not in use;  
My 122nd is in use, but not in sleep;  
My 123rd is in sleep, but not in song;  
My 124th is in song, but not in use;  
My 125th is in use, but not in sleep;  
My 126th is in sleep, but not in song;  
My 127th is in song, but not in use;  
My 128th is in use, but not in sleep;  
My 129th is in sleep, but not in song;  
My 130th is in song, but not in use;  
My 131st is in use, but not in sleep;  
My 132nd is in sleep, but not in song;  
My 133rd is in song, but not in use;  
My 134th is in use, but not in sleep;  
My 135th is in sleep, but not in song;  
My 136th is in song, but not in use;  
My 137th is in use, but not in sleep;  
My 138th is in sleep, but not in song;  
My 139th is in song, but not in use;  
My 140th is in use, but not in sleep;  
My 141st is in sleep, but not in song;  
My 142nd is in song, but not in use;  
My 143rd is in use, but not in sleep;  
My 144th is in sleep, but not in song;  
My 145th is in song, but not in use;  
My 146th is in use, but not in sleep;  
My 147th is in sleep, but not in song;  
My 148th is in song, but not in use;  
My 149th is in use, but not in sleep;  
My 150th is in sleep, but not in song;  
My 151st is in song, but not in use;  
My 152nd is in use, but not in sleep;  
My 153rd is in sleep, but not in song;  
My 154th is in song, but not in use;  
My 155th is in use, but not in sleep;  
My 156th is in sleep, but not in song;  
My 157th is in song, but not in use;  
My 158th is in use, but not in sleep;  
My 159th is in sleep, but not in song;  
My 160th is in song, but not in use;  
My 161st is in use, but not in sleep;  
My 162nd is in sleep, but not in song;  
My 163rd is in song, but not in use;  
My 164th is in use, but not in sleep;  
My 165th is in sleep, but not in song;  
My 166th is in song, but not in use;  
My 167th is in use, but not in sleep;  
My 168th is in sleep, but not in song;  
My 169th is in song, but not in use;  
My 170th is in use, but not in sleep;  
My 171st is in sleep, but not in song;  
My 172nd is in song, but not in use;  
My 173rd is in use, but not in sleep;  
My 174th is in sleep, but not in song;  
My 175th is in song, but not in use;  
My 176th is in use, but not in sleep;  
My 177th is in sleep, but not in song;  
My 178th is in song, but not in use;  
My 179th is in use, but not in sleep;  
My 180th is in sleep, but not in song;  
My 181st is in song, but not in use;  
My 182nd is in use, but not in sleep;  
My 183rd is in sleep, but not in song;  
My 184th is in song, but not in use;  
My 185th is in use, but not in sleep;  
My 186th is in sleep, but not in song;  
My 187th is in song, but not in use;  
My 188th is in use, but not in sleep;  
My 189th is in sleep, but not in song;  
My 190th is in song, but not in use;  
My 191st is in use, but not in sleep;  
My 192nd is in sleep, but not in song;  
My 193rd is in song, but not in use;  
My 194th is in use, but not in sleep;  
My 195th is in sleep, but not in song;  
My 196th is in song, but not in use;  
My 197th is in use, but not in sleep;  
My 198th is in sleep, but not in song;  
My 199th is in song, but not in use;  
My 200th is in use, but not in sleep;  
My 201st is in sleep, but not in song;  
My 202nd is in song, but not in use;  
My 203rd is in use, but not in sleep;  
My 204th is in sleep, but not in song;  
My 205th is in song, but not in use;  
My 206th is in use, but not in sleep;  
My 207th is in sleep, but not in song;  
My 208th is in song, but not in use;  
My 209th is in use, but not in sleep;  
My 210th is in sleep, but not in song;  
My 211st is in song, but not in use;  
My 212th is in use, but not in sleep;  
My 213th is in sleep, but not in song;  
My 214th is in song, but not in use;  
My 215th is in use, but not in sleep;  
My 216th is in sleep, but not in song;  
My 217th is in song, but not in use;  
My 218th is in use, but not in sleep;  
My 219th is in sleep, but not in song;  
My 220th is in song, but not in use;  
My 221st is in use, but not in sleep;  
My 222nd is in sleep, but not in song;  
My 223rd is in song, but not in use;  
My 224th is in use, but not in sleep;  
My 225th is in sleep, but not in song;  
My 226th is in song, but not in use;  
My 227th is in use, but not in sleep;  
My 228th is in sleep, but not in song;  
My 229th is in song, but not in use;  
My 230th is in use, but not in sleep;  
My 231st is in sleep, but not in song;  
My 232nd is in song, but not in use;  
My 233rd is in use, but not in sleep;  
My 234th is in sleep, but not in song;  
My 235th is in song, but not in use;  
My 236th is in use, but not in sleep;  
My 237th is in sleep, but not in song;  
My 238th is in song, but not in use;  
My 239th is in use, but not in sleep;  
My 240th is in sleep, but not in song;  
My 241st is in song, but not in use;  
My 242nd is in use, but not in sleep;  
My 243rd is in sleep, but not in song;  
My 244th is in song, but not in use;  
My 245th is in use, but not in sleep;  
My 246th is in sleep, but not in song;  
My 247th is in song, but not in use;  
My 248th is in use, but not in sleep;  
My 249th is in sleep, but not in song;  
My 250th is in song, but not in use;  
My 251st is in use, but not in sleep;  
My 252nd is in sleep, but not in song;  
My 253rd is in song, but not in use;  
My 254th is in use, but not in sleep;  
My 255th is in sleep, but not in song;  
My 256th is in song, but not in use;  
My 257th is in use, but not in sleep;  
My 258th is in sleep, but not in song;  
My 259th is in song, but not in use;  
My 260th is in use, but not in sleep;  
My 261st is in sleep, but not in song;  
My 262nd is in song, but not in use;  
My 263rd is in use, but not in sleep;  
My 264th is in sleep, but not in song;  
My 265th is in song, but not in use;  
My 266th is in use, but not in sleep;  
My 267th is in sleep, but not in song;  
My 268th is in song, but not in use;  
My 269th is in use, but not in sleep;  
My 270th is in sleep, but not in song;  
My 271st is in song, but not in use;  
My 272nd is in use, but not in sleep;  
My 273rd is in sleep, but not in song;  
My 274th is in song, but not in use;  
My 275th is in use, but not in sleep;  
My 276th is in sleep, but not in song;  
My 277th is in song, but not in use;  
My 278th is in use, but not in sleep;  
My 279th is in sleep, but not in song;  
My 280th is in song, but not in use;  
My 281st is in use, but not in sleep;  
My 282nd is in sleep, but not in song;  
My 283rd is in song, but not in use;  
My 284th is in use, but not in sleep;  
My 285th is in sleep, but not in song;  
My 286th is in song, but not in use;  
My 287th is in use, but not in sleep;  
My 288th is in sleep, but not in song;  
My 289th is in song, but not in use;  
My 290th is in use, but not in sleep;  
My 291st is in sleep, but not in song;  
My 292nd is in song, but not in use;  
My 293rd is in use, but not in sleep;  
My 294th is in sleep, but not in song;  
My 295th is in song, but not in use;  
My 296th is in use, but not in sleep;  
My 297th is in sleep, but not in song;  
My 298th is in song, but not in use;  
My 299th is in use, but not in sleep;  
My 300th is in sleep, but not in song;  
My 301st is in song, but not in use;  
My 302nd is in use, but not in sleep;  
My 303rd is in sleep, but not in song;  
My 304th is in song, but not in use;  
My 305th is in use, but not in sleep;  
My 306th is in sleep, but not in song;  
My 307th is in song, but not in use;  
My 308th is in use, but not in sleep;  
My 309th is in sleep, but not in song;  
My 310th is in song, but not in use;  
My 311th is in use, but not in sleep;  
My 312th is in sleep, but not in song;  
My 313th is in song, but not in use;  
My 314th is in use, but not in sleep;  
My 315th is in sleep, but not in song;  
My 316th is in song, but not in use;  
My 317th is in use, but not in sleep;  
My 318th is in sleep, but not in song;  
My 319th is in song, but not in use;  
My 320th is in use, but not in sleep;  
My 321st is in sleep, but not in song;  
My 322nd is in song, but not in use;  
My 323rd is in use, but not in sleep;  
My 324th is in sleep, but not in song;  
My 325th is in song, but not in use;  
My 326th is in use, but not in sleep;  
My 327th is in sleep, but not in song;  
My 328th is in song, but not in use;  
My 329th is in use, but not in sleep;  
My 330th is in sleep, but not in song;  
My 331st is in song, but not in use;  
My 332nd is in use, but not in sleep;  
My 333rd is in sleep, but not in song;  
My 334th is in song, but not in use;  
My 335th is in use, but not in sleep;  
My 336th is in sleep, but not in song;  
My 337th is in song, but not in use;  
My 338th is in use, but not in sleep;  
My 339th is in sleep, but not in song;  
My 340th is in song, but not in use;  
My 341st is in use, but not in sleep;  
My 342nd is in sleep, but not in song;  
My 343rd is in song, but not in use;  
My 344th is in use, but not in sleep;  
My 345th is in sleep, but not in song;  
My 346th is in song, but not in use;  
My 347th is in use, but not in sleep;  
My 348th is in sleep, but not in song;  
My 349th is in song, but not in use;  
My 350th is in use, but not in sleep;  
My 351st is in sleep, but not in song;  
My 352nd is in song, but not in use;  
My 353rd is in use, but not in sleep;  
My 354th is in sleep, but not in song;  
My 355th is in song, but not in use;  
My 356th is in use, but not in sleep;  
My 357th is in sleep, but not in song;  
My 358th is in song, but not in use;  
My 359th is in use, but not in sleep;  
My 360th is in sleep, but not in song;  
My 361st is in song, but not in use;  
My 362nd is in use, but not in sleep;  
My 363rd is in sleep, but not in song;  
My 364th is in song, but not in use;  
My 365th is in use, but not in sleep;  
My 366th is in sleep, but



# Oxford Democrat...Extra.

Public Laws of the State of Maine, passed by the Fifty-first Legislature, A. D. 1872.

## Chapter 1.

AN ACT relating to the Superior Court for Cumberland County.

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:*

SECTION 1. Chapter two hundred and sixteen of the public laws of eighteen hundred and sixty-eight, entitled "An Act to enlarge the jurisdiction of the Superior Court in the county of Cumberland," is hereby re-enacted and declared to be in full force and effect; and the criminal jurisdiction conferred upon the Superior Court for the county of Cumberland by the above-named act is hereby affirmed, and all its doings in criminal cases which have been in accordance with the provisions of said act are hereby confirmed and declared to be legal and valid.

SECT. 2. This act shall take effect when approved. [Approved January 13, 1872.]

## Chapter 2.

AN ACT to amend An Act entitled "An Act empowering towns, cities, and village corporations to make by-laws and ordinances in certain cases," approved February third, eighteen hundred and seventy-one.

*Be it enacted, &c., as follows:*

SECT. 1. The first section of chapter one hundred and seventy-eight of the public laws of eighteen hundred and seventy-one is hereby amended so as to read as follows, namely:

SECT. 1. Towns, cities, and village corporations may make such by-laws and ordinances as they deem proper, respecting the location and protection of monuments, boundary-stones, curb-stones, stepping-stones, or horse-blocks, trees, lamp-posts, posts and hydrants, and all other things placed within the limits of their roads, ways and streets, by municipal authority and for legitimate municipal purposes; and no monuments, boundary-stones, curb-stones, stepping-stones or horse-blocks, trees, lamp-posts, posts, hydrants, or other objects placed as aforesaid, which are now located, or shall hereafter be located in accordance with the requirements of such by-laws and ordinances, shall be deemed a defect in such road, way or street.

SECT. 2. This act shall take effect when approved. [Approved January 29, 1872.]

## Chapter 3.

AN ACT to amend section thirty-three of chapter eleven of the revised statutes, relating to the location of school-houses.

*Be it enacted, &c., as follows:*

SECT. 1. Section thirty-three of chapter eleven of the revised statutes, in the sixth line, shall be amended by striking out the word "forty" and inserting in lieu thereof the words "one hundred," so that the section as amended shall read as follows:

SECT. 31. When the location for the erection or removal of a school-house and necessary buildings has been legally designated, and the owner thereof refuses to sell or asks an unreasonable price for it, in the opinion of the municipal officers, or resides without the limits of this State and has no authorized agent or attorney within the same, they may lay out a school-house lot, not exceeding one hundred square rods, and appraise the damages, as is provided for laying out town ways and appraising damages therefor; and on payment or tender of such damages, or if such owner does not reside within this State, upon depositing such damages in the treasury of such town or district for his use, the town or district designating it may take such, to be held and used for the purposes aforesaid; and when such school-house as is required of the town or district has ceased to be thereon for two years, it shall revert to the owner, his heirs or assigns. And any incorporated city may take real estate for the enlargement or extension of any location designated for the erection or removal of a school-house and necessary buildings, and for necessary play-grounds as herein provided, but no real estate shall be so taken within thirty feet of a dwelling-house.

SECT. 2. This act shall take effect when approved. [Approved January 29, 1872.]

## Chapter 4.

AN ACT to amend section thirty-eight of chapter forty of the revised statutes, relating to the yearly close-time on land-locked salmon, trout and togue.

*Be it enacted, &c., as follows:*

SECT. 1. That section thirty-eight of chapter forty of the revised statutes be amended by striking out the words "and January" in the third line of section thirty-eight, and insert the word "and" after the word "November," in the second line of said section, so the section shall read as follows:

SECT. 28. There shall be a yearly close-time of land-locked salmon, trout and togue during the months of October, November and December, during which none of the fish mentioned above shall be taken or killed in any manner, under a penalty of not more than thirty nor less than ten dollars, and a further fine of one dollar for each fish so taken or killed; but this section shall not apply to the taking of blueback trout in Franklin and Oxford counties, nor to any person taking fish on his own premises for the purpose of cultivation.

[Approved January 29, 1872.]

## Chapter 5.

AN ACT to continue in force chapter one hundred and seventy-nine, public laws eighteen hundred and seventy-one, entitled "An Act authorizing pensions for disabled soldiers and seamen."

*Be it enacted, &c., as follows:*

SECT. 1. The provisions of chapter one hundred and seventy-nine, public laws eighteen hundred and seventy-one, are hereby continued in force for one year from the thirty-first day of December, one thousand eight hundred and seventy-one.

SECT. 2. No officer of any city or town shall be entitled to any fees or compensation from the State for services performed under this act, or in carrying into effect its provisions.

SECT. 3. This act shall take effect when approved. [Approved February 5, 1872.]

## Chapter 6.

AN ACT additional to chapter sixty-four of the revised statutes, relating to executors and administrators.

*Be it enacted, &c., as follows:*

Executors or administrators residing out of the State at the time of giving notice of their appointment, shall appoint an agent or attorney in the State and insert his name and address in such notice. Demand or service made on said agent or attorney shall bind the principals and the estate in their care as if made on themselves. [Approved February 13, 1872.]

## Chapter 7.

AN ACT to secure a lien on brick.

*Be it enacted, &c., as follows:*

SECT. 1. Any person who performs or furnishes labor or wood for manufacturing and burning bricks shall have a lien on such bricks for such labor and wood, to take precedence of all other claims, and to continue in force thirty days after the same are burned suitable for use, provided said bricks remain in the yard where burnt, and to be enforced by attachment within that time, which shall have precedence of all attachments and incumbrances not made to secure a similar lien; and such suit may be maintained though the employer or debtor is dead and his estate rendered insolvent, and in that case his executor or administrator may be summoned to answer thereto, and judgment rendered as in other cases against executors and administrators, and execution issued and enforced to satisfy such lien.

SECT. 2. This act shall take effect when approved. [Approved February 13, 1872.]

## Chapter 8.

AN ACT additional to chapter five of the revised statutes relating to trespass on public lands.

*Be it enacted, &c., as follows:*

SECT. 1. Whenever any teams, implements, apparatus and supplies are or shall be seized under the provisions of section seven of chapter five of the revised statutes, the land agent shall cause the same to be sold at public auction, by giving notice of the time and place of sale at least two weeks in some newspaper published in the county where the trespass was alleged to have been committed, and the proceeds, after deducting expenses, charges and fees, shall be paid into the State treasury, and an account rendered thereof by the land agent to the governor and council at once.

SECT. 2. This act shall apply to seizures made before the passage of this act.

SECT. 3. This act shall take effect when approved. [Approved February 16, 1872.]

## Chapter 9.

AN ACT to repeal section thirty-seven, chapter five of the revised statutes, relating to the deeds given by settlers upon the public lands.

*Be it enacted, &c., as follows:*

Section thirty-seven of chapter five of the revised statutes, relating to the right of the purchaser of public lots to convey without consent of his wife, is hereby repealed. [Approved February 16, 1872.]

## Chapter 10.

AN ACT in relation to Normal Schools and normal departments.

*Be it enacted, &c., as follows:*

SECT. 1. It shall be the duty of the principals of the normal schools and of all other schools in which normal departments are supported, wholly or in part by the State, to keep a school register containing the names of all students entering such schools or departments, the date of entering and leaving, their ages, number of days attendance, the length of the school term, list of text-books used, and all other information required in blanks to be furnished from the office of the State superintendent of common schools. The register and blanks thus furnished and kept shall be returned annually to the State superintendent of common schools on or prior to the first day of December, and the information so furnished shall appear in his annual school report, for the use and benefit of the legislature.

SECT. 2. This act shall take effect when approved. [Approved February 16, 1872.]

## Chapter 11.

AN ACT to change the punishment for burglary and rape.

*Be it enacted, &c., as follows:*

SECT. 1. In all cases of burglary and rape the court may sentence for life or for a term of years.

SECT. 2. This act shall take effect sixty days after its approval. [Approved February 17, 1872.]

## Chapter 12.

AN ACT to amend section one, and to repeal sections eleven and twelve of chapter nine of the revised statutes, relating to salary of Indian Agents.

*Be it enacted, &c., as follows:*

SECT. 1. Section one of chapter nine of the revised statutes is hereby amended by striking out of the fifth line of said section the words "four hundred and fifty," and inserting instead thereof the words "three hundred." So that said section as amended shall read as follows:

SECT. 1. The persons who have been appointed as agents for the Penobscot and Passamaquoddy tribes of Indians, shall continue to perform the duties assigned to them according to the tenure of their respective appointments. The agent of the Penobscot Indians shall receive three hundred dollars, and the agent of the Passamaquoddy Indians three hundred dollars annually, payable in the months of May and November, out of the funds of said respective tribes, in full for their services as agents, including commissions on disbursements.

SECT. 2. Sections eleven and twelve of chapter nine of the revised statutes are hereby repealed.

SECT. 3. This act shall take effect when approved. [Approved February 17, 1872.]

## Chapter 13.

AN ACT relative to the service of precepts upon deputy sheriffs.

*Be it enacted, &c., as follows:*

Any precept against the deputy of a sheriff may be served by any other deputy of the same sheriff.

[Approved February 17, 1872.]

## Chapter 14.

AN ACT to promote immigration and facilitate the settlement of the public lands.

*Be it enacted, &c., as follows:*

SECT. 1. There shall be a board of immigration in this State, composed of the governor, secretary of State, and land agent.

SECT. 2. It shall be the duty of said board to appoint a commissioner of immigration, an agent resident in New Sweden, and to exercise a general supervision over the expenditure of all moneys appropriated by this act.



SECT. 3. It shall be the duty of said commissioner to collect statistics and other useful information concerning the climate, soil, productions and resources of the State, the amount and location of unsettled lands in Maine, the terms offered by the State to settlers, together with the condition and progress of the colony at New Sweden, and such other information as he may deem proper, and cause the same to be translated into the Swedish language, and distributed in Sweden and the United States in such manner as may be deemed desirable, and best calculated to promote the provisions of this act; provided the whole amount expended for this purpose shall not exceed the unexpended balance of the appropriation for same purpose, enacted by the legislature in the year of our Lord one thousand eight hundred and seventy-one.

SECT. 4. It shall be the further duty of said commissioner to exercise a general care and oversight over all immigrants coming to Maine, to give them all needful information, to assist them in settling upon the public lands of the State, or obtaining employment within its borders, and to have special charge of the colony at New Sweden, to the end that its development and prosperity may be promoted in every way consistent with law; and the compensation and entire expenses of said commissioner shall not exceed the sum of twenty-five hundred dollars. And it shall be the duty of said agent, resident in New Sweden, to have special charge of the State store-house, stores, tools, and all other State property there, to receive and disburse all State supplies, and keep proper accounts and vouchers therefor; and the compensation of said agent shall not exceed the sum of three hundred dollars.

SECT. 5. The board aforesaid may, if in their opinion the circumstances require it, expend for provisions, tools and seed to be sold to colonists, and for which payment may be taken in labor on the roads, public buildings and other public works, an amount not exceeding eight thousand dollars; for schools, two hundred dollars, and for all other necessary all an amount not exceeding one thousand dollars.

SECT. 6. The board aforesaid may cause all immigrants arriving under the provisions of this act to be settled on any of the public lands of the State not otherwise appropriated, and assign to each man over twenty-one years of age, by certificate from the land agent, a lot of one hundred acres of land; and the land agent shall, at the expiration of five years from the date of said assignment, grant each of the persons aforesaid, or his heirs at law, a deed of warranty or other valid title of the lot assigned him; provided each of said persons has established his residence on the lot assigned him, has built him a comfortable house thereon, and has cleared not less than fifteen acres of land within the time aforesaid, ten of which shall be laid down to grass; and all said persons shall be exempt from State taxation until January first, in the year of our Lord one thousand eight hundred and seventy-six.

SECT. 7. The governor is hereby authorized to draw his warrant upon the treasury for any of the sums specified in this act.

SECT. 8. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect when approved.

[Approved February 20, 1872.]

#### Chapter 15.

AN ACT relating to return of list of stockholders in corporations to assessors of towns and to the secretary of State.

*Be it enacted, &c., as follows:*

SECT. 1. Sections twenty-one and twenty-two of chapter forty-six of the revised statutes, are hereby amended by inserting after the word "clerks" wherever the same occurs, the words "or treasurers." So that the said sections as amended shall read as follows:

SECT. 21. Cashiers of banks, and clerks or treasurers of other corporations, shall ascertain the residences of all stockholders in either, and no dividend shall be paid to any stockholders in either, whose residence for the time being is not entered on the books thereof; and the cashiers of banks, and clerks or treasurers of all corporations, holding property liable to be taxed, within seven days after the first day of April annually, are to return under oath, to the assessors of a town in which any of its stockholders reside, the names of such stockholders, the amount of stock owned by them on the first day of April, and the amount of stock paid into such corporation; such returns are to be the basis of taxation on such property.

SECT. 22. Such cashiers and clerks or treasurers, within seven days after the first day of December annually, are to make return to the secretary of State of

the names of all the stockholders, their residence, the amount of stock owned by each and the whole amount of stock paid in. The secretary is to lay the same before the legislature within the first thirty days of its session.

SECT. 2. This act shall take effect when approved. [Approved February 20, 1872.]

#### Chapter 16.

AN ACT authorizing the appointment of deputy town clerks.

*Be it enacted, &c., as follows:*

SECT. 1. The clerk of any city, town or plantation in this State, may appoint a citizen of said city, town or plantation his deputy, who may in the clerk's absence perform all the duties of said office, with the same effect as if done by the clerk. The appointment may be made in writing as follows:

I hereby appoint \_\_\_\_\_ to perform the duties of town clerk in the town of \_\_\_\_\_ during my absence from the clerk's office.

Clerk of the town of \_\_\_\_\_  
Said deputy shall be sworn to faithfully perform the duties of his office before he enters thereon.

SECT. 2. This act shall take effect when approved. [Approved February 20, 1872.]

#### Chapter 17.

AN ACT to amend section eight of chapter ninety of the revised statutes, relating to actions on mortgages.

*Be it enacted, &c., as follows:*

Section eight of chapter ninety of the revised statutes, is hereby amended by inserting in the eighth line, next after the word "judgment," the following: "and if, after the expiration of three years from the time of the rendition of the judgment, the writ of possession has not been served or the judgment wholly satisfied, another conditional judgment may, on scire-facias, sued out in the name of the mortgagee or assignee, be rendered, and a writ of possession issued as before provided."

[Approved February 20, 1872.]

#### Chapter 18.

AN ACT to amend section sixty-five of chapter eighteen of the revised statutes, relating to injuries by defect in ways.

*Be it enacted, &c., as follows:*

SECT. 1. The first clause of section sixty-five of chapter eighteen of the revised statutes is hereby amended by striking out the word "three" in the fifth line thereof, and inserting in place thereof the word "two," so that the same as amended shall read as follows:

SECT. 65. If any person receives any bodily injury, or suffers any damage in his property, through any defect or want of repair or sufficient railing in any highway, townway, causeway or bridge, he may recover the same in a special action on the case, to be commenced within two years from the date of receiving such injury or suffering such damage, of the county, town or person obliged by law to repair the same, if such county, town or person had reasonable notice of the defect or want of repair.

SECT. 2. This act shall not affect any action for the recovery of damages sustained prior to the approval thereof. [Approved February 20, 1872.]

#### Chapter 19.

AN ACT to protect the spawn or egg lobsters in the waters of Maine.

*Be it enacted, &c., as follows:*

SECT. 1. All persons are forbidden catching and offering for sale, or buying, any egg or spawn lobsters.

SECT. 2. Any person upon drawing nets or traps, and finding any such lobsters, shall at once let them go without injury.

SECT. 3. Any person violating the provisions aforesaid shall be liable to a fine of ten dollars for each lobster taken, bought or sold.

SECT. 4. All vessels, boats, craft and apparatus of every kind, having on board any such lobsters, shall be liable for any fines and costs herein provided for, and any person may seize and detain said property not exceeding twenty-four hours, in order that it may be attached and taken by due process of law, to satisfy any judgment that may be recovered, but it shall at any time be released on payment, by the owner or master, of the fine, costs and reasonable expenses.

SECT. 5. The penalty aforesaid may be recovered in an action of debt, half to the person suing therefor and half to the town where the offense is committed.

SECT. 6. This act shall take effect when approved. [Approved February 20, 1872.]

#### Chapter 20.

AN ACT relating to snowing covered bridges.

*Be it enacted, &c., as follows:*

All persons and corporations maintaining covered bridges for the purpose of public travel, are required to keep the same snowed at all reasonable times.

[Approved February 20, 1872.]

#### Chapter 21.

AN ACT to repeal chapter one hundred eighty-seven of the public laws of eighteen hundred seventy-one relating to the organization of corporations.

*Be it enacted, &c., as follows:*

SECT. 1. Chapter one hundred and eighty-seven of the public laws of eighteen hundred and seventy-one, is hereby repealed.

SECT. 2. The organization of any corporation already formed under the provisions of section eighteen, nineteen and twenty of chapter forty-eight of the revised statutes, is hereby made legal, notwithstanding any failure to comply with the provisions of section one of the act hereby repealed, if otherwise organized according to law.

SECT. 3. This act shall take effect when approved. [Approved February 20, 1872.]

#### Chapter 22.

AN ACT additional to an act entitled "An Act additional for the assessment and collection of taxes."

*Be it enacted, &c., as follows:*

SECT. 1. The provisions of an act entitled "An Act additional for the assessment and collection of taxes," approved February twenty-seven, eighteen hundred and seventy-one, chapter two hundred and thirty, shall not apply to hides owned by persons residing out of the State, nor to the leather, the product of such hides, when it appears that the hides were sent into the State for the purpose of being tanned, and to be carried out of the State when tanned.

SECT. 2. All persons engaged in the business of tanning leather in this State, shall on or before the first day of April in each year, furnish to the assessor of the city, town or plantation where such persons are carrying on said business, a full account, on oath, of all hides and leather on hand received by them from without the State, and also all hides and leather on hand from beasts slaughtered in this State, whose last named hides and leather shall be taxed in the town where tanned.

SECT. 3. This act shall take effect when approved. [Approved February 20, 1872.]

#### Chapter 23.

AN ACT to fix the compensation of the Judges of the Supreme Judicial Court.

*Be it enacted, &c., as follows:*

SECT. 1. Each of the Justices of the Supreme Judicial Court shall receive from the treasurer of State a salary of three thousand dollars in quarterly payments, on the first day of January, April, July and October each year, instead of the sums now allowed them by law for salaries, board and travelling expenses.

SECT. 2. This act shall take effect when approved. [Approved February 22, 1872.]

#### Chapter 24.

AN ACT relative to railroads.

*Be it enacted, &c., as follows:*

No railroad having established its business upon line shall substantially deviate from the track originally built and used, without the consent of the legislature, and no railroad having established its business as aforesaid shall cease to run its trains and operate its road, so long as said railroad company shall pay dividends to its stockholders from its earnings, but this act shall not be construed as a permission to any railroad company to cease operating its road or running its trains.

[Approved February 23, 1872.]

#### Chapter 25.

AN ACT relating to corporations and owners of real estate improved by laying out, altering or widening streets.

*Be it enacted, &c., as follows:*

SECT. 1. Whenever the city council of any city in this State shall lay out any new street or public way, or widen or otherwise alter or discontinue any street or way in such city, and shall estimate and decide that any person or persons or corporation have or will sustain any damage thereby, and the amount thereof to each in the manner that now is or may be provided by law, it shall be lawful for said city council to apportion the damages so estimated and allowed, or such part thereof as to them may seem just, upon the lots or parcels of land adjacent to and bounded on such street or way, and not those lots for which damages are allowed, in such proportions as in their opinion such lots or parcels of land are benefited or made more valuable.



by such laying out or widening or otherwise altering or discontinuing of such street or way; provided, however, that the whole assessment so made shall not exceed the damages so allowed. And that before such assessment shall be made notice shall be given to all persons interested to appear before said city council, at a time and place specified, if they shall see cause, to be heard upon the subject matter, which notice shall be published in some newspaper in said city at least one week before said time of hearing.

SECT. 2. After said assessment shall be made upon such lots or parcels and the amount fixed upon each, the same shall be recorded by the city clerk, and notice shall be given within thirty days after the assessment to each owner and proprietor of said lots and parcels, by delivering to each of such owners resident in said city a certified copy of such record of assessment, or by leaving such copy at his last and usual place of abode, and by publishing the same three weeks successively in some newspaper published in said city, the first publication to be within said thirty days, and said city clerk within said thirty days shall deposit in the post office of said city, postage paid, a certified copy of such assessment directed to each of such owners or proprietors residing out of said city, whose place of residence may be known to said clerk, and the certificate of said clerk duly made shall be deemed and taken to be sufficient evidence of these facts, and the registry of deeds for each county in the State as the case may be, shall be the evidence of title in allowing or assessing damages and improvements under this act, so far as notice is concerned.

SECT. 3. Any owner or proprietor as aforesaid aggrieved by reason of the sum so assessed upon his lot or parcel of land, may at any time within six months after such assessment have the same assessed by a committee or jury as now provided by law for the estimate of damages for land taken for laying out, altering, widening or discontinuing any new street or public way in either of said cities; and if, upon appeal, such owner or proprietor shall fail to recover a larger sum than that assessed by the city council, then said city shall recover costs after such appeal, which shall be added to and become a part of said assessment. And if said owner or proprietor shall recover a larger sum than that assessed by the city council, then the applicant shall recover costs after said appeal, and the clerk of the courts for the county, as the case may be, within thirty days after final judgment in case of appeal, certify such judgment to the clerk of said city, as the case may be.

SECT. 4. In case the sums so assessed by said city council upon such lots or parcels of land shall not be paid to the city treasurer within six months after such assessment, and no appeal is claimed, the mayor of said city, under the order of the city council, may issue his warrant directed to the city treasurer of said city, reciting substantially the proceedings had, and direct said treasurer to sell all such lots the assessment upon which has not been paid as aforesaid, at public auction to the highest bidder, or so much of each of such lot or parcel as may be necessary to pay said assessment and all intervening charges and costs, first giving public notice thereof in two public places in said city, and publishing the same three weeks successively before said sale, in some newspaper published in said city. And it shall be the duty of said treasurer to obey said warrant, and to execute and deliver to the purchaser of such lot or parcel or any part thereof, a deed of the same which shall convey a good and valid title of the same to the purchaser; and the owner or proprietor aforesaid may redeem the same at any time within two years after such sale, by paying or tendering to the purchaser or depositing with the city treasurer of said city the amount paid by such purchaser, with interest at the rate of twelve per cent. per annum: And a lien shall be created and in force and exist upon each of said lot and parcels for the payment of said assessment and all costs and charges after said assessment is made and until the same is paid.

SECT. 5. In all cases after said assessment is due and payable, said city treasurer for said city, may recover the same, and all charges and costs of the owner or proprietor in an action of assumpsit for money due and owing said city in addition to the mode pointed out in the foregoing provisions of this act for collecting said assessment.

SECT. 6. This act shall take effect when approved. [Approved February 23, 1872.]

#### Chapter 25.

AN ACT creating a lien on animals to secure payment for pasturing, feeding and sheltering.

Be it enacted, &c., as follows:

SECT. 1. Any person who pastures, feeds or shel-

ters animals by virtue of a contract with, or by consent of the owner, shall have a lien thereon for the amount due for such pasturing, feeding or sheltering, to secure payment thereof with costs, to be enforced by attachment in courts of competent jurisdiction, in the same manner as lien on goods and personal baggage by inn-holders or keepers of boarding-houses.

SECT. 2. This act shall take effect when approved. [Approved February 23, 1872.]

#### Chapter 27.

AN ACT concerning railroads.

Be it enacted, &c., as follows:

Any stockholder, or representative of any stockholder, in any railroad company shall have power to call for a stock vote of such company at any meeting of the stockholders of such company on any question that may be legally before such meeting, anything in the charter or by-laws of such company to the contrary notwithstanding.

[Approved February 23, 1872.]

#### Chapter 28.

AN ACT to amend section five of chapter seventy-seven of the revised statutes, relating to the equity jurisdiction of the supreme judicial court.

Be it enacted, &c., as follows:

The ninth specification of section five, chapter seventy-seven of the revised statutes is hereby amended by striking out the word "or" in the first line thereof, and by inserting after the word "districts" in the first line in said specification the words "village corporations or other public corporations by whatever name," and by inserting after the word "taxation" in the third line thereof the words "or exempt property from taxation" so that said specification as amended shall read as follows:

Ninth—When counties, cities, towns, school districts, village corporations, or other public corporations by whatever name, for a purpose not authorized by law, vote to pledge their credit or to raise money by taxation or exempt property from taxation, or to pay money from their treasury, or for such purpose any of their officers or agents attempt to pay out such money, the court shall have equity jurisdiction on application of not less than ten taxable inhabitants therein.

[Approved February 23, 1872.]

#### Chapter 29.

AN ACT to amend sections twenty-five, thirty-one, and thirty-six of chapter forty of the revised statutes, relating to fish and appointment of fish commissioners.

Be it enacted, &c., as follows:

SECT. 1. Section twenty-five of chapter forty of the revised statutes is hereby amended by striking out all of said section after word "priorited," and inserting in the place so stricken out the following, to wit: "He or they shall receive a salary of one thousand dollars per year and travelling and other expenses necessarily incurred in connection with his or their duties, which shall be audited and cause to be paid by the governor and council; and it shall be his or their duty to see that all violations of the fish laws of the State are duly prosecuted," so that said section as amended shall read as follows, to wit:

SECT. 25. The governor with the advice of the council shall appoint one or two persons as they may think best, to be commissioners of fisheries, who shall hold office for three years, unless sooner removed, and have a general supervision of the fisheries, regulated by the preceding and following sections. He or they shall examine dams and other obstructions existing in all rivers and streams in the State, and determine the necessity of fishways and the location, form and capacity thereof, shall visit those sections where fisheries regulated by this chapter are carried on, and examine into the working of the laws; shall introduce and disseminate valuable species of fish into the streams and ponds in this State where they do not exist, and perform all other duties prescribed by law. He or they shall report annually on or before the thirty-first day of December, to the Governor, who shall cause three thousand copies of each report to be printed. He or they shall receive one thousand dollars and traveling and other expenses necessarily incurred in connection with his or their duties, which shall be audited by the governor and council, and it shall be his or their duty to see that all violations of the fish laws of the State are duly prosecuted.

SECT. 31. Section thirty-one of said chapter is amended by striking out the word "one" in the last line and inserting "two" in its place, so that said section as amended shall read as follows, to wit:

SECT. 31. The Governor, with the advice of the council, shall appoint fish wardens wherever the same may be necessary, who shall enforce the provisions

of all public laws relating to fisheries, and shall have all the powers given to fish wardens by the following section. Each person so appointed shall hold office three years, unless sooner removed, and his pay shall be fixed by the governor and council, who shall audit his accounts and cause the same to be paid from the State treasury; provided, that the total amount paid to all the wardens shall not exceed fifteen hundred dollars annually.

SECT. 3. Section thirty-six of said chapter is hereby amended by striking out the words "two" and "one" in the second line of said section, and by inserting the word "five" in the place of each of said words, so that as amended it shall read as follows:

SECT. 36. No salmon, shad, alewife or other migratory fish shall be taken within five hundred yards of any fishway or within five hundred yards of any dam or mill-race, nor shall any structure or implement except single hook and line be used for taking any fish within the above limits, between the first day of April and the first day of November, without the written permission of the wardens of the district in which it is situated, and approved by the commissioner of fisheries, nor shall hook and line be used within fifty yards of any fishway. The penalty for the violation of this section shall be a fine of not more than fifty nor less than ten dollars for each offense, and a further fine of ten dollars for each salmon, one dollar for each shad, and twenty cents for each alewife so taken. [Approved Feb. 23, 1872.]

#### Chapter 30.

AN ACT to fix the salary of the county attorney for the county of Somerset.

Be it enacted, &c., as follows:

SECT. 1. The salary of the county attorney for Somerset county shall be three hundred and fifty dollars instead of the sum now fixed by law.

SECT. 2. This act shall take effect when approved. [Approved February 23, 1872.]

#### Chapter 31.

AN ACT additional respecting railroads, relating to location and construction near depots of other railroads.

Be it enacted, &c., as follows:

SECT. 1. No railroad company shall construct or maintain any track, or run any engines or cars on any street or highway so near any depot of any other railroad as to endanger the safe and convenient access to and use of such depot for ordinary depot purposes.

SECT. 2. No railroad company shall take the grounds occupied by any other railroad company and necessary for its use for depot purposes, without the consent of such company. When application is made to take any such grounds, the railroad commissioners, upon notice and hearing thereon, shall determine whether the land proposed to be taken is necessary as aforesaid or not, and whether any public necessity requires it to be taken.

SECT. 3. All acts and parts of acts inconsistent with this act are so modified as to render them consistent therewith.

SECT. 4. This act shall take effect when approved. [Approved February 24, 1872.]

#### Chapter 32.

AN ACT to authorize the formation of companies of cadets in this State.

Be it enacted, &c., as follows:

SECT. 1. The Governor is hereby empowered, with the advice and consent of the council, to authorize the formation of companies of cadets in this State, not to exceed ten in number, to be composed of boys not subject to military duties under our militia laws, which organization shall be effected and officers elected in the manner indicated in the act entitled "An Act concerning the militia," approved February twenty-three, eighteen hundred and sixty-five.

SECT. 2. Said companies may be supplied with such arms and equipments as the Governor may direct, the same to be receipted for by responsible persons; provided, that such arms or equipments shall not be issued to any such company until it shall appear that it has been recruited to the number of fifty.

SECT. 3. This act shall take effect when approved. [Approved February 24, 1872.]

#### Chapter 33.

AN ACT relating to injuries by reason of defective highways.

Be it enacted, &c., as follows:

No person shall recover of any city or town in this State, damage for injury done to person or property, which damage is claimed to have been done in consequence of any defect or want of repair or sufficient railing in any highway, townway, causeway or bridge, provided the said damage be done to or claim-



ed by any person who was at the time said damage was done, a resident of any country where damage done under similar circumstances is not recoverable by the laws of said country.

[Approved February 27, 1872.]

#### Chapter 34.

AN ACT to amend chapter seventy-six of the revised statutes, relating to the redemption of real estate from levy on execution.

*Be it enacted, &c., as follows:*

Section twenty-two of chapter seventy-six of the revised statutes, is hereby amended by adding to said section the following words: "When the creditor resides out of the State, or his residence is unknown, such payment shall be sufficient if made to the clerk of the courts in the county where the real estate levied upon is situated; and such payment shall have the same effect as if paid to the creditor," so that said section as amended, shall read as follows:

"Sect. 22. Real estate levied on may be redeemed within one year thereafter, by tendering to the creditor the amount of its appraisal with interest from the time of levy, with reasonable expenses incurred for its improvement or repair, or in saving it from loss by the non-payment of taxes legally assessed thereon prior to the levy, after deducting rents and profits with which he is chargeable; and the creditor is thereupon by his deed prepared at the expense of the debtor, to release to him all his title to the premises. When the creditor resides out of the State, or his residence is unknown, such payment shall be sufficient if made to the clerk of the courts in the county where the real estate levied upon is situated, and such payment shall have the same effect as if paid to the creditor." [Approved February 27, 1872.]

#### Chapter 35.

AN ACT relative to claims against insolvent estates.

*Be it enacted, &c., as follows:*

A person whose claim against an insolvent estate has been allowed by commissioners on said estate and the decision of the commissioners appealed from by the administrator, heir at law or any other creditor, and who by accident or mistake has omitted to commence an action for money had and received within the time prescribed by section thirteen of chapter sixty-six of the revised statutes, may petition the supreme judicial court, and after notice to the administrator and a hearing, the court may grant leave to commence an action at the next term of the court in the county where administration was granted for the recovery of his claim, but not after four years from granting administration, but no decree of distribution can be disturbed by judgment so recovered.

[Approved February 27, 1872.]

#### Chapter 36.

AN ACT to amend section six of chapter ninety of the revised statutes, relating to the foreclosure of mortgages on real estate.

*Be it enacted, &c., as follows:*

Section six of chapter ninety of the revised statutes is amended to read as follows:

"Sect. 6. The mortgagor, or person claiming under him, may redeem the mortgaged premises within three years next after the first publication, or the service of the notice mentioned in the preceding section, and if not so redeemed his right of redemption shall be forever foreclosed; provided, the mortgagor and mortgagee may agree upon a less time, not less than one year, in which the mortgage shall be forever foreclosed, which agreement shall be inserted in the mortgage and be binding on the parties, their heirs and assigns."

[Approved February 27, 1872.]

#### Chapter 37.

AN ACT to amend chapter sixty-six, section four of the revised statutes relating to commissioners of insolvent estates.

*Be it enacted, &c., as follows:*

SECT. 1. Section four of chapter sixty-six of the revised statutes is hereby amended by adding the following, to wit: "If any one or more of the commissioners shall die after the expiration of the eighteen months and before the commission is returned, the judge of probate may appoint new commissioners and allow an additional time not exceeding three months for the presentation of claims."

SECT. 2. Section twenty of chapter sixty-six of the revised statutes is hereby amended by adding the following words, to wit: "The rents and profits of the real estate belonging to any insolvent estate, and all damages recovered for waste or trespass committed thereon, shall be considered and treated as a part of the estate for the payment of debts."

SECT. 3. This act shall take effect when approved.

[Approved February 27, 1872.]

#### Chapter 38.

AN ACT to fix the salary of the treasurer of State.

*Be it enacted, &c., as follows:*

The salary of the treasurer of State shall be two thousand dollars, commencing January first, eighteen hundred and seventy-two, instead of the sum now fixed by law, to be drawn quarterly as now provided.

[Approved February 27, 1872.]

#### Chapter 39.

AN ACT to amend section sixteen of chapter fifty-one of the revised statutes, relating to railroad crossings.

*Be it enacted, &c., as follows:*

Section sixteen of chapter fifty-one of the revised statutes is amended to read as follows:

SECT. 16. A railroad may be carried over or under a canal or railroad in such manner as not unnecessarily to impede the travel or transportation on them. The corporation making such crossing is liable for damages occasioned by it in an action on the case. Bridges and their abutments constructed for a crossing of any way, are to be kept in repair by the corporation, or persons or parties running trains on any railroad crossing a highway or town way. The municipal officers of any city or town may give notice in writing to such persons, parties or corporations that a bridge required at such crossing has not been erected, or is out of repair and not safe and convenient, within the requirements of section forty, chapter eighteen of the revised statutes, or that the crossing of any such highway or town way passing such railroad at grade within their respective cities or towns is not made or maintained safe and convenient as required by section forty aforesaid; and it shall be the duty of such persons, parties or corporations to erect or repair such bridge, or make such crossing safe and convenient as aforesaid, within ten days from the service of said notice; and if they neglect so to do, any one of said municipal officers may apply to any justice of the supreme judicial court, in term time or vacation, to compel such persons, parties or corporations to erect or repair such bridge or make such crossing as aforesaid; and after hearing, such justice or court may make any order thereon the public convenience and safety may require, and compel the respondents to comply therewith by injunction.

[Approved February 27, 1872.]

#### Chapter 40.

AN ACT additional to chapter ninety of the revised statutes in relation to the redemption of mortgages of real estate.

*Be it enacted, &c., as follows:*

The provisions of section sixteen of chapter ninety of the revised statutes shall apply to cases where the mortgagee or person claiming under him has commenced proceedings for foreclosure, under the third section of same chapter, when it appears that there is no tenant, agent or attorney in possession upon whom service can be made.

[Approved February 27, 1872.]

#### Chapter 41.

AN ACT to prevent coasting and sliding on the traveled roads.

*Be it enacted, &c., as follows:*

SECT. 1. The municipal officers may designate and describe any public streets, roads or sidewalks in their respective towns on which it shall be unlawful for any person to slide with a sled or other vehicle under a penalty of not exceeding five dollars and the forfeiture of the sled or other vehicle so used, to be recovered on complaint to the use of the town where the offense is committed.

SECT. 2. When any streets, roads or sidewalks have been designated and described as provided in section one, the municipal officers shall cause the same to be recorded in the records of the town and their action shall be valid and in force until modified or annulled by like authority, and it shall be the duty of police officers and constables to enforce the provisions of this act and make complaint of all violations thereof.

[Approved February 27, 1872.]

#### Chapter 42.

AN ACT to establish the school mill fund for the support of common schools.

*Be it enacted, &c., as follows:*

SECT. 1. A tax of one mill per dollar is hereby annually assessed upon all the property in the State according to the valuation thereof, and shall be known as the mill tax for the support of the common schools.

SECT. 2. This tax shall be assessed and collected in the same manner as other State taxes, and be paid

into the State treasury and designated as the school mill fund.

SECT. 3. The first distribution of this fund shall be made July first eighteen hundred and seventy-three, and the same shall annually thereafter by the State treasurer to the several cities, towns and plantations of the State according to the number of scholars in each city, town or plantation, as the same shall appear from the official return made to the office of the State superintendent of common schools for the preceding year.

SECT. 4. All and every portion of the school mill fund not distributed or expended during the financial year shall at the close of each financial year be added to the permanent school fund.

SECT. 5. This act shall take effect when approved.

[Approved February 27, 1872.]

#### Chapter 43.

AN ACT additional to chapter six of the revised statutes relating to lands in unincorporated townships.

*Be it enacted, &c., as follows:*

SECT. 1. That in all cases in which lands in unincorporated places have been bid off under the provisions of section forty-six of chapter six of the revised statutes, and the purchase-money has been paid into the treasury of the State and the purchaser has failed to receive a valid and sufficient title to said lands, the title thereto shall revert in the owner of the fee prior to the forfeiture thereof, or in any person claiming under him by deed or otherwise upon payment to the treasurer of the State for the benefit of the purchaser, or any person claiming under him, the amount of the purchase-money above named, and all taxes subsequently paid by said purchaser, with twenty per cent. interest thereon from the time of payment and giving notice in writing, signed by said treasurer of said payment to the purchaser, his legal representatives or any party claiming under him, which notice may be served by any officer qualified to serve civil precepts, or by any other person who shall make oath to said service, and a copy of said notice, with proof of service, shall be returned into the treasury of the State. Upon payment of one dollar the treasurer of the State shall make and deliver to the party making said payment a certificate thereof and of the proof of service returned to him, which shall be conclusive evidence of the facts therein stated in any court of law or equity in this State.

SECT. 2. This act shall apply only to cases of attempted sales under the provisions of section forty-six of chapter six of the revised statutes, and any occupant or tenant under such attempted sale, who has made any improvement thereon, shall have the right to recover the same as provided in chapter ninety-three of the revised statutes, and said lands shall be holden for the payment of such improvements. [Approved February 27, 1872.]

#### Chapter 44.

AN ACT to provide for the removal of the venue of civil and criminal cases in certain contingencies.

*Be it enacted, &c., as follows:*

SECT. 1. That it shall be the duty of any judge of the supreme judicial court for this State, while holding any nisi prius term of said court for the trial of civil or criminal causes, to order for good and sufficient reasons shown, on motion of either party, the transfer of any civil action or actions, or criminal case now pending, or hereafter to be brought in said court to the docket of said court in any other county in this State for trial.

SECT. 2. All attachments in said actions shall remain in full force. [Approved February 27, 1872.]

#### Chapter 45.

AN ACT to amend section fifty-three of chapter eighteen of the revised statutes, relating to appeal from the decision of municipal officers.

*Be it enacted, &c., as follows:*

Section fifty-three of chapter eighteen of the revised statutes is hereby amended by striking out all after the word "and" in the fifth line, and inserting the words, "any person aggrieved by said assessment of damages, on petition to the county commissioners may have them assessed in the manner provided respecting highways," so that the same shall read, when amended, as follows:

"Sect. 53. When a way or street is raised or lowered by a surveyor or person authorized, to the injury of an owner of land adjoining, he may, within a year, apply in writing to the municipal officers, and they shall view such way or street, and assess the damages, if any occasioned thereby, to be paid by the town; and any person aggrieved by said assessment of damages, on petition to the county commissioners, may have them assessed in the manner provided respecting highways."

[Approved February 27, 1872.]



**Chapter 43.**

AN ACT to amend section three, chapter sixty-six, of the revised statutes, relating to insolvent estates.

*Be it enacted, &c., as follows:*

SECT. 1. Section three of chapter sixty-six of the revised statutes is hereby amended by inserting in the seventh line of said section, after the word "claim," the words "within two years from the time of their appointment," so that as amended it shall read as follows:

SECT. 3. When an estate appears to be insufficient to pay the debts of the fifth class, on representation thereof by the administrator, to him, the judge of probate is to appoint two or more commissioners to receive and decide upon all claims against the estate except those of the administrator. They are to be first sworn, and are to make report to the court of all claims presented and of their disposition, with the sums allowed on each claim, within two years from the time of their appointment. But the judge may, for sufficient cause, revoke such appointment and issue a new commission, or proceed otherwise, as the case may require.

SECT. 2. This act shall take effect when approved. [Approved February 27, 1872.]

**Chapter 47.**

AN ACT to amend section thirty of chapter twelve of the revised statutes, relating to the repair of meeting-houses.

*Be it enacted, &c., as follows:*

Section thirty of chapter twelve of the revised statutes is hereby amended by adding the words, "but the provisions of this section shall not apply to any case where the repairs decided to be made are only such as may be necessary to keep such meeting-house in a tenable condition," so that said section as amended shall read as follows:

SECT. 30. When it is decided to repair, remodel or rebuild a meeting-house, any owner or proprietor dissenting from the action of a majority and declining to take any interest in the house as altered may demand and receive of such majority the appraised value of his interest, after deducting his proportion of debts against the property, to be recovered in an action for money had and received; which shall not be commenced till thirty days after such demand, nor after the lapse of a year after notice is posted three successive weeks on the meeting-house door and some other conspicuous place in its precinct, stating the persons to whom the money is to be paid, the amount to each, and the time limited for payment. If said sums are not demanded within said time, it is forfeited to the majority for parish uses. But the provisions of this section shall not apply to any case where the repairs decided to be made are only such as may be necessary to keep such meeting-house in a tenable condition.

[Approved February 27, 1872.]

**Chapter 48.**

AN ACT fixing the salary of the county attorney of Hancock county.

*Be it enacted, &c., as follows:*

The salary of the county attorney of Hancock county shall be three hundred dollars, payable quarterly from the first day of January, eighteen hundred and seventy-two.

[Approved February 27, 1872.]

**Chapter 49.**

AN ACT to repeal the tenth section of chapter one hundred and sixteen of the revised statutes, and reviving chapter forty-one of the public laws of eighteen hundred and fifty-eight, relating to fines and costs of criminal prosecutions.

*Be it enacted, &c., as follows:*

The tenth section of chapter one hundred and sixteen of the revised statutes is hereby repealed, and the provisions of chapter forty-one of the public laws of the year eighteen hundred and fifty-eight, relating to fines and costs of criminal prosecutions, are hereby revived, and are to be in force from and after the approval of this act.

[Approved February 28, 1872.]

**Chapter 50.**

AN ACT relating to plaintiff's costs in actions defaulted the first term.

*Be it enacted, &c., as follows:*

When actions are defaulted the first term the plaintiff shall be allowed for attendance until the default is entered, but not exceeding ten days.

[Approved February 28, 1872.]

**Chapter 51.**

AN ACT to correct an error in the last line of the third section of chapter one hundred and fifteen of

the revised statutes, relative to the salary of the judge of probate for the county of York.

*Be it enacted, &c., as follows:*

SECT. 1. The last line of the third section of chapter one hundred and fifteen of the revised statutes is hereby amended by striking out the word "four" and inserting the word "six" so as to make the law the same as it was prior to the last revision of the statutes.

SECT. 2. All payments heretofore made by the county treasurer to the judge of probate of the county of York, for his salary, are hereby ratified and made valid; and this act is to be of the same effect as if approved February first, eighteen hundred and seventy-one, and is to be in force from and after the date of its approval.

[Approved February 28, 1872.]

**Chapter 52.**

AN ACT to institute harbor masters in towns.

*Be it enacted, &c., as follows:*

SECT. 1. That the selectmen of towns, where they deem it expedient, may hereafter annually appoint a suitable person for harbor master, who shall be subject to all the duties and liabilities of said officer in cities, fix and establish the compensation to be received by him, and to remove from office, for just and reasonable cause, by them declared in writing, after due notice to such officer and hearing thereon, if requested, and appoint another in his stead.

SECT. 2. In localities where two or more towns or cities, or town and city, are situated on the same general harbor, the larger town or city shall have the appointing power as above.

[Approved February 28, 1872.]

**Chapter 53.**

AN ACT to amend section twenty of chapter one hundred and forty-three of the revised statutes, relating to Insane Hospital.

*Be it enacted, &c., as follows:*

SECT. 1. Section twenty of chapter one hundred and forty-three of the revised statutes is hereby amended by striking out in the seventh line of the first paragraph of said section, the words, "exceeding one dollar per week," so that said paragraph as amended shall read as follows:

SECT. 20. Any town thus made chargeable on the first instance and paying for the commitment and support of the insane at the hospital, may recover the amount paid of the insane, if able, or of persons legally liable for his support, or of the town where his legal settlement is, as if incurred for the expense of any pauper, but if he has no legal settlement in this State, such expenses shall be refunded by the State, and the governor and council shall audit all such claims and draw their warrant on the treasurer therefor.

SECT. 2. This act shall take effect when approved. [Approved February 28, 1872.]

**Chapter 54.**

AN ACT relating to the time of holding the December term of the court of county commissioners of Kennebec county.

*Be it enacted, &c., as follows:*

The December term of the court of county commissioners shall be held on the third Tuesday of December, annually, instead of the time now fixed by law.

[Approved February 28, 1872.]

**Chapter 55.**

AN ACT supplementary to An Act establishing School Mill fund.

*Be it enacted, &c., as follows:*

SECT. 1. Section five, chapter eleven, School laws is amended by substituting "eighty cents" in place of "one dollar" so that the same shall read as follows:

SECT. 5. Every city, town and plantation shall raise and expend, annually, for the support of schools therein, a sum of money, exclusive of the income of any corporate school fund, or of any grant from the revenue or funds from the State, or of any voluntary donation, devise or bequest, or of any forfeiture accruing to the use of schools, not less than eighty cents for each inhabitant, according to the census of the State, by which representatives to the legislature were last apportioned, under penalty of forfeiting not less than twice, nor more than four times the amount of its deficiency; and no town which neglects to raise the amount of money required to be raised by this section, shall during the year in which such neglect occurs, receive any part of the State school fund, required to be apportioned to the several towns by the treasurer of State; provided, however, that all plantations shall be entitled to receive their part of the State school fund, when the inhabitants of such plantation shall have paid their part of all State and county taxes, and not otherwise.

SECT. 2. This act shall take effect January first, in the year of our Lord one thousand eight hundred and seventy-three. [Approved February 28, 1872.]

**Chapter 56.**

AN ACT to fix the compensation of the county commissioners of Kennebec county.

*Be it enacted, &c., as follows:*

SECT. 1. The pay of the county commissioners of Kennebec county shall be three dollars a day each for services while actually employed in official business, including the time necessarily spent in traveling and in making draughts, and shall receive for travel twelve cents a mile for the distance actually traveled.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

SECT. 3. This act shall take effect when approved. [Approved February 28, 1872.]

**Chapter 57.**

AN ACT to provide for the preservation of the boundaries of ancient highways and additional to chapter eighteen of the revised statutes.

*Be it enacted, &c., as follows:*

SECT. 1. When from decay, removal or destruction of monuments or from other causes, the true boundaries of highways duly located shall be doubtful, uncertain or lost, the county commissioners of the county wherein such highway is located upon the petition of the municipal officers of the town wherein the same lies shall after notice of the same to be given as is required for the location of new ways, proceed to examine said highway and hear the parties, and shall locate and define the limits and boundaries thereof and cause durable monuments to be erected at the angles thereof, and if any real estate is damaged by said action, the commissioners shall award damages to the owner as in laying out new highways.

SECT. 2. In all cases where monuments now exist or may be established by the county commissioners to mark the boundaries of highways, it shall be the duty of the municipal officers of towns to maintain them, and in case of the destruction of any such monument to forthwith replace the same.

[Approved February 28, 1872.]

**Chapter 58.**

AN ACT to amend section twenty-six of chapter twenty-seven of the revised statutes, relating to town liquor agents.

*Be it enacted, &c., as follows:*

Section twenty-six of chapter twenty-seven of the revised statutes is hereby amended by striking out the word "shall" in the second and fifth lines, and inserting the word "may" in its stead, so that said section as amended shall read as follows:

SECT. 26. The selectmen of any town and mayor and aldermen of any city may, on the first Monday of May annually, or as soon thereafter as may be convenient, purchase such quantity of intoxicating liquors as may be necessary to be sold under the provisions of this chapter, and may appoint some suitable person as the agent of said town or city to sell the same at some convenient place within said town or city, to be used for medicinal, mechanical and manufacturing purposes and no other; and such agent shall receive such compensation for his services, and in the sale of such liquors shall conform to such regulations, not inconsistent with the provisions of law, as the board appointing him shall prescribe, and he shall hold his situation one year unless sooner removed by them or their successors in office. Vacancies occurring during the year are to be filled in the same manner as original appointments are made. No such agent shall have any interest in such liquors or in the profits of the sale thereof. Such agent may sell to such municipal officers intoxicating liquors, to be by said officers disposed of in accordance with the provisions of this chapter.

[Approved February 28, 1872.]

**Chapter 59.**

AN ACT relating to the fees for serving subpoenas.

*Be it enacted, &c., as follows:*

The fee for the service of subpoenas in criminal cases shall hereafter be fifty cents instead of twenty-five cents as now provided.

[Approved February 29, 1872.]

**Chapter 60.**

AN ACT relating to return of the names of plantation officers to the secretary of State.

*Be it enacted, &c., as follows:*

The returns required by section fifty-two of chapter three of the revised statutes, to be made by the clerks of organized plantations on or before the first day of July annually, shall be made on or before the first day of September annually.

[Approved February 29, 1872.]



**Chapter 61.**

AN ACT relating to the duties of sheriffs and county attorneys.

*Be it enacted, &c., as follows:*

SECT. 1. It shall be the duty of sheriffs to obey all such orders and directions relating to the enforcement and execution of the laws of the State, as they shall from time to time receive from the governor.

SECT. 2. It shall be the duty of sheriffs and their deputies diligently and faithfully to inquire into all violations of the laws of the State, within their respective counties, and to institute legal proceedings against violations or supposed violations of law, and particularly the laws against the illegal sale of intoxicating liquors, and the keeping of drinking houses and tipping shops, gambling houses or places, and houses of ill fame, either by promptly entering a complaint before a magistrate competent to examine or try the offense charged, and execute such warrants as may be issued on such complaints, or by furnishing the county attorney promptly and without delay, with the names of alleged offenders, and of the witnesses. For services under the provisions of this law, sheriffs and their deputies, acting under their directions, shall be entitled to the same per diem compensation, as for attendance on the supreme judicial court, and the same fees for travel as for the service of warrants in criminal cases, together with such necessary incidental expenses as may be just and proper; bills for which shall be audited by the county commissioners, and paid from the county treasury.

SECT. 3. County attorneys shall cause to be summoned promptly before the grand jury of their several counties, all witnesses whose names have been furnished them by any sheriff or his deputies, as provided in section two of this act, and shall faithfully direct inquiries before that body into violations of law, and shall prosecute persons indicted, and secure the prompt sentence of such as shall be convicted.

SECT. 4. Whenever the governor shall, after investigation, be satisfied that any sheriff or county attorney has willfully refused or neglected to discharge the duties imposed upon each by this act, it shall be his duty to bring such fact to the attention of the legislature at the earliest practical day.

[Approved February 29, 1872.]

**Chapter 62.**

AN ACT to amend chapter twenty-seven of the revised statutes concerning innholders, victualers, and intoxicating liquors.

*Be it enacted, &c., as follows:*

SECT. 1. Section two of chapter twenty-seven of the revised statutes is hereby amended by inserting after the word "thereto" in the twelfth line of the form for bond prescribed in said section, and before the word "thereto" in the thirteenth line, the words "and shall not violate any law of the State relating to intoxicating liquors," so that said section as amended shall read as follows:

"SECT. 2. No person shall receive his license until he has given his bond to the treasurer, to the acceptance of the board granting it, with one or more sureties in the penal sum of three hundred dollars, in substance as follows, namely:

Know all men that we, as principals, and as sureties, are holden and stand firmly bound to treasurer of the town of \_\_\_\_\_, in the sum of three hundred dollars, to be paid to him, or his successor in said office; to the payment whereof we bind ourselves, our heirs, executors and administrators, jointly and severally by those presents. Sealed with our seals. Dated \_\_\_\_\_ day of \_\_\_\_\_ in the year eighteen hundred and \_\_\_\_\_

The conditions of this obligation is such that, whereas the above bounden \_\_\_\_\_ has been duly licensed as a \_\_\_\_\_ within the said town of \_\_\_\_\_ until the day succeeding the first Monday of May next; now if in all respects he conforms to the provisions of the law relating to the business for which he is licensed, and to the rules and regulations as provided by the licensing board in reference thereto, and shall not violate any law of the State relating to intoxicating liquors, then this obligation shall be void, otherwise shall remain in full force."

SECT. 2. Section twenty two of said chapter is hereby amended by inserting after the word "liquors" in the fourth line thereof, the words "wine and cider," so that said section as amended shall read as follows:

"SECT. 22. No person shall be allowed at any time to sell, by himself, his clerk, errand or agent, directly or indirectly, any intoxicating liquors except as hereafter provided. Ale, porter, strong beer, lager beer, and all other malt liquors, wine and cider shall be considered intoxicating within the meaning of this chapter, as well as all distilled spirits; but this enumeration shall not prevent any other pure or mixed liquors from being regarded as intoxicating.

SECT. 3. Section twenty-five of said chapter is hereby amended by striking out the words, "in any case, nor to wine made from fruit grown in this State," in the second and third lines, and inserting instead thereof the words, "by the manufacturer," so that said section as amended, shall read as follows:

SECT. 25. "The provisions of this chapter shall not extend to the manufacture and sale of unadulterated cider by the manufacturer, nor to the sale by agents appointed under the provisions of this chapter, of pure wine for sacramental and medicinal uses."

SECT. 4. Section thirty-two of said chapter is hereby repealed and the following enacted instead thereof:

"SECT. 32. Every wife, child, parent, husband or other person who shall be injured in person, property, means of support or otherwise, by any intoxicated person, or by reason of the intoxication of any person, shall have a right of action in his or her own name against any person or persons who shall by selling or giving any intoxicating liquors, or otherwise have caused or contributed to the intoxication of such person or persons; and in any such action the plaintiff shall have a right to recover actual and exemplary damages. And the owner or lessee or person or persons renting or leasing any building or premises, having knowledge that intoxicating liquors are sold therein in violation of law, shall be liable, severally or jointly with the person so selling or giving intoxicating liquors as aforesaid. And in every action by any wife, husband, parent or child, general reputation of the relation of husband and wife, parent or child, shall be prima facie evidence of such relation, and the amount recovered by every wife or child shall be his or her sole and separate property."

SECT. 5. Section thirty-five of said chapter is hereby amended by adding after the word "liquor" in the fifteenth line, the word "following, to wit: for shall have reason to believe such person has concealed them about his or her person," so that said section as amended shall read as follows:

"SECT. 35. If any person competent to be a witness in civil suits shall make complaint upon oath or affirmation before any judge of any municipal or police court or trial justice, that he believes intoxicating liquors are unlawfully kept or deposited in any place in the State by any person or persons, and that said liquors are intended for sale within this State in violation of law, such magistrate shall issue his warrant directed to any officer having power to serve criminal process, commanding such officer to search the premises described and specially designated in such complaint and warrant, and if said intoxicating liquors are there found, to seize the same with the vessels in which they are contained, and them safely keep until final action on the same, and make immediate return of said warrant. The name of the person so keeping as aforesaid, said liquors, if known to the complainant, shall be stated. In such complaint, and the officer shall be commanded by said warrant if he shall find said liquors, or shall have reason to believe such person has concealed them about his or her person, to arrest such person or persons and have him or them forthwith before such magistrate for trial. If the name of the person keeping such liquors is unknown to the complainant, he shall so allege in his complaint, and such magistrate shall thereupon issue his warrant as provided in the first clause of this section. If upon trial, the court upon the evidence adduced shall be of the opinion that the liquors were so as aforesaid kept and intended for unlawful sale by the person or persons named in said complaint, or by any other person or persons with his or their knowledge or consent, he or they shall be found guilty thereof, and sentenced to pay a fine of fifty dollars and costs of prosecution, and in default of payment thereof to be imprisoned thirty days in the county jail, or instead of such fine shall be imprisoned in the county jail three months."

[Approved February 29, 1872.]

**Chapter 63.**

AN ACT to abolish solitary imprisonment in the State prison.

*Be it enacted, &c., as follows:*

Solitary imprisonment in the State prison is hereby abolished excepting for prison discipline.

[Approved February 29, 1872.]

**Chapter 64.**

AN ACT additional to chapter twelve of the revised statutes respecting reserved lands.

*Be it enacted, &c., as follows:*

SECT. 1. When in the grant of any townships or parts of townships certain portions are reserved for public uses, and such portions have not been located in severally prior to the incorporation of same into a town, the supreme judicial court in the county where the land lies, on application of the assessors of the

town, may appoint three disinterested persons of the county, and issue its warrant under seal of the court to them, requiring them as soon as may be to locate such reserved portion according to the terms of the grant, and if the use or purpose of the reservation is prescribed in the grant, they shall set off and locate the lots accordingly, designating the use or purpose for which each lot is so reserved and located.

SECT. 2. Said committee, before acting under such warrant, shall be sworn to the faithful discharge of the duty assigned them, before a justice of the peace, and a certificate thereof shall be indorsed on the warrant.

SECT. 3. They shall also give notice of their appointment, and of the time and place of their meeting, to execute the same, by publishing the same in some newspaper in the State to be designated by the court, and by posting up written notifications in two or more public places in the same town, at least thirty days next prior to their making such location.

SECT. 4. They shall make return of said warrant and their doings thereon, under their hands to the next supreme judicial court in the county, after having completed the service; which being accepted by the court, and recorded in the registry of deeds, if the same county within six months, shall be a legal assignment and location of such reserved property for the uses designated; and thereafter the lands so set off and located, shall be under the care and oversight of the trustees of the ministerial and school funds of the town, with all the powers and subject to the duties prescribed in the act to which this is additional including the power to sell and convey the same.

SECT. 5. This act shall take effect when approved. [Approved February 29, 1872.]

**Chapter 65.**

AN ACT for the encouragement of the growth of forest trees.

*Be it enacted, &c., as follows:*

That any landholder in this State who shall plant or set apart any cleared land or lands from which the primitive forest shall have been removed for the growth and production of forest trees within ten years after the passage of this act, and shall successfully grow and cultivate the same for three years, the trees being not less in numbers than two thousand on each acre and well distributed over the same, then on application of the owner or occupant of such lands to the assessors of the town in which the same is situated and is so successfully cultivated or set apart to forest trees, and at the same time of such application shall file with said assessors a correct plat of such lands with description of their location, and setting forth all the facts in relation to the growth and cultivation of said grove of trees or incipient forest, the same shall be exempt from taxation for twenty years thereafter; provided such grove or plantation of trees shall during that period be kept alive and in a thriving condition.

[Approved February 29, 1872.]

**Chapter 66.**

AN ACT to repeal an act relating to county superintendents.

*Be it enacted, &c., as follows:*

Sections seventy-five, seventy-six, seventy-seven, seventy-eight, seventy-nine and eighty of chapter eleven of the revised statutes, are hereby repealed.

[Approved February 29, 1872.]

**Chapter 67.**

AN ACT to amend chapter two hundred and seventeen of the public laws of eighteen hundred and seventy-one, in relation to the sale of milk.

*Be it enacted, &c., as follows:*

Chapter two hundred and seventeen of the public laws of eighteen hundred and seventy-one, is hereby amended, by striking out the word "milk" in third and sixth lines, and inserting instead thereof in each place, the words "ale and beer," so that said chapter as amended will read as follows: Section forty-six of chapter thirty-eight of the revised statutes, is hereby amended by striking out the word "wine" in the third line of said section and inserting the word "ale and beer," so that said section as amended shall read:

"SECT. 46. All measures, cans, or other vessels used in the sale of milk, shall annually be sealed by the sealer of weights and measures by ale and beer measure, and shall be marked by the sealer with figures indicating the quantity which they hold, and whoever fraudulently sells by any other measure, can or vessel, shall forfeit twenty dollars for each offense."

[Approved February 29, 1872.]



**Chapter 68.**

AN ACT additional to chapter forty-six of the revised statutes concerning corporations.  
*Be it enacted, &c., as follows:*

SECT. 1. When the owner of stock in a corporation has transferred, mortgaged or in any way pledged the same to another for security merely, and it so appears in such transfer, mortgage or pledge and on the books of the corporation, such owner shall have the right to vote such stock in all meetings of the stockholders until his right of redemption ceases.

SECT. 2. This act shall take effect when approved.  
[Approved February 29, 1872.]

**Chapter 69.**

AN ACT authorizing railroad corporations to take lands for borrow and gravel pits.  
*Be it enacted, &c., as follows:*

Any railroad corporation may purchase or take and hold, as for public uses, land and the materials thereon for borrow or gravel pits, for the construction and repair of its road, in the manner and under the restrictions provided in chapter fifty-one, sections two and three of the revised statutes.

[Approved February 29, 1872.]

**Chapter 70.**

AN ACT in relation to the redemption of personal property held as security for debt.  
*Be it enacted, &c., as follows:*

SECT. 1. That all personal property held as security for debt by the agreements and notes mentioned in section five of chapter one hundred and eleven of the revised statutes, shall be subject to a redemption as provided for in cases of personal property mortgaged by sections three, four, five and six of chapter ninety-one of the same, and shall be subject to trustee process as provided in section fifty of chapter eighty-six of said statutes in relation to property mortgaged; but the parties may lawfully stipulate in said notes, that no right of redemption shall exist after breach thereof by non-payment; provided that the provisions of this act shall not apply to any of said notes and agreements already given.

[Approved February 29, 1872.]

**Chapter 71.**

AN ACT to apportion the State for representatives to congress.  
*Be it enacted, &c., as follows:*

SECT. 1. The counties of York and Cumberland shall compose the first district, and be entitled to one representative.

The counties of Oxford, Franklin, Androscoggin and Sagadahoc shall compose the second district, and be entitled to one representative.

The counties of Kennebec, Somerset and Lincoln, together with the towns of Washington, Union, Warren, Friendship, Cushing, St. George, Thomaston, and the islands of Matinecock, Muske Ridge, Otter and Cranberry, from the county of Knox, shall compose the third district, and be entitled to one representative.

The counties of Penobscot, Piscataquis and Aroostook shall compose the fourth district, and be entitled to one representative.

The counties of Waldo, Hancock and Washington, together with the towns of Rockland, South Thomaston, Camden, Hope, Appleton, Vinal Haven and North Haven, from the county of Knox, shall compose the fifth district, and be entitled to one representative.

SECT. 2. The election of representatives to congress shall take place and be on the second Monday of September, one thousand eight hundred and seventy-two, and thereafter biennially.

SECT. 3. The representatives chosen in the several districts shall, at the time of their election, be residents therein. The foregoing division of the State into representative districts shall be and continue in force until an apportionment shall be made for representatives to congress after taking the tenth census.

SECT. 4. This act shall take effect and be in force from and after the day when the executive of the State shall receive official notice of the number of representatives to congress apportioned to the State, under the ninth census, and thereupon the executive shall make proclamation of the fact.

SECT. 5. All acts and parts of acts inconsistent herewith are repealed.

[Approved February 29, 1872.]

**Chapter 72.**

AN ACT additional to chapter twenty-seven of the revised statutes, relating to town liquor agents.  
*Be it enacted, &c., as follows:*

If any agent appointed under the provisions of section twenty-six of chapter twenty-seven of the revised statutes, to sell intoxicating liquors shall be

convicted of violating any of the provisions of said chapter, he shall forever thereafter be disqualified from holding such office.

[Approved February 29, 1872.]

**Chapter 73.**

AN ACT additional to and amendatory of chapter forty-seven of the revised statutes, relating to savings banks.

*Be it enacted, &c., as follows:*

SECT. 1. On the last Saturday preceding the first Monday of May and November in each year, every savings bank in this State shall return under oath, to the State treasurer, the total amount of its deposits, and within ten days thereafter pay to the State treasurer one quarter of one per cent. on the amount so returned for the use of the State, to be appropriated for the use of schools as provided in chapter eleven, section ninety-one of the revised statutes, and if any bank neglects to pay said tax for thirty days after it is due, the treasurer shall issue a warrant of distress to enforce payment thereof out of its estate or effects.

SECT. 2. The trustees shall once in six months after setting apart from the earnings of the corporation the amount required by section ninety-three of chapter forty-seven of the revised statutes, for a reserved fund, declare dividends not to exceed three per cent. semi-annually, at such times as may be required by their by-laws, among the depositors of three months standing at least, before dividend day, but the corporation may by their by-laws include deposits of less standing. Any balance of earnings over the said three per cent. semi-annually, and the sum required for a reserved fund, taxes and expenses, may once in four years be divided among depositors on their balances of one, two, three and four years standing ratably. Said four years to begin at the date of the next dividend after the approval of this act, or the date of commencing business of new banks. No deposit shall be received under any agreement to pay any specified sum or interest for its use, other than regular semi-annual dividends.

SECT. 3. Two of the trustees at least shall twice in each year thoroughly examine the affairs of the corporation, settle the treasurer's account, and report under oath to the bank examiner the standing of the corporation, the situation of its funds, and all other matters which the examiner requires, in manner and according to the form he prescribes. And the examiner shall seasonably give notice of the time and furnish blanks for said examination and return.

SECT. 4. It shall be the duty of treasurers of savings banks on the first day of April in each year, to return to the assessors of cities, towns and plantations in this State, where persons reside who own bank stock which is pledged to said bank as collateral security for loans, the names of persons pledging such stock and the amount of the same.

SECT. 5. No savings bank shall invest any of its funds in the bonds of unfinished railroads, or roads the net income of which is not sufficient to pay the interest on its bonded debt, nor in the bonds of any town or county out of the New England States issued in aid of any railroad.

SECT. 6. The trustees may receive a reasonable compensation for their services in making examinations and returns required by their by-laws and of the laws of the State. And so much of section eighty-nine of chapter forty-seven of the revised statutes, as is inconsistent with this section is hereby repealed.

SECT. 7. Section ninety-two of chapter forty-seven of the revised statutes, is hereby repealed.

SECT. 8. Section ninety-three of chapter forty-seven of the revised statutes, is hereby amended in the first line by striking out the word "such" and substituting the word "semi-annual," so that the section as amended shall read as follows:

SECT. 91. Before making any semi-annual dividend the trustees shall set apart from the earnings a sum not less than one quarter of one per cent. for each six months, on the whole amount of deposits for a reserved fund, not subject to be divided, but kept constantly on hand to secure against losses and contingencies until the said reserved fund amounts to ten per cent. of their assets. All losses shall be passed to the debit of said account.

SECT. 9. Section two of this act shall not take effect as to the dividends of banks accruing on or before May first eighteen hundred and seventy-two.

SECT. 10. This act shall take effect when approved.

[Approved February 29, 1872.]

**Chapter 74.**

AN ACT to amend chapter seventy-seven, section sixteen of the revised statutes, relative to the day of the rendition of judgments in certain cases.

*Be it enacted, &c., as follows:*

The words "and stating the day of its reception,

which shall be deemed the day of the rendition of judgment," are hereby stricken from section sixteen of chapter seventy-seven of the revised statutes, so that said section shall read as follows:

SECT. 16. The clerk of any county, by virtue of a certificate provided for in section fourteen, received in vacation, shall enter judgment as of the preceding term, and execution may issue as of that term; but all attachments then in force shall continue thirty days after the next term in that county; and if the defendant was arrested on mesne process and gave bond to disclose after judgment, he may do so after said next term without breach of his bond.

[Approved February 29, 1872.]

**Chapter 75.**

AN ACT to amend chapter five of the revised statutes, relating to the sale and settlement of the public lands.

*Be it enacted, &c., as follows:*

SECT. 1. Chapter five of the revised statutes is amended as follows: Add at the end of section three the following words, namely: "after deducting all such payments as devolve upon him to make," so that the whole section shall read as follows:

SECT. 3. He shall execute deeds in behalf of the State, conveying lands which have been granted by the legislature or sold by lawful authority, as soon as the grantees have complied with the conditions of their respective grants; collect all sums due the State by note or from any source mentioned in this chapter; collect the interest on all notes at least annually, and pay at the expiration of every month into the State treasury all moneys so collected or received by him, after deducting all such payments as devolve upon him to make.

SECT. 2. Section four is amended so as to read as follows:

SECT. 4. The governor and council and land agent shall constitute a board, under whose directions all surveys of land shall be made. An accurate plan or map of all lands surveyed shall be returned to the land office, and entered upon the plan books, within three months after the survey is completed, on which shall be laid down all lakes, ponds, rivers, streams, falls, mill-sites, and roads. The field notes of such surveys shall contain a description of the growth, soil and general character of the township, and of every lot, if it is surveyed into lots, which shall be deposited in the land office within three months. The said plans and field-notes shall be kept at the offices in Augusta and Bangor, open for inspection at all times, when the land agent or his assistant is in either of said offices. He shall aid in furnishing information about the public lands to all persons who seek for it at his office.

SECT. 3. Section twenty-four is amended so as to read as follows:

SECT. 24. Out of township located and designated for settlement, the land agent may sell and convey lots or parts of lots, surveyed as aforesaid, to settlers, one lot not exceeding two hundred acres for fifty cents per acre to each settler.

SECT. 4. Section thirty-four is repealed, and the words "not exceeding one hundred sixty acres," stricken out of section thirty-five, so that the section shall read as follows:

SECT. 35. Whoever purchases a lot of wild land of the State as aforesaid, for settlement, and complies with the condition of purchase, may hold it with the improvements thereon, free from attachment and levy on execution, while he remains in actual possession thereof. The value so exempted, shall not exceed one thousand dollars, to be set off to the owner in such portions of the lot as he directs, by the appraisers appointed to levy an execution, the same as real estate is set off and appraised on execution.

SECT. 5. Section thirty-eight is amended so as to read as follows:

SECT. 38. The land agent may grant permits to individuals, to cut and haul timber of all kinds upon any lands owned by the State, on such terms and conditions as he may think proper.

SECT. 6. Sections thirty-nine and forty are repealed and section forty-three so amended as to read as follows:

SECT. 43. On each team to be employed under such permits, except those granted to cut timber on settling lots, there shall be paid in advance to the land agent, fifty dollars, which shall be the property of the State if such permits are not improved; otherwise it shall be allowed in payment of the stampage.

SECT. 7. Section forty-five is repealed and section forty-six amended by striking out the words in the first and second lines, "board for the management of the public lands shall" and insert in the place thereof the words, "governor and council may."

SECT. 8. This act shall take effect when approved.  
[Approved February 29, 1872.]



**Chapter 76.**

AN ACT to amend an act entitled "An Act to establish the school mill fund for the support of common schools," and also an act entitled "An Act supplementary to an act establishing school mill fund."

*Be it enacted, &c., as follows:*

SECT. 1. Section three in line two of the first mentioned act is hereby amended by striking out the word "July," and inserting in lieu thereof the word "January," so that the section as amended shall read as follows:

"SECT. 3. The first distribution of this sum shall be made January first, eighteen hundred and seventy-three and same month annually thereafter, by the State treasurer to the several cities, towns and plantations of the State according to the number of scholars in each city, town or plantation, as the same shall appear from the official return made to the office of the State superintendent of the common schools for the preceding year."

SECT. 2. The last-mentioned act is hereby amended by striking out the second section and inserting in lieu thereof the following words:

"SECT. 2. This act shall take effect when approved."

[Approved February 29, 1872.]

**Chapter 77.**

AN ACT relating to the impanelling of juries for the trial of capital cases.

*Be it enacted, &c., as follows:*

In the trial of capital cases the State shall have the right to challenge five persons peremptorily.

[Approved February 29, 1872.]

**Chapter 78.**

AN ACT relating to recording devises of real estate in the registry of deeds.

*Be it enacted, &c., as follows:*

Hereafter it shall be the duty of executors and administrators to cause so much of wills as devise real estate to be recorded in the registry of deeds.

[Approved February 29, 1872.]

**Chapter 79.**

AN ACT prohibiting the manufacture or sale of prize candy, prize stationery and other merchandise.

*Be it enacted, &c., as follows:*

SECT. 1. Any person who shall sell or offer for sale in this State, any prize candy in packages containing or purporting to contain any money, article or other thing as a prize or gift, shall, upon conviction thereof before any trial justice or court of competent jurisdiction, for each offense be punished by imprisonment in any jail or house of correction for a term not exceeding thirty days, or by a fine not exceeding twenty dollars.

SECT. 2. Any person who shall be discovered in the commission of any offense specified in the preceding section, in any railroad car, steamboat, public conveyance, or other place, by any sheriff or other officer qualified to serve criminal process, may be arrested by such officer and lawfully detained by imprisonment or otherwise not exceeding twenty-four hours, until a complaint shall be made against him for such offense and a warrant issued thereon.

[Approved February 29, 1872.]

**Chapter 80.**

AN ACT additional to chapter eighty-three of the revised statutes concerning justice actions.

*Be it enacted, &c., as follows:*

SECT. 1. In actions in a municipal or police court, or before a trial justice, either party after appearing and filing his pleadings, may waive a trial and give the adverse party judgment, and then appeal the same as if there had been an actual trial.

SECT. 2. This act shall take effect when approved.

[Approved February 29, 1872.]

**Chapter 81.**

AN ACT relating to the punishment for assault and battery.

*Be it enacted, &c., as follows:*

The punishment for assault and battery shall be imprisonment for a term not exceeding five years or a fine not exceeding one thousand dollars.

[Approved February 29, 1872.]

**Chapter 82.**

AN ACT relating to granting new trials.

*Be it enacted, &c., as follows:*

Any justice of the supreme judicial court may set aside a verdict and grant a new trial in a case tried before him when in his opinion the evidence in the

case demands it. Such verdict must be set aside at the same term at which it was rendered, but it shall not be set aside by a single justice where there have been two verdicts rendered against the applicant.

[Approved February 29, 1872.]

**Chapter 83.**

AN ACT concerning railroad corporations.

*Be it enacted, &c., as follows:*

Any railroad corporation may establish for its sole benefit fares, tolls and charges, upon all passengers and property, conveyed and transported on its railroad, at such rates as may be determined by the directors thereof, and may from time to time by its directors regulate the use of its road; provided, that such rates of fares, tolls and charges, and regulations shall at all times be subject to revision and alteration by the legislature, or such officers or persons as the legislature may appoint for the purpose, anything in the charter of any such railroad corporation to the contrary notwithstanding.

[Approved February 29, 1872.]

**Chapter 84.**

AN ACT to amend chapter eighty-seven of the revised statutes, relating to actions by or against executors or administrators.

*Be it enacted, &c., as follows:*

Chapter eighty-seven of the revised statutes, is amended in sections eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen and eighteen, so as to read as follows:

"SECT. 11. Any action against an executor or administrator, commenced within one year after notice is given by him of his appointment, shall be continued at the expense of the plaintiff until said year expires, and shall be barred by a tender of the debt within the year; excepting actions on claims not affected by the insolvency of the estate, and actions in case of appeals from commissioners of insolvency or other commissioners appointed by the judge of probate."

"SECT. 12. No action against an executor or administrator, commenced since the third day of February, eighteen hundred and sixty-nine, on a claim against the estate shall be maintained, except as provided in the thirteenth and fifteenth sections, unless such claim is first presented in writing and payment demanded at least thirty days before the action is commenced and within two years after notice is given by him of his appointment; and none on a claim so presented and demanded unless commenced during said two years or within six months next following."

Executors or administrators residing out of the State at the time of giving notice of their appointment, shall appoint an agent or attorney in the State and insert his name and address in such notice. Executors or administrators removing from the State after giving notice of their appointment, shall appoint an agent or attorney in the State and give public notice thereof; demand or service made on any such agent or attorney shall have the same effect in law as if made on such executors or administrators. When an executor or administrator residing out of the State has no agent or attorney in the state, demand or service may be made on one of his sureties and shall have the same legal effect as if made on him. In any estate on which, when this act takes effect, administration has been commenced and is not finally closed, a creditor who has not presented his claim shall be allowed at least six months after this act takes effect, to present it and demand payment, and to commence after thirty days an action thereon.

"SECT. 13. A creditor who was absent from the State during said two years, and had no sufficient attorney in the State, may make presentment and demand of his claim and after thirty days commence his action, within six months from his return or appointment of such attorney. When assets come into the hands of an executor or administrator after said term of two years, presentment and demand may be made by a creditor, and after thirty days an action commenced, within two years from the receipt of such assets and within six months after the creditor has notice thereof. Judgment rendered in any action authorized by this section, shall not disturb payments made in good faith by the executor or administrator prior to presentment of the claim sued in such action."

"SECT. 14. When an action on a covenant or contract does not accrue within said two years, the claimant may file his demand in the probate office within that time, verified as required in case of claims presented to commissioners on insolvent estates; and the judge of probate shall direct that sufficient assets, if such there be, shall be retained by the executor or

administrator, unless the heirs or devisees of the estate give bond to the executor or administrator, with one or more sureties, approved by said judge, to pay whatever may be found due on said claim."

"SECT. 15. When no bond is given, an action may be brought by the claimant against the executor or administrator, within six months after his demand becomes due. But when a bond is given, assets shall not be reserved, but the estate shall be liable in the hands of the heirs or devisees, or those claiming under them, and an action may be brought on such bond. If anything is found due, the claimant shall have judgment therefor, and for his costs."

"SECT. 16. When such claim has not been filed in the probate office within said two years, the claimant may have remedy against the heirs or devisees, of the estate within one year after it becomes due, and not against the executor or administrator."

"SECT. 17. When a vacancy occurs within said two years, and an administrator de bonis non is appointed, an additional year shall be allowed for the presentment and demand of claims against the estate; but the time whilst the vacancy continues shall not be deemed a part of three years limited; and on any claim presented to the administrator de bonis non, his predecessor, and demanded within the said three years, an action may be commenced after thirty days, and within six months from the end of said three years, but not within one year from the notice of appointment given by the executor or first administrator."

"SECT. 18. When any executor or administrator does not give legal notice of his appointment, he shall have no benefit from the limitations contained in this chapter; and actions may be commenced against a new administrator on the same estate as though he were the first administrator or executor, subject to the conditions and limitations contained in this chapter."

[Approved February 29, 1872.]

**Chapter 85.**

AN ACT additional to chapter forty-seven of the revised statutes, relating to banks and banking.

*Be it enacted, &c., as follows:*

SECT. 1. In a bill in equity brought by the receivers of a bank against the stockholders, when any stockholder is defaulted, or judgment is awarded against him, execution may be issued at any time for the amount of his assessment, interest and costs, and enforced without awaiting the final decision on the bill as to the remaining stockholders.

SECT. 2. Any execution against a stockholder, which cannot be immediately collected, may be sold by the receivers at public auction, or any land taken on execution by the receivers, may be so sold and conveyed, after such notice as the court may order. The purchaser of such execution may enforce it in the name of the receivers, after giving them satisfactory security for costs.

SECT. 3. Chapter forty-seven, section seventy-one, of the revised statutes, shall not be construed to require the payment of interest on claims allowed against the bank, unless the assets in the hands of the receivers are more than sufficient to pay the principal of all the claims allowed and outstanding when the final dividend is declared.

[Approved February 29, 1872.]

**Chapter 86.**

AN ACT additional to chapter eleven of the revised statutes, relating to the duties of school agents and to amend chapter two hundred and twenty-nine of the laws of eighteen hundred seventy-one, approved February twenty-seven, eighteen hundred and seventy-one.

*Be it enacted, &c., as follows:*

SECT. 1. When school district agents are empowered by the town to employ teachers before the commencement of a term of school, they shall give written notice to some member of the superintending school committee or to the supervisor, when it is to commence, whether to be taught by a master or mistress, and how long it is expected to continue.

SECT. 2. Chapter two hundred and twenty-nine of the laws of eighteen hundred and seventy-one approved February twenty-seven, eighteen hundred and seventy-one, relating to school district agents, is amended to read as follows: "A town at its annual meeting may empower the school district agents to employ the teachers instead of the superintending school committee, and when such power is so granted to said agents it shall remain in force until it is otherwise ordered by a vote of the town at its annual meeting, and this act is in force when approved."

[Approved February 29, 1872.]