

## The Oxford Democrat

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GEO. H. WATKINS,  
Editor and Proprietor.

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can send by mail, or hand to the nearest agent.

"Sept. 1," sent on the slip, means the paper is paid

for to that date.

When money is sent, care should be taken to

examine the slip, and if the money is not credited

within four weeks we should be supplied of it.

Professional Cards, &c.

ENOCH POSTER, JR.,

Attorney and Counsellor at Law,

BETHEL, ME.

CHARLES E. ELDER,

COUNSELLOR AT LAW,

22 Court Street, Boston, Mass.

Special rates to Attorneys having business or

claims for collection in Boston and vicinity.

S. R. HUTCHINS,

Attorney and Counsellor at Law,

RUMFORD, ME.

SETH W. FIFE,

Attorney and Counsellor at Law,

FITZING, ME.

Commissioner for New Hampshire.

F. W. REDLON,

Attorney and Counsellor at Law,

KEAN FALLS, ME.

Will practice in Oxford and York Cos.

B. H. BAKER & HENRY,

Counsellors at Law,

Buckfield, Me.

NOTARY PUBLIC FOR OXFORD COUNTY.

GEO. D. BAKER, O. H. HENRY.

S. B. MORSE, M. D.,

Physician & Surgeon,

PARIS, MAINE.

Office at residence of Mrs. A. H. Mason, Paris Hill.

FRED. C. CLARK, M. D.,

PHYSICIAN & SURGEON,

Real's Hotel, NORWAY.

DRS. EVANS & TILTON,

Physicians & Surgeons, NORWAY, MAINE.

Office hours, 8 to 11 a. m. and 4 to 6 p. m.

Particular attention paid to diseases of the eye

and ear by Dr. Evans.

Diseases of the Air Passages a specialty, by

Dr. Tilton.

Office No. 3 NATIONAL BANK BUILDING,

CALVIN E. EVANS, M. D.

FRANK H. TILTON, M. D.

F. H. PACKARD, M. D.,

Physician & Surgeon,

West Paris, Maine.

## MALT BITTERS

Half-Bottle Company

A FOOD AND A MEDICINE.

The Purest, Safest and Most Powerful Restorative

in Medicine for Febrile and Exhausted Conditions,

Nervous and General Debility,

Consumption and Wasting Diseases.

PREPARED without fermentation from Canadian

Barley Malt and Fresh Hop, and

warranted most nourishing, strengthening,

vitalizing and purifying by reason of their richness

in Bone and Fat Producing Material, than

all other forms of malt or medicine, and free

from the objections urged against malt liquors,

alcoholic "tonics," "bitters" and "stimulants."

MALT BITTERS build up the nervous

system (brain and spinal cord), and muscular system.

For febrile dyspepsia, indigestion, constipation,

inactivity of stomach and liver, bronchitis and

asthma, nervousness, depression, emaciation,

dropy, mental and physical debility, nursing

mothers and the aged, and every form of debility

they are truly marvelous.

MALT BITTERS combine a Food and a

Medicine in the most perfect form yet

devised, and commend themselves to the

weak, convalescent, overworked, debilitated,

nervous, sleepless, dyspeptic, bilious, and

appetiteless, and to all who are subject to

melancholy as the purest, safest and most powerful

restorative in medicine.

Put up in German quarts and warranted

genuine when signed by the Malt Bitters Company

and above, sold by druggists. Malt Bitters

Company, Boston.

Collins' Volatile Plasters relieve in 5 minutes.

Sanford's Jamaica Ginger, the Delicacy.

SHAKERS'

SARSAPARILLA

Prepared by the Caterbury Shakers from the

roots of Sarsaparilla, Dandelion, Yellow Dock,

Manroot, Black Cohosh, Sassafras, Indian Hemp

and the Berries of Juniper and Cubebs, united

with iodine of Potassium made by the Society.

It was the first as well as it is the best

and purest of strengthening and purifying medi-

cines, calms the nerves, relieves the bowels, and

others in the variety, quality and quantity of its

precious properties. It cleanses the blood of im-

purities and drives out acrid humors. It ex-

ercises the appetite, regulates the stomach and

bowels, increases the flesh, prevents weakness and

degeneration of the liver, kidneys and urinary

organs, and restores the system to its normal

condition. It is a powerful diuretic and strength-

ens the material functions. It purifies the fe-

male system of obstructive weaknesses and de-

bilating humors. It relieves the first symptoms of

hereditary humors in children and youth. It is

truly wonderful in its effects, and is recommended

by the most eminent physicians and druggists.

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## THE CHRYSALIS.

BY FANNY FALES.

I know that wings are growing here,  
Their shape and tint I cannot tell;  
No sound comes to my listening ear  
From the aurella's burnished cell.

But some glad morning in the spring  
The woven shroud will empty lie;  
And lo! transfigured on the wing  
A shining, dream-like butterfly.

I know that wings are growing where  
No mortal eye hath ever seen;  
Soul-wings, and either dark or fair  
As the life tints them—dull or keen.

Oh, soul-wings! brighter grow each day,  
Until ye soar away to bliss,  
Leaving to earth the silent clay,  
The chill and empty chrysalis.

—[Boston Journal.]

## JACK PLAYNE'S STORY.

This story is not about myself at all,  
though it is written as if it was going to  
be. I am the man that knows the boy the

story is about. I am only Jack Playne.  
He was a very different sort of a fellow  
from me.

His mother was a widder Hennings.  
His father had been dead six or seven  
years when this history begins. They

came to Greenbush for a good many sum-  
mers before he died, and after that the  
widder made up her mind to stay there.

You see Hennings didn't leave much—  
just a couple of thousands on a life insur-  
ance, and the cottage and acre in Green-

bush. All the rest was used in settling  
the estate.

But you'd never guess, not from her  
talk that she didn't own a private bank.

She talked about the convenience of a fixed  
income; "One could calculate so ex-

actly how far it would go and never be  
disappointed." And she would groan  
over the income tax when, poor thing, it

never came nigh her.

You see, she came of excellent family.  
In early times, one of her ancestors was

governor, and a great uncle had been a  
senator, before it was "low" to be a sen-

ator. That is, she used to say so. I  
don't know about it. I've always had  
to work hard and live plain, and there

was always the taxes hot and heavy,  
whatever else happened, and "senator"

always looked high enough for me. And  
in the most all the families of her connec-

tion the boys went to college and the girls  
to boarding school, and spoke French and

played the piano. Not that I have heard  
of there being much money in the fam-

ily, but they paid their way and studied  
hard, and got to be lawyers, or doctors,

or preachers. Never none of 'em down-  
right worked with his hands for a living.

One reason why the widder stuck to  
Greenbush, was the school. The teacher

was excellent, and as it cost nothing,  
nothing could be better for her son, Ho-

ratio, ("Rash," for short), "until" as  
she'd say, "he's ready to prepare for col-

lege." Seems to me as if I could see her  
now. The same black satin dress, win-

ter and summer. In winter, a thread-  
bare, black cloak; in summer, a net shawl,

darned in some places very nicely, and  
black mits and the same black satin bon-

net, made over and over, once a year,  
through it all. She had some lace she

could put on when she went out to tea  
at the doctor's or the squire's and and a

set of jet and gold ornaments, which  
were very old, to fasten the lace and

swing in her ears. And the widder Hen-

nings was a splendid woman! tall, straight  
as an Indian and head set well back on

her shoulders. I often watched her go  
up the broad aisle, and thought I'd like

to test her with a plum line! she was so  
straight. But Eliza says I'm forever

carrying the shop with me. Then she'd  
a wonderful high hooked nose, and eye-

brows that arched over her black eyes  
like the front door of the old mansion

house; and hardly a gray hair in her head.  
Must have been an awful cross for such

a fine woman to give up dress, and all  
the vanities of this world to live in such

a plain way in Greenbush.

say that the things on her clothes-lines  
were mended until they were real curios-

ities. However, they were better than  
debts, and didn't tangle her steps like

mortgages, for the place was clear her  
own. For my own part, I never could

see the sense of such a common person  
as Queen Victoria living in such style,

and such a natural born queen as widder  
Hennings working so hard and faring so

plain.

But for Rash. Not but what he was  
the best of sons, ready to help in every-

thing she wanted done. And didn't he  
put into lessons, when he found his moth-

er's heart was so set on his learning. And  
how good and patient he'd listen, while

she'd tell of the old governor, and the  
senator, and the teachers, and the profes-

or, and how anxious she was to have him  
study hard! She'd been well educated

herself, and taught him some Latin and  
French, and wasn't a bad scholar.

But, whatever he got it from, it didn't  
seem to be what he'd chose. He'd study

hard, and keep up in his classes; and ev-  
ery spare minute he got, he'd be fussing

round in my shop. He'd pick up bits of  
half and quarter inch stuff, and notch

and whittle, and carve and fit, and turn  
out the neatest little toys, chairs and

tables, and such like, that you ever saw.  
He gave one to my little Bess, the winter

he broke her leg—she's got it yet! It's like  
a chair I once saw in a church—carved

gothic back and arms, and a table to  
match. Sometimes it has been all I

could do to get him to give enough atten-

tion to his books, he'd be so busy with  
his work. I kept a strict lookout for

that. I've got such little learning my-

self that I know its value; and he never  
missed a lesson on my account. I'd seen

too many make a love of whittling and  
talk, a mere excuse for idling away pre-

cious time; and after all, there wasn't no  
genius of any great amount.

Horatio was getting to be a large boy,  
when some connection died and left him

a matter of five hundred dollars. It was  
to be used at his mother's discretion, ei-

ther kept till he was twenty-one, or spent  
on his education.

Mrs. Hennings, she decided at once  
that it should help him through college.

She could help out the balance, somehow;  
and it seemed like the good old day of the

governor



Newspaper Decisions.

1. Any person who takes a paper regularly from the office, whether directed to his name or not, or whether he has subscribed or not, is responsible for the payment.
2. If a person orders his paper discontinued, and pay all the arrears, or the publisher may continue to send it until payment is made, and collect the whole amount, whether the paper is taken from the office or not.
3. The Courts have decided that refusing to take a paper and perceiving that the post office is removing and leaving them uncalled for, is prima facie evidence of fraud.

NATIONAL REPUBLICAN CONVENTION.

A National Convention of the Republican party will meet at Chicago on Thursday, the 3d day of June next, at 12 o'clock, noon, for the nomination of candidates to be supported for President and Vice-President at the next election. Republicans and all who will co-operate with them in supporting the nomination of the party, are invited to choose two delegates from each Congressional District, four at large from each State, two from each Territory, and two from the District of Columbia, to represent them in the Convention.

J. M. CAMERON, Chairman National Committee.  
THOMAS B. KEOGH, Secretary.

REDUCED FARES TO THE CHICAGO CONVENTION.

The Executive Committee of the Blaine Club of Maine, having perfected their arrangements for an excursion to Chicago to attend the Republican National Convention, make the following announcement for the benefit of those Republicans who may desire to attend and act in nominating our honored Senator, JAMES G. BLAINE, as candidate for President at the coming election.

A special train over the Eastern Railroad will leave Portland, Thursday, May 27th, at the arrival of the morning train from Bangor, arriving in Boston in season for tea. The party will leave Boston for Chicago direct the same evening, by special train, with Wagner sleeping cars, by Lake Shore and Albany, New York Central, Lake Shore and Michigan Southern Railroads, taking breakfast Friday morning at Syracuse, dinner at East Buffalo, and tea at Cleveland, arriving in Chicago Saturday morning. Ample hotel accommodations have been engaged for 250 persons, at the Gardiner and Mattison Houses, and rooms will be assigned on the train and at the hotels, avoiding any confusion on their arrival. Hotel bills \$3 and \$4 per day.

Fare from Portland to Chicago and return, \$29.99. Excursionists taken to and from Portland from stations on the Maine Central R. R. at one fare. Tickets to be procured at all stations. Persons desiring to go can have their berth in sleeping cars assigned, by enclosing \$5.50 to the Treasurer of the club, H. S. Osgood, Portland. Those wishing to secure rooms should address the Secretary, J. Sweet, Maine, Augusta, as early as possible. All Republicans are cordially invited to join the excursion.

J. R. BODWELL, President.  
J. SWEET, Secy. Secy.  
Augusta, April 23, 1880.

COUNTY VALUATION.

The following table shows the valuation of the towns in the County, as returned by the assessors, in 1869; the valuation fixed by the State in 1870, and the valuation as returned in 1879:

Town	1869	1870	1879
Albany	150,080	167,292	133,713
Andover	118,640	114,712	101,132
Bethel	60,240	71,280	79,912
Brownfield	218,220	240,160	262,360
Buckfield	479,380	504,672	497,480
Byron	64,200	62,160	39,480
Canton	277,176	280,416	300,816
Dixfield	302,400	275,320	333,040
Durham	102,480	102,480	102,480
Fryeburg	79,720	79,720	65,560
Grafton	29,712	29,712	29,712
Greene	102,480	102,480	102,480
Hartford	222,480	210,240	240,960
Helm	102,480	102,480	102,480
Hiram	200,616	200,616	192,416
Lisbon	200,616	200,616	192,416
Lisbon Falls	200,616	200,616	192,416
Lyons	200,616	200,616	192,416
Milton	200,616	200,616	192,416
Milton Falls	200,616	200,616	192,416
Milton Mills	200,616	200,616	192,416
Milton North	200,616	200,616	192,416
Milton South	200,616	200,616	192,416
Milton West	200,616	200,616	192,416
Milton East	200,616	200,616	192,416
Milton Center	200,616	200,616	192,416
Milton North East	200,616	200,616	192,416
Milton North West	200,616	200,616	192,416
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Milton Center North	200,616	200,616	192,416
Milton Center South	200,616	200,616	192,416
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# POND'S EXTRACT.

THE GREAT VEGETABLE  
PAIN DESTROYER AND  
INFLAMMATION AND  
ORRHAGES.

Rheumatism, Neuralgia,  
Sore Throat, Catarrh,  
Bleeding from the  
Stomach, Hemorrhoids,  
Piles, Burns and Scalds,  
Sore Eyes, Eczema,  
Toothache, Faceache,  
Pain in the Head,  
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Toothache, Faceache,  
Pain in the Head,

Delicate females find Malt Bitters nourishing, strengthening and purifying.  
Fish are generally weighed in their own scales.  
"The best cough medicine in the world."  
The Old Vegetable Pulmonary Balm.  
Cutler Bros. & Co., Boston. Small reduced to 35c.; Large, \$1.  
Dominoes at the ball show beauty in mask arrayed.  
Breathes there a man with breath so bad  
As he who the catarrh has had?  
For high and low, for rich and poor,  
Catarrh works a speedy cure.  
The conductor who can keep himself  
Unspotted will grow rich.  
Gaps made in the flesh by cuts, speedily  
disappear without leaving a scar, when  
Henry & Johnson's Arnica and Oil Liniment  
is used.  
A Congressman's letter is ever frank,  
and a postal card is always open.  
Many who have taken Lydia E. Pinkham's  
Vegetable Compound faithfully do not  
hesitate to regard Mrs. Pinkham as a saviour  
of her sex. Send her at 233 Western  
Avenue, Lynn, Mass., for pamphlets.  
Is a body-snatcher like a bull on the neck  
because he's a neck's humor?  
THE VOLTAIC BELT CO., MARSHALL,  
MICH., will send their celebrated Electro-  
Voltaic Belts to the afflicted upon 30 days'  
trial. Speedy cures guaranteed. They  
mean what they say. Write to them with-  
out delay.  
"Dear at any price!" yelled the hungry  
traveller, who ordered venison for dinner.  
DOCTORS, of all the different schools in  
the country, have thousands die every year  
of Bright's disease of the kidneys, who  
could be living today if they had used Sulphur  
Bitters. They are unequalled in the  
world for all diseases of the kidneys.—  
New Haven Union.  
Brigham Young's widow is gradually  
forgetting the old man. Four of them  
have remarried since he died.  
Dr. C. W. Benson's Celery and Chamomile  
Pills are prepared expressly to cure  
sick headache, nervous headache, dyspep-  
sia, indigestion, neuralgia and nervousness,  
and will cure any case. Price, 50 cents,  
postage free. Parsons, Bangs & Co., Port-  
land, General Agents.  
According to Don Platt, Adam and Eve  
made the longest bride tour on record.  
They never got home again.  
HABITUAL CONSTIPATION is the bane of  
nearly every American woman. From it  
usually arise those disorders that so surely  
undermine their health and strength. Every  
woman owes it to herself and to her  
family to use this celebrated medicine.  
It is the sure remedy for  
constipation, and for all disorders of the  
kidneys and liver. Try it now.  
It is very difficult to get a good tea-  
taster, but good liquor-tasters are as thick  
as weeds in the neglected garden.  
BELIEVES IN THE PEOPLE'S CHOICE.—  
Messrs. P. W. Hubbard & Co.—I am pleased  
to add my testimony to the many you  
already have in favor of the People's  
Favorite Tonic Bitters. I have been using  
them this spring and have been much ben-  
efited thereby. They are superior as an  
appetizer. It is in every respect a very  
excellent spring medicine.  
CAPT. LOUIS VOTER.  
FAIRMINGTON, March 29, 1880.  
One reason assigned for the popularity  
of Swedish servant girls is that their hair  
is usually the same color as the butter.  
MESSRS. F. W. KINSMAN & Co.—Gents:—  
I have sold your Admon's Botanic Cough  
Balm over my counter for nine years,  
and I must say that during an experience  
of twenty-six years in the retail drug busi-  
ness I have never sold anything for coughs,  
colds, etc., that has given such universal  
satisfaction as your Admon's Botanic Cough  
Balm. I recommend it above all others.  
Yours truly,  
S. CHICHESTER,  
237 Myrtle Ave., Brooklyn, N. Y.  
When Joseph's brethren put him into that  
little excavation we read about, did he re-  
ply, "Pity it is, and true it is a pit ch?"  
HIGH PRICED BUTTER.—Mr. A. W. Chee-  
ver, editor New England Farmer, owns a  
fine dairy and gets a high price for fine  
butter. In an editorial Nov. 30, he said:  
"The Perfect Butter. Color made by  
Wells, Richardson & Co., we have used for  
several years, and have found nothing  
equalling it, although we have tested about  
everything of the kind made in this or the  
old country. It should entirely supersede  
carrots, and all preparations of annatto."  
Sold by druggists.  
Canned crabs are among the modern deli-  
cacies. The salesman's usual remark is,  
"Take a canner."  
MAY: This is the month in which the  
trailing arbutus is sought. Also, in this  
month, the front gate begins to exhibit  
signs of wear. The weather prophets  
guess at "balmy atmosphere" for May, and  
the poet writes his usual "Lovely May"  
verses for the village parson. This is all  
right; but if you are wise you will get a  
bottle of Baxter's Mandrake Bitters and  
use them as directed, to ward off jaundice,  
liver complaint and biliousness, consequent  
upon the warm temperature of this month.  
Only 25 cents per bottle.  
Ducks are so plentiful in Michigan that  
they put the butt end of a gun against a  
man's shoulder and shoot themselves.  
THOROUGHNESS is the chief attribute of  
Dr. Grosvenor's Liver-Aid. It strikes at  
the very cause of disease. It rouses the  
liver when dormant; insures a healthy  
secretion and flow of bile; remedies dys-  
pepsia and its various harassing symptoms,  
and besides regulating, gives a healthy  
impetus to the various bodily functions.  
Bile, that frequent and painful accom-  
paniment of liver disorder, is completely re-  
moved, as well as the cause, by this lead-  
ing vegetable specific. Use the remedy  
steadily; do not be satisfied with a half  
cure. Follow this advice and confidently  
expect a good result.  
An inquisitive correspondent is informed  
that cremation is a recently adopted meth-  
od of firing people out of this world.  
GOOD HOTELS.—Hotel accommodations for  
travelers are of the greatest impor-  
tance to persons who have to move about  
the country on business or pleasure. "Just  
where to go" is what every man wants to  
know when he leaves home. The Grand  
Union Hotel, opposite Grand Central De-  
pot, New York City, is a very popular re-  
sort, because the attendance there is  
prompt and satisfactory. The charges are  
reasonable and the management complete;  
try it. Families can live better for less money  
at the Grand Union Hotel than at any other  
first-class hotel in the city. Be careful to  
see that Grand Union Hotel is on the sign  
where you enter.  
A young man who sneers at a girl's false  
teeth hasn't a well-balanced head. Let  
him marry a girl who has toothache and  
neuralgia, and he will see where he is lame.  
TENDER CAUTION.—Genuine Hop Bitters  
are put up in square plated, amber-col-  
ored bottles, with white label on one side  
printed in black letters, and green hop  
cluster, and on the other side yellow paper  
with red letters; revenue stamp over the  
cork. This is the only form in which gen-  
uine Hop Bitters are put up, and the sole  
right to make, sell and use them is granted  
to the Hop Bitters Mfg. Co., of Roches-  
ter, N. Y., and Toronto, Ont., by patents,  
copyright and trade mark. All others put  
up in any other way or by any one else,  
claiming to be like it or pretending to con-  
tain hops, or whatever names they may be  
called, are bogus and unfit for use, and  
only put to sell and cheat the people on  
the credit and popularity of Hop Bitters.

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# OXFORD DEMOCRAT, - Extra.

## Public Laws of the State of Maine passed by the Fifty-Ninth Legislature, 1880.

### Chapter 168.

AN ACT in relation to the State Seal, Public Records and Documents, and to certain Public Officers and their Duties.

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

SECTION 1. Whoever shall knowingly and wilfully remove the seal of the State of Maine from the office or custody of the secretary of state at Augusta, or shall knowingly and wilfully secrete, deface, injure or destroy said seal, or wilfully aid or assist in so doing, or having said seal in his possession, or under his control, shall wilfully neglect, or refuse to deliver up said seal to the secretary of state upon demand therefor, shall be punished by imprisonment not less than one nor more than five years, and by fine not exceeding five thousand dollars.

SECT. 2. Whoever shall knowingly and wilfully use the seal of the State of Maine, or take any impression therefrom for any purpose, in any other place than the office of the secretary of state at Augusta, or shall knowingly and wilfully issue or receive and act under any commission, record, document, parchment, instrument or paper, bearing the impression of said seal, unless such commission, record, document, parchment, instrument or paper shall be sealed in said office of said secretary of state at Augusta, shall be punished by imprisonment not more than three years and by fine not exceeding three thousand dollars.

SECT. 3. Whoever shall knowingly and wilfully remove from the state house at Augusta, or from the custody of the secretary of state, or governor and council, or other officer, or person in whose lawful custody the same are deposited or kept in said state house, any book of accounts, voucher, record, return, returned copies of lists of votes given for any public officer, certified copy of any record, or other document or instrument, belonging to, or kept in, any of the offices in said state house, except the books and documents kept and deposited in the state library, or shall knowingly and wilfully secrete, alter, mutilate, deface or destroy any such book of accounts, voucher, record, return, returned copies of lists of votes given for any public officer, certified copy of any record or other such document or instrument, or shall knowingly and wilfully aid or assist in so doing, or having any such book of accounts, voucher, record, returned copies of lists of votes given for any public officer, certified copy of any record or other such document or instrument, in his possession, or under his control shall wilfully neglect or refuse to return the same to said state house, or to deliver up the same to the person in lawful charge of the office or room in said state house, where the same were kept or deposited, shall be punished by imprisonment, not less than one, nor more than three years, and by fine not exceeding five thousand dollars.

SECT. 4. This act shall take effect when approved. [Approved January 29, 1880.]

### Chapter 169.

AN ACT to amend section sixteen, chapter four, of the Revised Statutes, relating to the Removal of Electors from one ward to another.

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

SECT. 1. Section sixteen, of chapter four, of the revised statutes, is hereby amended by striking out the word "thirty" in the sixth line of said section, and inserting in place thereof the word "sixty," so that said section, as amended, shall read as follows:

"SECT. 16. In all cities having more than one thousand legal voters therein, it shall be the duty of the aldermen thereof to post up in some public place in each ward, a true printed or written list of the legal voters resident in said ward, at least seven days previous to the day of any election. No qualified elector who has removed his residence from one ward to another in any city within the sixty days next preceding any election, shall vote at such election in the ward to which he has removed, but his name may be placed on the check list of the ward from which he has removed, and he may vote therein."

SECT. 2. All acts and parts of acts inconsistent with the foregoing provisions are hereby repealed.

SECT. 3. This act shall take effect when approved. [Approved January 30, 1880.]

### Chapter 170.

AN ACT relating to State Officers.

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

SECT. 1. Whoever shall knowingly and falsely assume to be any state officer of the State of Maine, and to act as such, or shall knowingly and falsely assume to discharge any of the duties of any such officer, or shall knowingly and wilfully invite or receive any communication, document, record or letter properly belonging to any such state officer, or relating to the office, or official business of said officer, or shall, in any way, knowingly and wilfully obstruct or delay any such officer in the discharge of any of his official duties, shall be punished by imprisonment, not less than one, nor more than five years, and by fine not exceeding five thousand dollars.

SECT. 2. This act shall take effect when approved. [Approved February 4, 1880.]

### Chapter 171.

AN ACT to amend chapter one hundred and seventy-three of the Public Laws of eighteen hundred and seventy-seven, relating to the Election of Superintending School Committees.

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

Chapter one hundred and seventy-three of the public laws of eighteen hundred and seventy-seven, is hereby amended by adding thereto the words: "The municipal officers shall fill all vacancies arising in the office of supervisor until the next annual election," so that said chapter shall read as follows:

SECT. 53. Superintending school committees, at

their first meeting, shall designate by lot one of their number to hold office three years and another two years, and certify such designation to the town clerk, to be by him recorded. The third member shall hold office one year; and each member elected to fill the place of one whose term expires, shall hold office three years. They shall fill all vacancies in their number until the next annual town meeting. Two members shall constitute a quorum; but if there is but one in office, he may fill vacancies; provided, however, that if the one thus remaining in office shall decline or neglect to fill the vacancies existing in the board, the municipal officers shall fill said vacancies. The municipal officers shall fill all vacancies arising in the office of supervisor until the next annual election." [Approved Feb. 7, 1880.]

### Chapter 172.

AN ACT to amend chapter one hundred and sixty-one, section two, of the Public Laws of 1879, in relation to the State Valuation.

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

SECT. 1. Section two of chapter one hundred and sixty-one of the acts of eighteen hundred and seventy-nine, is hereby amended, by striking out the word "next," in the second line, and also, the words "on the second Monday of January next," in the third line, and inserting the words "present, or any future," also, by inserting therein, after the word "original," in the fourth line, the words "or full copies of the original poll lists and valuation lists, duly certified and sworn to by the assessors," so that said section, as amended, shall read as follows:

"SECT. 2. The assessors of every city, town and plantation shall also produce, or cause to be produced, before the present or any future legislature, for their examination, the full original, or full copies of the original poll lists and valuation lists, duly certified and sworn to by the assessors, of their several cities, towns and plantations for the years eighteen hundred and seventy-eight, and eighteen hundred and seventy-nine."

SECT. 2. Notice of the passage of this act shall forthwith be given by the secretary of state to all cities, towns and plantations that have not yet sent in either the original or certified copies of such lists.

SECT. 3. This act shall take effect when approved. [Approved February 9, 1880.]

### Chapter 173.

AN ACT to compel certain officers whose terms have expired to deliver moneys and other property to their successors.

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

SECT. 1. When any person having held any public office in this state, and having possession or under his control any moneys, books of account, records, accounts, vouchers, documents or other property, or effects pertaining or belonging to said office, or to the state, or any county or municipality in the state, and whose term of office has expired, and whose successor in said office has been duly elected or appointed and qualified, shall, after a written demand for the same, wilfully refuse to deliver such moneys, books of account, records, accounts, vouchers, documents or other property or effects aforesaid to such successor in said office, such person so refusing shall be punished by imprisonment not exceeding five years, and by a fine not exceeding five thousand dollars.

SECT. 2. This act shall take effect when approved. [Approved February 13, 1880.]

### Chapter 174.

AN ACT to amend section nine of chapter thirty-two of the Revised Statutes, relating to Days of Grace.

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

Section nine of chapter thirty-two of the revised statutes, as amended by chapter two hundred and two of the public laws of eighteen hundred and seventy-four, is hereby amended by inserting in the last line, after the word "grace," the following words: "or is Sunday, and it is the second day of grace;" so that said section, as amended shall read as follows:

SECT. 9. On any promissory note, inland bill of exchange, draft or order for the payment of money payable in this state at a future day, or at sight, and not on demand, a grace of three days shall be allowed. If the third day is Sunday, a day of public fast or thanksgiving, appointed by the governor and council, the fourth day of July, the twenty-second day of February, Christmas, first day of January, or the thirtieth day of May, two days shall be allowed. If the fourth day of July, twenty-second of February, Christmas, first day of January, or the third day of grace, or is Saturday, and the following Sunday is the third day of grace, or is Sunday, and it is the second day of grace, four days shall be allowed." [Approved February 13, 1880.]

### Chapter 175.

AN ACT to amend chapter eighty-four, of the Public Laws of eighteen hundred and seventy-nine, relating to Elver Fisheries.

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

Section one of chapter eighty-four, of the laws of eighteen hundred and seventy-nine, is hereby amended, by striking out the word "fifteenth," in said section, and inserting the words "twenty-fifth" instead thereof, so that said section, as amended, shall read as follows:

SECT. 1. The limit of depth prescribed for weirs in section thirty-four, of chapter forty, of the revised statutes of eighteen hundred and seventy-one, shall be measured at the entrance of the weir, provided that no part of such weir known as the leader, shall be in more than two feet depth of water at low water mark. Weirs may exceed the limit of two feet depth, measured as aforesaid, under the following conditions, namely: first, the distance from the before mentioned two feet limit of depth, to the entrance of such weir, shall not exceed one hundred feet; second, no such weir shall obstruct more than one-eighth part of the width of the channel; third, every such weir shall be stripped so as to render it incapable of taking fish on and after the twenty-fifth day of June, annually; these conditions to apply only to weirs that exceed the aforesaid limit of depth. The standard for low water mark on the Kennebec river, shall in all cases be the nearest bench mark of the United States Coast Survey, allowance being made at the various points for the difference in time." [Approved February 16, 1880.]

### Chapter 176.

AN ACT to amend section ninety-three of chapter six of the Revised Statutes, relating to Taxes.

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

SECT. 1. Section ninety-three of chapter six of the revised statutes is hereby amended, by inserting, after the word "determine," the words "the lists referred to in section seventy shall be committed, and," so that said section, as amended, shall read as follows:

"SECT. 93. Towns, at their annual meetings, may determine, when the lists referred to in section seventy shall be committed, and when their taxes shall be payable, and that interest shall be collected after that time."

SECT. 2. This act shall take effect when approved. [Approved February 16, 1880.]

### Chapter 177.

AN ACT amendatory of, and additional to section two, chapter sixty-five, of the Public Laws of eighteen hundred and seventy-six, relating to Business Corporations.

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

SECT. 1. Section two, of chapter sixty-five, of the public laws of eighteen hundred and seventy-six, is hereby amended by inserting after the word "act," in the second line, the words "or section eighteen, chapter forty-eight, of the revised statutes," and striking out the word "two," where it occurs in the third line, and inserting in place thereof, the word "one," also by adding thereto the words "and the acts of all companies heretofore formed under the provisions of law relating to the organization of business corporations, in fixing the amount of capital stock at a sum not over five hundred thousand dollars, are hereby declared valid, if otherwise organized according to law," so that said section shall read as follows:

"SECT. 2. All companies organized under the provisions of this act, or section eighteen, chapter forty-eight, of the revised statutes, shall fix the amount of the capital stock, which shall not be less than one thousand dollars, nor more than five hundred thousand dollars, and the acts of all companies heretofore formed under the provisions of law relating to the organization of business corporations, in fixing the amount of capital stock in a sum not over five hundred thousand dollars, are hereby declared valid, if otherwise organized according to law."

SECT. 2. Chapter one hundred thirty-three, of the public laws of eighteen hundred and seventy-nine, entitled "An act to amend chapter forty-eight, of the Revised Statutes, relative to Corporations under the General Laws," is hereby repealed; and sections eighteen and nineteen, of chapter forty-eight, revised statutes, except so far as modified by this act, are hereby continued in force.

SECT. 3. This act shall take effect when approved. [Approved February 17, 1880.]

### Chapter 178.

AN ACT to amend chapter ninety of the Public Laws of eighteen hundred and seventy-nine, relating to Crimes formerly Capital.

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

Chapter ninety of the public laws of eighteen hundred and seventy-nine, is hereby amended, by adding thereto, the following words: "and further excepting, that nothing herein contained shall authorize any compensation from the state treasury, for counsel for the defence in cases formerly capital," so that said chapter ninety of the public laws of eighteen hundred and seventy-nine, shall read as follows:

"In all trials of cases formerly capital, in which the punishment now is imprisonment at hard labor for life, the proceedings as set forth in chapter one hundred and thirty-four of the revised statutes, shall be observed in all cases, excepting that the person indicted shall not challenge peremptorily, more than five of the jurors while the panel is being formed, and further excepting that nothing

herein contained shall authorize any compensation from the state treasury for counsel for the defence, in cases formerly capital." [Approved Feb. 20, 1880.]

### Chapter 179.

AN ACT regulating the Fees of Inspectors of Lime and Lime Casks and their Deputies.

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

SECT. 1. The fees of inspectors of lime and lime casks and their deputies, shall be one-half mill for each cask inspected and branded, and each inspector shall receive from his deputy the one half mill for each cask inspected and branded by the deputy.

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

SECT. 3. This act shall take effect when approved. [Approved February 20, 1880.]

### Chapter 180.

AN ACT for the protection of Blue-Back Trout.

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

SECT. 1. No person shall fish for, catch, take, kill or destroy any blue-back trout in any of the waters of this state, with any net, seine, weir or trap.

SECT. 2. Any person who shall violate the provisions of this act shall forfeit and pay the sum of five dollars for the attempt, and one dollar for each and every blue-back trout so taken, caught, killed or destroyed, to be recovered by complaint before any trial justice, one-half to the complainant and the other half to the town where the complaint is made.

SECT. 3. This act shall take effect when approved. [Approved February 23, 1880.]

### Chapter 181.

AN ACT to amend section one, of chapter eleven of the Revised Statutes, authorizing the consolidation of schools in certain cases.

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

Section one of chapter eleven of the revised statutes is hereby amended by adding thereto the following words, to wit: "but when in the judgment of the board, consisting of the municipal officers and superintending school committee or supervisor, the number of scholars in any district becomes too few for the profitable expenditure of the money apportioned to said district, said board may suspend the school in said district and cause the money to be expended, for the benefit of the scholars in said district, in the adjoining district or districts. Said board shall make a record of its decision in relation to the school in said district, sign the same and cause it to be recorded by the town clerk, and such decision shall remain in full force until annulled by vote of the town, or by the action of a subsequent board. Said board may reserve not more than one-half of the money appropriated to such districts, to be expended, in their discretion, for the conveyance of children of such districts to and from school," so that when amended, said section shall read as follows:

"SECT. 1. A town at its annual meeting, or at a meeting called for that purpose, may determine the number and limits of the school districts therein, but they shall not be altered, discontinued or annexed to others, except on the written recommendation of the municipal officers and superintending school committee, accompanied by a statement of facts, and on conditions proper to preserve the rights and obligations of the inhabitants; but when in the judgment of the board, consisting of the municipal officers and superintending school committee or supervisor, the number of scholars in any district becomes too few for the profitable expenditure of the money apportioned to said district, said board may suspend the school in said district, and cause the money to be expended, for the benefit of the scholars in said district, in the adjoining district or districts. Said board shall make a record of its decision in relation to the school in said district, sign the same and cause it to be recorded by the town clerk, and such decision shall remain in full force until annulled by vote of the town, or by the action of a subsequent board. Said board may reserve not more than one-half of the money appropriated to such districts, to be expended, in their discretion, for the conveyance of children of such districts to and from school."

SECT. 2. This act shall take effect when approved. [Approved February 24, 1880.]

### Chapter 182.

AN ACT to amend chapter one hundred and thirteen of the Laws of eighteen hundred and seventy-nine, relating to Auctioneers.

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

Chapter one hundred and thirteen of the public laws of eighteen hundred and seventy-nine, is hereby amended, by adding, after the word "sold," in the third line of section ten, the words "which shall be produced unless said municipal officers shall decide that the same is unnecessary," so that when amended the same shall read:

"SECT. 10. The municipal officers of any city or town in this state, may grant, upon presentation of an invoice or inventory of the property to be sold, which shall be produced unless said municipal officers shall decide that the same is unnecessary, a special license to any auctioneer, a legal voter in this state, to sell at public auction, between the

hours of seven A.M. and six P.M., upon the payment of five dollars for each and every invoice or inventory; the above license fee to go to the use of said city or town. [Approved February 24, 1880.]

### Chapter 183.

AN ACT additional to chapter sixty-seven of the Revised Statutes concerning Minors and Guardians.

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

SECT. 1. Section thirty-one of chapter sixty-seven of the revised statutes is hereby amended so as to read as follows:

"SECT. 31. By such decree the natural parents shall be divested of all legal rights in respect to such child, and he shall be free from all legal obligations of obedience and maintenance in respect to them; and he shall be, for the custody of the person and all rights of inheritance, obedience and maintenance, to all intents and purposes, the child of his adopters, the same as if born to them in lawful wedlock, except that he shall not inherit property expressly limited to the heirs of the body of the adopters, nor property from their lineal or collateral kindred by right of representation, and provided that the right of inheritance shall only apply in adoptions hereafter made, and where not otherwise expressly provided in the decree of adoption; and the adoption of a child, already or hereafter made in any other state, according to the laws of that state, shall have the same force and effect in this state, as to inheritance and all other rights and duties, as it had in the state where made, in case the person adopting hereafter dies domiciled in this state."

SECT. 2. This act shall take effect when approved. [Approved February 24, 1880.]

### Chapter 184.

AN ACT to amend section one of chapter two hundred and fifty-six, of the Public Laws of eighteen hundred and seventy-four, relating to the Insane Hospital.

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

SECT. 1. Section one of chapter two hundred and fifty-six, of the public laws of the year one thousand eight hundred and seventy-four, is hereby amended by inserting after the word "trustees," by the words, "one of whom shall be a woman," so that said section, as amended, shall read as follows:

"SECT. 1. The government of the Maine Insane Hospital, vested in a committee of six trustees, of whom shall be a woman, appointed by the one of whom shall be a woman, appointed by the governor, with the advice of the council, and commissioned to hold their offices during the pleasure of the governor and council, but not more than three years under any one appointment."

SECT. 2. This act shall take effect when approved. [Approved February 28, 1880.]

### Chapter 185.

AN ACT to authorize amendments of the Journals of the Senate and House of Representatives.

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

SECT. 1. The secretary or assistant secretary of any senate of the state is hereby authorized and directed to amend, according to the fact, the Journal of said senate at any time, whenever empowered or required by a resolve or other authority of the same, or any subsequent senate of the state, to make such amendment.

SECT. 2. The clerk or assistant clerk of any house of representatives of the state, is hereby authorized and directed to amend, according to the fact, the Journal of said house of representatives at any time, whenever empowered or required by a resolve or other authority of the same, or any subsequent house of representatives of the state to make such amendment.

SECT. 3. This act shall take effect when approved. [Approved February 28, 1880.]

### Chapter 186.

AN ACT to amend section seventeen of chapter one hundred and thirty-two of the Revised Statutes, relating to Fees of Trial Justices.

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

Section seventeen of chapter one hundred and thirty-two of the revised statutes is hereby amended, by inserting after the word "party," in the fourth line thereof, the words, "or convicts a party, and line thereof, and is finally acquitted," so that said section, as amended, shall read as follows:

"SECT. 17. When several warrants are issued by any magistrate only the costs for one complaint shall be allowed; and when he binds over a party, and warrant; and when he binds over a party, and warrant, he shall not find an indictment against the grand jury, or convicts a party and such party acquits, or is finally acquitted, he shall not have any peals in the case unless the same are certified and approved by the county attorney, and in no case shall he tax other or greater fees than are expressly allowed by law." [Approved February 28, 1880.]

### Chapter 187.

AN ACT to amend section ten, chapter seventy-five of the laws of eighteen hundred and seventy-eight, relating to fisheries.

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

Section ten of chapter seventy-five of the laws of eighteen hundred and seventy-eight is hereby amended by adding to the end of the section the following proviso: "Provided, however, that from said fifteenth day of July until the fifteenth day of September following, it shall be lawful to fish for and take salmon by the ordinary mode with rod and single line but not otherwise," so that said section when amended shall read as follows:

"SECT. 10. There shall be a close-time for salmon from the fifteenth day of July of each year to the first day of April following, during which no salmon shall be taken or killed in any manner, under a penalty of not more than fifty nor less than ten dollars, and a further penalty of ten dollars for each salmon so taken or killed. Provided however, that from the said fifteenth day of July until the fifteenth day of September following, it shall be lawful to fish for and take salmon by the ordinary mode, with rod and single line, but not otherwise. [Approved February 28, 1880.]

### Chapter 188.

AN ACT in relation to Frivolous Exceptions.

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

SECT. 1. Section twenty-one of chapter seventy-seven of the revised statutes is hereby amended by adding thereto the following words: "The provisions of this section shall be applied to exceptions filed in any criminal proceeding in the superior courts of Kennebec county and Cumberland county."

SECT. 2. This act shall take effect when approved. [Approved February 28, 1880.]

### Chapter 189.

AN ACT to protect Quails.

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

No quail shall be killed, nor had in possession except alive, at any time previous to September first, eighteen hundred and eighty-three, under penalty of twenty-five dollars for every offence, and one dollar additional for each quail killed or had, in possession except alive. [Approved February 28, 1880.]

### Chapter 190.

AN ACT to amend an act entitled "An Act to revise and consolidate the laws relating to the government, powers, duties, privileges and liabilities of Savings Banks and Institutions for Savings."

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

Section thirty-six, of chapter two hundred and eighteen of the public laws of the year eighteen hundred and seventy-seven, is hereby amended by adding thereto after the word "petition," in the thirty third line thereof, the words, "such pro rata dividend may be declared by the court, whether all or only a portion of such assets have been reduced to money, whenever the court shall deem it for the interest of the depositors and the public," so that said section as amended shall read as follows:

"SECT. 36. Whenever any savings bank, institution for savings, or trust and loan association, shall be insolvent by reason of loss on, or by depreciation in value of, any of its assets, without the fault of the trustees thereof, the supreme judicial court, in term time, or any justice thereof, in vacation, shall, on petition, in writing, of a majority of the trustees and the bank examiner, setting forth such facts, appoint a time for the examination of the affairs of such corporation, and cause notice thereof to be given to all parties interested, in such manner as may be prescribed; and, if upon an examination of its assets and liabilities, and from other evidence, he shall be satisfied of the facts set forth in said petition, and that the corporation has not exceeded its powers, and failed to comply with any of the rules, restrictions, and conditions provided by law, he may, if he shall deem it for the interest of the depositors and the public, by proper decree, reduce the deposit account of each depositor so as to divide such loss pro rata among the depositors, thereby rendering the corporation solvent, so that its further proceedings would not be hazardous to the public or those having or placing funds in its custody, and the depositors shall not be authorized to draw from such corporation, a larger sum than thus fixed by the court, except as hereinafter provided; provided, however, that it shall be the duty of the treasurer of such corporation, to keep an accurate account of all sums received for such assets of the corporation held by it at the time of filing such petition; and if a larger sum shall be realized therefrom, than the value estimated as aforesaid by the court, he shall, at such time, or times, as the court may prescribe, render to the court a true account thereof, and thereupon the court, after due notice thereof to all parties interested, shall declare a pro rata dividend of such excess among the depositors at the time of filing the petition. Such pro rata dividend may be declared by the court, whether all or only a portion of such assets have been reduced to money, whenever the court shall deem it for the interest of the depositors and the public. No deposit shall be paid or received by such corporation after the filing of the petition, till the decree of the court reducing the deposits as herein provided. If the petition is denied, it shall be the duty of the bank examiner to proceed for the winding up of the affairs of the corporation, as provided in section thirty-five." [Approved February 28, 1880.]

### Chapter 191.

AN ACT to amend section six, chapter seventy-eight of the Revised Statutes, in relation to the time of meeting of the County Commissioners of Washington County.

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

SECT. 1. Section six of chapter seventy-eight of the revised statutes, is hereby amended, by striking out in the thirty-first and thirty-second lines of said section, the words "the first Wednesday next after," and in the thirty-third line the words "the first



Wednesday next after," so that said section, as amended, shall read as follows:

"SECT. 5. They shall hold annual sessions in the shire town of each county, at the times following: In the county of Androscoggin, on the first Tuesday of April and October. In the county of Arrowsick, on the third Tuesday of January, and the first Tuesdays of June and July. In the county of Cumberland, on the first Tuesdays of January and June. In the county of Franklin, on the last Tuesdays of April and December. In the county of Hancock, on the fourth Tuesday of January, and the second Tuesdays of April and October. In the county of Kennebec, on the third Tuesdays of April and August, and the last Tuesday of December. In the county of Knox, on the first Tuesdays of April and December, and the third Tuesday of August. In the county of Lincoln, on the second Tuesday of May, the first Monday of September, and the last Monday of December. In the county of Oxford, on the second Tuesday of May, and first Tuesday of September. In the county of Penobscot, on the first Tuesdays of April and August, and second Tuesday of December. In the county of Piscataquis, on the first Tuesdays of April, August, and December. In the county of Sagadahoc, on the first Tuesdays of March, July, and November. In the county of Somerset, on the first Tuesdays of March and August, and second Tuesday of December. In the county of Waldo, on the third Tuesdays of April, August, and December. In the county of Washington, at Machias, on the first Tuesdays of January and October, and at Calais, the fourth Tuesday of April. In the county of York, at Alfred, on the second Tuesdays of April and October."

SECT. 2. This act shall take effect when approved. [Approved February 25, 1880.]

#### Chapter 192.

AN ACT in relation to Service on Domestic Corporations.

Be it enacted, &c., as follows:

SECT. 1. When no officer, general agent, or member of a domestic corporation, can be found in the county in which the same is located, nor in the county in which its last certificate of election of clerk has been filed, the officer having in his hands any process for service on such corporation, may file a copy thereof, in the registry of deeds, of the county in which such corporation was located, or in which its last certificate of election of clerk was filed, and make return of his doings, which service shall be sufficient to hold said corporation to answer to such process.

SECT. 2. The register of deeds shall keep such copy on file, and keep an index thereof, and be entitled to fee of twenty cents therefor, to be paid by the officer.

SECT. 3. This act shall take effect when approved. [Approved February 25, 1880.]

#### Chapter 193.

AN ACT to amend sections one, two and three, of chapter ninety-one of the Revised Statutes, relating to Mortgages of Personal Property.

Be it enacted, &c., as follows:

SECT. 1. Section one of chapter ninety-one of the revised statutes, is hereby amended by striking out in the first and second lines of said section, the words, "to secure payment of more than thirty dollars," and in the sixth, seventh, and eighth lines, by striking out the words, "such a mortgage made to secure the payment of thirty dollars or less, may be so recorded, and with the same effect."

Section two of said chapter, is hereby amended in the first and second lines, by striking out the words, "of the same fees allowed to registers of deeds for like services," and adding the words, "twenty-five cents." Section three of said chapter is hereby amended in the second line, by striking out the words, "to secure the payment of more than thirty dollars," so that said sections as amended, shall read as follows:

"SECT. 1. No mortgage of personal property shall be valid against any other person than the parties thereto, unless possession of such property is delivered to, and retained by the mortgagee, or the mortgage is recorded by the clerk of the town, or plantation, organized for any purpose in which the mortgagor resides. When all the mortgagors reside without the state, the mortgage shall be recorded in said town or plantation where the property is when the mortgage is made; but if a part of the mortgagors reside in the state, then in the towns or plantations in which such mortgagors reside. A mortgage made by a corporation, shall be recorded in the town where it has its established place of business. If any mortgagor resides in an unorganized place, the mortgage shall be recorded in the oldest adjoining town or plantation, organized, as aforesaid, in the county."

"SECT. 2. The clerk, on payment of twenty-five cents, shall record all such mortgages delivered to him, in a book kept for that purpose, noting therein, and on the mortgage, the time when it was received; and it shall be considered as recorded when received. Such clerk may appoint a citizen of said town his deputy, who may, in the clerk's absence from his office, record mortgages 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, as set forth in section two, of chapter ninety-one, of the revised statutes, 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. 3. When the condition of a mortgage of personal property is broken, the mortgagor, or any other person lawfully claiming under him, may redeem it at any time before it is sold, by virtue of a contract between the parties, or on execution against the mortgagor, or before the right of redemption is foreclosed, as hereinafter provided, by paying or tendering to the mortgagee, or the person holding the mortgage by assignment thereof, recorded where the mortgage is recorded, the sum due thereon, or by performing, or offering to perform the conditions thereof, when not for the payment of money, with all reasonable charges incurred; and the property, if not immediately restored, may be replevied, or damages for withholding it recovered in an action of the case."

SECT. 2. This act shall take effect when approved. [Approved March 4, 1880.]

#### Chapter 194.

AN ACT in relation to Defenses in Actions Involving Contracts made on Sunday.

Be it enacted, &c., as follows:

No person who receives any money, or valuable thing, as the consideration for a contract, express or implied, made and entered into on Sunday, shall be permitted to defend any action upon such contract on the ground that it was so made and entered into on Sunday, until he shall restore such consideration so received; provided that nothing herein contained shall apply to any action now pending. [Approved March 5, 1880.]

#### Chapter 195.

AN ACT in relation to sureties upon official bonds, defending in suits against their principal.

Be it enacted, &c., as follows:

SECT. 1. Sureties upon official bonds may appear and defend in suits against their principal, whenever such sureties may ultimately be liable upon such bonds.

SECT. 2. This act shall take effect when approved. [Approved March 5, 1880.]

#### Chapter 196.

AN ACT additional to the several acts establishing the County of Piscataquis.

Be it enacted, &c., as follows:

SECT. 1. All officers within and for the county of Piscataquis, having authority to commit any prisoner or debtor to jail, shall be authorized and required for the term of ten years from and after the passage of this act, if the county of Piscataquis shall so long remain without a jail within its own limits, to commit prisoners or debtors to the jail in the county of Penobscot, in the same manner and with as ample authorization as like officers in said county of Penobscot are by law authorized and required to do; and the keeper of the jail in said county of Penobscot is hereby authorized and required to receive and detain in his custody all such prisoners and debtors. Provided, however, that the county of Piscataquis shall be liable to the county of Penobscot for all expenses and damages which shall accrue from any and all such commitments; and provided, also, that in case of disagreement between the boards of county commissioners of said counties, as to compensation to be received by said county of Penobscot for the use of its jail as aforesaid, any judge of the supreme judicial court shall, upon written application of either board, after notice and hearing, fix said compensation, and his determination shall be final and conclusive in the premises.

SECT. 2. All acts and doings of officers of the county of Piscataquis since February four, eighteen hundred and eighty, in committing prisoners and debtors to the jail in Penobscot county, and all acts and doings of the keeper of said jail in the county of Penobscot, in receiving and detaining said prisoners and debtors, which are in other respects legal, are hereby made as valid and legal as they would have been if performed at any time during the previous five years.

SECT. 3. This act shall take effect when approved. [Approved March 5, 1880.]

#### Chapter 197.

AN ACT to provide for Danger Signals on Railroads in certain cases.

Be it enacted, &c., as follows:

SECT. 1. No car or cars, disconnected from a train, shall be left or permitted to remain standing on the main track of any railroad in this state, unless accompanied by danger signals, such as flagging by day and lanterns by night, placed at such distances therefrom, on the main line of the road, as will insure safety to and from moving trains, such signals to be in charge of and constantly attended by employees of the corporation owning or operating the road.

SECT. 2. If any railroad corporation shall violate any of the provisions of section one of this act, it shall forfeit for each offense, one hundred dollars to the use of the state, to be recovered in an action of the case, or by complaint and indictment in any court having competent jurisdiction; and it shall be the duty of the attorney general to prosecute for the recovery of such forfeiture. The provisions of this act shall not apply to horse railroads.

[Approved March 6, 1880.]

#### Chapter 198.

AN ACT providing for the trials of causes involving the rights of parties to hold Public Offices.

Be it enacted, &c., as follows:

SECT. 1. Any person who shall claim to be lawfully elected to any public office, or to the office of county attorney within this state, may commence a suit in the nature of a proceeding in equity against

the person holding or claiming to hold such office, or who holds a certificate of his election to such office from the governor and council, or who has been declared elected thereto by the governor and council, or who has been notified of such election by the secretary of state, to be commenced by petition, returnable before any justice of the supreme judicial court, in term time or vacation, in the county where either of the parties resides, or where the duties of such office are to be performed, and said supreme judicial court shall have jurisdiction thereof.

SECT. 2. The petition of the claimant shall state the names and residences of the several parties, and the facts upon which he relies to maintain his suit, and shall be signed by him and verified by his oath. Such petition shall be filed in the office of the clerk of courts in the county where it is returnable, and the time of hearing thereon shall be appointed by said justice, and indorsed upon said petition. Notice of pendency of said suit, and the time and place of hearing upon said petition shall be given the adverse party, by giving him in hand, or leaving at his last and usual place of abode, a copy of said petition and order of the court thereon, or in such other manner as the court shall direct, and such notice shall be given at least seven days before such hearing. The parties, or their counsel, shall be heard upon written or oral testimony, according to the practice in like procedure, and in such manner as the justice shall direct; and it appears upon such trial or hearing that the petitioner has been lawfully elected, and is entitled by law to the office claimed by him, or such adverse party shall fail to appear, such justice shall render judgment in favor of such petitioner, if he is found, upon hearing, to be entitled thereto.

SECT. 3. In all cases either party may, within ten days after the rendition of said judgment, enter an appeal therefrom in the office of the clerk in the county where said judgment is rendered, which appeal shall briefly set forth the reasons therefor, and an attested copy of said appeal shall be served upon the appellee or his attorney within ten days after the same has been filed. In such manner as the justice shall order. The party taking such appeal shall cause copies of the petition, pleadings, findings, and testimony upon which such judgment is rendered, approved by the justice before whom the hearing is had, to be printed and transmitted to the chief justice within twenty days after such appeal is taken, together with written argument thereon. A copy of such argument shall, within said twenty days, be served upon the adverse party, or his attorney, who may forward within ten days thereafter an argument in reply, and the upon the justices of said court shall consider said cause immediately, and decide thereon and transmit their decision to the clerk of the county where the suit is pending, and final judgment shall be entered accordingly.

SECT. 4. In all cases where final judgment has been rendered, any justice of said court may issue an order to the party unlawfully claiming or holding said office, concerning which the judgment of the court has been given, commanding him to yield up to the officer who has been determined to be lawfully entitled thereto, the said office, and all papers, records, moneys and property connected therewith or belonging thereto, and shall have power to enforce said order by fine or imprisonment, or both, and thereupon said party in whose favor such judgment is rendered, shall be qualified and enter upon the duties of such office, and hold the same until the expiration of the term for which he has been elected.

SECT. 5. The prevailing party shall recover costs, and double or treble costs may be awarded in the discretion of the justice.

SECT. 6. This act shall take effect when approved. [Approved March 6, 1880.]

#### Chapter 199.

AN ACT to amend the Insolvency Laws of Maine.

Be it enacted, &c., as follows:

SECT. 1. Section eighteen of chapter one hundred and fifty-four of the public laws of eighteen hundred and seventy-nine, entitled "An Act to amend chapter seventy-four of the Public Laws of eighteen hundred and seventy-eight, entitled 'An Act in relation to the Insolvency Laws of Maine,'" is hereby amended by inserting after the word "shall," in the eleventh line of said section, the words "grant or," so that said section as amended shall read as follows:

"SECT. 18. Section forty of said act is hereby amended by striking out, in the second line, the words "issuing the warrant", and inserting instead thereof the words "commencement of proceedings", and also by adding after the last word of said section the words, "if it shall appear to the court that the insolvent has in all things conformed to his duty under this act, and all acts amendatory thereof and that he is entitled under the provisions thereof to receive a discharge, the court shall grant him a discharge from all his debts, except as hereinafter provided, and shall give him a certificate thereof under the seal of the court. In all cases when the judge shall grant or refuse to grant a discharge under the provisions of this act, there shall be an appeal to the supreme judicial court, next to be holden within and for the county where the proceedings in insolvency are pending, to be taken, heard and determined in the manner provided in section ten of this act as amended. The party appealing shall file, at the time of entering his appeal in the supreme judicial court, a copy of the specifications of the grounds of opposition to the discharge, certified by the register. At the request of the debtor

or opposing creditor, the presiding judge shall order the question of discharge to be tried by the jury at the first or any subsequent term of said court. Exceptions shall be had as to matters of law, to be heard and decided as provided by said section ten."

SECT. 2. Section thirty of chapter seventy-four of the public laws of eighteen hundred and seventy-eight is hereby amended by inserting after the word "debtor", in the seventeenth line thereof, the words "or is claimed under any mortgage given by the debtor to secure a debt to a prior existing creditor, which has not been recorded at least three months prior to commencement of insolvency proceedings, and after the word 'months', in the eighteenth line thereof, the words 'and any such mortgage not recorded at least three months', so that said section as amended shall read as follows:

"SECT. 30. The judge shall, by an instrument under his hand, assign and convey to the assignee, all the estate, real and personal, of the debtor, except such as is by law exempt from attachment and seizure on execution, together with all deeds, books of account, and papers relating thereto, which assignment shall be recorded forthwith in the registry of deeds for the county where such proceedings in insolvency are pending, and in the registry of deeds in each county in which there may be real estate of the debtor, and such assignee shall give such public notice of his election or appointment as the judge may order; such assignment shall relate back to the commencement of proceedings in insolvency, and by operation of law, shall vest the title to all the property and estate of the debtor not exempt on law from attachment and seizure on execution, in the assignee, although the same is then attached on mortgage process as the property of the debtor, or is claimed under any mortgage given by the debtor to secure a debt to a prior existing creditor, which has not been recorded at least three months prior to commencement of insolvency proceedings, and such assignment shall dissolve any such attachment made within four months, and any such mortgage not recorded at least three months next preceding the commencement of proceedings in insolvency. Such assignee may sue for and recover, by an action at law, or by a bill in equity, any sums of money paid by the debtor to any creditor upon any writ, judgment or execution, when such payment is made within two months prior to the commencement of the proceedings in insolvency, and is received by the creditor as a preference, in violation of the provisions of this act, and the creditor knows, at the time such payments are made, that the debtor making the same is insolvent."

SECT. 3. This act shall take effect when approved. [Approved March 6, 1880.]

#### Chapter 200.

AN ACT to prevent the obstruction of business on certain Public Corporations.

Be it enacted, &c., as follows:

SECT. 1. Any employee of a railroad corporation who, in pursuance of an agreement or combination by two or more persons to do, or procure to be done, any act in contemplation of or furtherance of a dispute between such corporation and its employees, shall, unlawfully or in violation of his duty or contract, stop or unnecessarily delay or abandon, or in any way injure a locomotive or any car or train of cars on the railroad track of such corporation, or in any way hinder or obstruct the use of any locomotive, car or train of cars on the railway of such corporation, shall, upon conviction, be liable to a fine not exceeding five hundred dollars, or imprisonment in the state prison or in the county jail not exceeding one year.

SECT. 2. Whoever, by an unlawful act, or by any willful omission or neglect, shall obstruct or cause to be obstructed any engine or carriage on any railway, or shall aid or assist therein; or who, having charge of any engine or carriage while upon or in use on any railway of any railroad corporation, shall willfully stop, leave or abandon the same, or render, or aid or assist in rendering the same unfit for or incapable of immediate use, with intent thereby to hinder, delay, or in any manner to obstruct or injure the management and operation of any railroad, or the business of any corporation operating or owning the same, or of any other corporation or person, or whoever shall aid or assist therein, shall, upon conviction, be liable to a fine not exceeding one thousand dollars, or imprisonment in the state prison or in the county jail not exceeding two years.

SECT. 3. Whoever, having any management of, or any control either alone or with others, over any railroad locomotive, car or train while being used for the carriage of persons or property, or at any time is guilty of gross carelessness or neglect, or, in relation to, the management or control of the same, or shall maliciously stop or delay the same, in violation of the rules and regulations then in force for the operation and running of the same; or obstruct therefrom the tools or appliances pertaining thereto, with intent thereby maliciously to delay the same, shall, upon conviction, be liable to a fine not exceeding one thousand dollars, or imprisonment in the state prison or in the county jail not exceeding three years.

SECT. 4. Any person who, alone, or in pursuance of or furtherance of any agreement or combination with others, to do, or procure to be done, any act in contemplation of or furtherance of a dispute or controversy between a gas, telegraph or railroad corporation and its employees, or workmen, shall wrongfully and without legal authority, use violence toward, or intimidate any person in any way or by any means, with intent thereby to compel such per-

son against his will to do, or abstain from doing, any act which such person has a legal right to do or abstain from doing; or shall, on the premises of such corporation, induce, or endeavor or attempt to induce, such person to leave the employ and service of such corporation by bribery, or in any manner or by any means, with intent thereby to further the objects of such combination or agreement; or shall in any way interfere with such person while in the performance of his duty; or shall threaten or persistently follow such person in a disorderly manner, or injure or threaten to injure his property with said intent, or either of them, shall, upon conviction, be liable to a fine not exceeding three hundred dollars, or imprisonment in the county jail not exceeding three months.

SECT. 5. Any person in the employ of a railroad corporation, who shall, in furtherance of the interests of either party to a dispute between another railroad corporation and its employees, refuse to aid in moving the cars of such other corporation, or trains in whole or in part made up of the cars of such other corporation, over the tracks of the corporation employing him; or refuse to aid in loading or discharging such cars, in violation of his duty as such employee, shall, upon conviction, be liable to a fine not exceeding five hundred dollars, or imprisonment in the state prison or in the county jail not exceeding one year. [Approved March 9, 1880.]

#### Chapter 201.

AN ACT concerning the acknowledgment of Deeds.

Be it enacted, &c., as follows:

SECT. 1. The acknowledgment of deeds may be made before any notary public in this state.

SECT. 2. All acknowledgments of deeds heretofore made in this state before a notary public, duly commissioned and qualified, shall be deemed and taken to be legal and valid.

SECT. 3. This act shall take effect when approved. [Approved March 9, 1880.]

#### Chapter 202.

AN ACT to amend section thirteen of chapter one hundred and forty-one of the Revised Statutes, relating to the support of persons sentenced to the house of correction for drunkenness.

Be it enacted, &c., as follows:

Section thirteen of chapter one hundred and forty-one of the revised statutes, is hereby amended by adding at the end thereof the words "provided, however, that the charge for board of any such prisoner shall not exceed two dollars per week," so that said section as amended shall read as follows:

"SECT. 13. When a sum of money is due the master under the provisions of this chapter, from any prisoner, and his account is duly allowed and certified to be correct by the commissioners, he may demand it of the prisoner if of age, otherwise of his parent, master or guardian; and if the party liable is not able to pay, he may demand it of the overseers of the town where such prisoner has his legal settlement; provided, however, that the charge for board of any such prisoner shall not exceed two dollars per week."

[Approved March 9, 1880.]

#### Chapter 203.

AN ACT to amend section sixteen of chapter forty-six of the Revised Statutes, relating to Corporations.

Be it enacted, &c., as follows:

SECT. 1. Section sixteen of chapter forty-six of the revised statutes is hereby amended by adding after the word "attached", in the third line thereof, the words "and appraised and set off in execution", so that said section when amended shall read as follows:

"SECT. 16. Corporations existing by the laws of another state or of a foreign jurisdiction, may sue or be sued by their corporate name in this state; and if they have property in this state it may be attached and appraised and set off on execution, as the property of non-resident individuals. The acts of their agents are to have the same effect as the acts of agents of foreign private persons, unless prohibited by law."

SECT. 2. This act shall take effect when approved. [Approved March 9, 1880.]

#### Chapter 204.

AN ACT to incorporate the Steam Heating and Power Company.

Be it enacted, &c., as follows:

SECT. 1. Jacob S. Winslow, Horatio N. Jose, George F. Holmes, William W. Thomas, junior, George P. Wescott, Charles McCarthy, junior, Edward H. Davies, George F. Morse, their associates and successors, are hereby constituted a body politic and corporate, by the name of the Steam Heating and Power Company, and by that name shall have and enjoy all the necessary powers and privileges to effect the objects of their association, and shall be subject to such duties, liabilities and exemptions as are or may be provided by the general laws of this state in case of manufacturing corporations.

SECT. 2. The capital stock of said company shall be not less than thirty thousand dollars, nor more than three hundred thousand dollars, and shall be divided into shares of not exceeding one hundred dollars each. Said company, having first obtained permission of the municipal authorities thereof, shall have power to erect, establish and maintain in the city of Portland, suitable works for the manufacture and distribution of steam for heating purposes and power for manufacturing establishments.

SECT. 3. The said company is hereby authorized to lay down, in and through the streets of said city, and to take up, replace and repair, all such pipes, conduits and fixtures as may be necessary for the ob-

jects of its incorporation, first having obtained the consent of the city council therefor, and under such restrictions and regulations as said city council may see fit to prescribe. And any obstruction in any street of said city, or taking up, or displacement of any portion of any street without such consent of the city council, or contrary to the rules and regulations that may be prescribed as aforesaid, shall be considered a nuisance, and said company shall be liable to indictment therefor, and to all the provisions of law applicable thereto; and said company shall, in all cases, be liable to repay to said city all sums of money that said city may be obliged to pay on any judgment recovered against said city for damages occasioned by any obstructions, or taking up, or displacement of any street by said company whatever, with or without the consent of the city council, together with the counsel fees and other expenses incurred by said city in defending any suit to recover damages as aforesaid, with interest on the same, to be recovered in an action for money paid to the use of said company.

SECT. 4. Whenever the company shall lay down any pipes, conduits or fixtures in any street, or make any alteration or repairs upon its works in any street, it shall cause the same to be done with as little obstruction to the public travel as may be practicable, and shall, at its own expense, without unnecessary delay, cause the earth and pavement removed by them to be replaced in proper condition. It shall not be allowed, in any case, to obstruct or impair the use of the pipes and fixtures of the Portland Gas Light Company, or of the Portland Water Company, or of any public or private drain, or common sewer, or reservoir; but said company shall have the right to cross or, where necessary, to change the direction of any private drain in such a manner as not to obstruct or impair the use thereof, being liable for any injury occasioned by any such crossing or alteration, to the owner thereof, or any other person, and to said city, in an action upon the case.

SECT. 5. If the said company shall be duly organized within three years from the passage of this act, and shall, within that time, have raised and expended at least ten thousand dollars for the objects of its incorporation, and shall have actually commenced the manufacture and distribution of steam, it shall then have and enjoy the franchise and privileges granted it by this act, exclusively, for the term of ten years from the date of its organization, subject to the terms and limitations hereinafter prescribed, and subject to all such regulations and control as may, by law, be exercised over corporations by the judicial tribunals of this state.

SECT. 6. The management of the affairs of the company, and all expenditures made for the purposes authorized by this act, shall be directed by a board of five or seven directors, to be chosen annually.

SECT. 7. At the expiration of the term of ten years named in the fifth section of this act, the city of Portland shall be authorized, upon vote of the city council to that effect, to pay to said company the appraised value of its buildings, works, pipes, fixtures and other property, and upon such payment may take and hold all said property, without any right, privilege or franchise remaining to said company, and may dispose of said property in such manner as the city council shall determine. For the purpose of making the valuation aforesaid, the city council shall, within three months before the expiration of the ten years aforesaid, give notice to the company, and appoint two disinterested persons, and the company shall appoint two other disinterested persons, to be appraisers, and the four persons so appointed shall appoint a fifth disinterested person, to be one of the appraisers. If the company shall neglect or omit, for two months after the notice aforesaid, to appoint appraisers on its part, then the two appraisers appointed by the city council shall be authorized to make the appraisal, and the decision of the appraisers in either case shall be final. And if said company neglects or refuses for the space of one month after an appraisal shall have been made in pursuance of the provisions of this section, and after the said city shall have notified said company of its readiness to take said property at such appraisal, to deliver all its aforesaid property to said city, and to execute good and sufficient conveyances thereof, then said city may take possession of said property and hold the same as hereinbefore provided, being responsible to said company to pay the appraised value aforesaid; and no sale of said property, at any time by said company, in derogation of the rights of said city herein specified, shall be valid, as against the right of the city to take said property as aforesaid.

SECT. 8. If the city of Portland shall not so pay for and take the property of the company at the appraisal so made, then the franchise and privileges hereby granted to said company, shall be continued to it, and shall be held and enjoyed by it exclusively, for a further term of twenty years after the expiration of the ten years aforesaid, subject to the limitation prescribed in the seventh section of this act.

SECT. 9. If said company or any of its servants or officers employed in effecting the objects of the company, shall willfully or negligently place or leave any obstruction in any of the streets of Portland, beyond what is actually necessary in constructing its works, laying down, taking up, and repairing its pipes and fixtures, or shall willfully or negligently omit to repair and put in proper condition any street in which the earth or pavement may have been removed by it, the company shall be subject to indictment therefor, in the same manner that towns are subject to indictment for bad roads, and shall be held to pay such fines as may be imposed therefor.



which fine shall be collected, applied and expended in the same manner as is provided in case of the indictment aforesaid against towns, or may be ordered to be paid into the treasury of the city. If any person shall suffer injury in his person or property, by reason of any such negligence, willfulness or omission, he shall be entitled to recover damages of the company therefor, by an action on the case in any court of competent jurisdiction.

SECT. 10. Nothing contained in this act shall be construed to affect or diminish the liability of said corporation for any injury to private property by depreciating the value thereof or otherwise, but said corporation shall be liable therefor, in an action on the case.

SECT. 11. The first meeting of said corporation may be called by a notice signed by any three of the corporators, published five days successively before the day fixed for such meeting, in any newspaper published in Portland.

SECT. 12. The mayor and aldermen for the time being shall at all times have the power to regulate and control the acts and doings of said corporation, which may in any manner injuriously affect the health, property or safety of the inhabitants of the city.

SECT. 13. This act shall be taken and deemed to be a public act, and shall be in force from and after its approval by the governor.

SECT. 14. Nothing in this act shall be construed to affect or abridge the rights of any parties in said city now having and exercising rights similar to any of those granted by it. [Approved March 9, 1880.]

#### Chapter 203.

AN ACT to provide for the Registry of Deeds from the state.

Be it enacted, &c., as follows:

SECT. 1. A copy from the records now in the land office of a deed from the state, of the land of the state, or of a deed from the state and the commonwealth of Massachusetts, of the undivided lands of the state and said commonwealth, certified by the land agent and approved by the governor, or certified by the secretary of state and approved by the governor, as a true copy of such record, may be filed and recorded in the registry of deeds in the county where the land lies, and shall have the same effect as if the deed itself had been recorded, and certified copies thereof from such registry shall be evidence when the original would be.

SECT. 2. This act shall take effect when approved. [Approved March 9, 1880.]

#### Chapter 206.

AN ACT to authorize Collectors of Taxes to sue in their own names.

Be it enacted, &c., as follows:

Any collector of taxes, or any executor or administrator of a deceased collector of taxes, may, after due notice, sue, in his own name, for any tax in any court competent to try the same.

This act was presented to the Governor, on the third day of March, 1880, and was retained by him for the term of five days, when it was returned to the office of the Secretary of State without his approval.

#### Chapter 207.

AN ACT to amend chapter one hundred and fourteen of the Revised Statutes relating to new trials for Capital Offenses.

Be it enacted, &c., as follows:

Chapter one hundred and fourteen, of the public laws of eighteen hundred and seventy-six, is hereby amended, by adding the following section thereto:

SECT. 3. The supreme judicial court, or any superior court, before which any person has been convicted for an offense, capital, or formerly capital, may be convicted for an offense formerly capital, may either in term time or vacation, when on the petition or motion in writing of such person, it is made to appear to the court that justice may be better done thereby, grant a new trial for any cause for which a new trial may or should be granted. [Approved March 9, 1880.]

#### Chapter 208.

AN ACT to enlarge the powers and duties of the Commissioners of Fisheries and Wardens.

Be it enacted, &c., as follows:

SECT. 1. The powers and duties of the commissioners of fisheries, and wardens, shall extend to all matters pertaining to game, and they shall have the same powers to enforce all laws pertaining to game as they now have in enforcing the laws relating to the fisheries.

SECT. 2. The governor is hereby authorized, with the advice and consent of the council, to appoint wardens, whose duty it shall be to enforce the provisions of all laws relating to game and the fisheries, arrest any person violating such laws, and prosecute for all offenses against the same that may come to their knowledge; and shall have the same power as sheriffs and deputy sheriffs, to serve all criminal processes for violations of the provisions of any law pertaining to game and the fisheries, and shall be allowed for said services the same fees as are prescribed by law for sheriffs and their deputies for like services; and in the execution of their duties they shall have the same right to require aid that sheriffs and their deputies have in executing the duties of their office; and any person refusing or neglecting to render such aid when required, shall forfeit ten dollars, to be recovered upon complaint before any trial justice or municipal court.

SECT. 3. This act shall take effect when approved. [Approved March 9, 1880.]

#### Chapter 209.

AN ACT to repeal chapter twenty-nine of the Public Acts of eighteen hundred and seventy-eight, relating to the Mining Interests of the state.

Be it enacted, &c., as follows:

SECT. 1. That chapter twenty-nine of the public acts of eighteen hundred and seventy-eight, is hereby repealed.

SECT. 2. This act shall take effect when approved. [Approved March 9, 1880.]

#### Chapter 210.

AN ACT to repeal section twenty-five of chapter two of the revised statutes relating to the organization of the legislature.

Be it enacted, &c., as follows:

Section twenty-five of chapter two of the revised statutes is hereby repealed. [Ap. Mar. 11, 1880.]

#### Chapter 211.

AN ACT to authorize the treasurer of the State to procure a loan of three hundred and seven thousand dollars.

Be it enacted, &c., as follows:

That the treasurer of the state, with the advice of the governor, is hereby authorized to procure, on the faith of the state, by issuing the bonds thereof, a loan of three hundred and seven thousand dollars, for the payment of the bonds of the state, which became due on the fifteenth day of August in the year of our Lord, eighteen hundred and eighty, amounting to the same sum. Said bonds shall be dated the fifteenth day of August in the year of our Lord one thousand eight hundred and eighty, reimbursable and payable as follows: one hundred thousand dollars in eleven years, one hundred thousand dollars in twelve years, and one hundred and seven thousand dollars in thirteen years, and bearing interest at the rate of four per cent. a year, payable both principal and interest in Boston, or at the treasury of the State of Maine, at the option of the holder. The treasurer is hereby authorized to issue bonds therefor, in sums not less than five hundred dollars each, with coupons for the interest payable semi-annually. Each bond as aforesaid shall be signed by the treasurer, countersigned by the governor, and attested by the secretary of state, with the seal of the state, but the coupons shall be signed by the treasurer, or the name of the treasurer may be engraved on said coupons, as the governor and council shall direct. The treasurer may advertise for proposals for the loan hereinafter mentioned, in such papers as he shall deem expedient; but said bonds shall not be sold at less than par. [Ap. Mar. 11, 1880.]

#### Chapter 212.

AN ACT to amend chapter fifty-eight of the revised statutes, relating to agricultural societies.

Be it enacted, &c., as follows:

SECT. 1. Chapter fifty-eight of the revised statutes is hereby amended, by adding thereto, the following section, to wit:

SECT. 15. If any person shall sell any refreshments, or other merchandise, or exhibit any show or play, within one-fourth of a mile of the fair grounds of any agricultural society, during the time of any exhibition of said society, unless in the dwelling house, or usual and ordinary place of business of such person, or let any land or building adjoining, or overlooking the fair grounds, of such society, or spectators of any exhibition of said society, during the time of such exhibition, without the written consent of the trustees of said society, he shall be punished by a fine not exceeding one hundred dollars, to be recovered on complaint of two of the trustees, for the use of said society.

SECT. 2. This act shall take effect when approved. [Approved March 11, 1880.]

#### Chapter 213.

AN ACT to punish tramps.

Be it enacted, &c., as follows:

SECT. 1. If any person goes about from place to place begging and asking or subsisting upon charity, it shall be evidence that he is a tramp, and shall, upon conviction, be punished by imprisonment at hard labor in the state prison not more than fifteen months.

SECT. 2. Any tramp who shall enter any dwelling house, or kindle any fire in the highway or on the land of another without the consent of the owner or occupant thereof, or shall be found carrying any fire arm or other dangerous weapon, or shall threaten to do any injury to any person, or to the real or personal estate of another, shall be punished by imprisonment at hard labor in the state prison not more than two years.

SECT. 3. Any tramp who shall wilfully and maliciously do any injury to any person, or to the real or personal estate of another, shall be punished by imprisonment at hard labor in the state prison not more than five years.

SECT. 4. Any act of beggary or vagrancy by any person not a resident of this state, shall be evidence that the person committing the same is a tramp, within the meaning of this act.

SECT. 5. Any person, upon view of any offense described in this act, may apprehend the offender and take him before a trial justice, or judge of any municipal or police court having jurisdiction, for examination.

SECT. 6. The mayor of every city and the selectmen of every town, are hereby authorized to appoint special constables, whose duty it shall be to arrest and prosecute all tramps in their respective cities and towns.

SECT. 7. This act shall not apply to any female or minor under the age of fourteen years, nor to any blind person.

SECT. 8. Upon the passage and approval of this act, the secretary of state shall cause printed copies of it to be sent to the several city and town clerks, who shall cause the same to be posted in at least six conspicuous places, three of which shall be on the public highway.

SECT. 9. All the provisions of this act for penalties and punishments by imprisonment in the state prison, shall be construed to authorize the courts imposing the sentence, to sentence tramps to the state prison for a shorter term than one year, in their discretion. [Approved March 13, 1880.]

#### Chapter 214.

AN ACT to amend chapter one hundred and seventy-nine of the public laws of eighteen hundred and seventy-nine, relating to suits involving tax titles.

Be it enacted, &c., as follows:

Chapter one hundred and seventy-nine of the public laws of eighteen hundred and seventy-nine, is hereby amended so as to read as follows:

"No person contesting the validity of any sale of land for non-payment of taxes, shall be permitted to commence, maintain or defend any action at law or in equity, involving the validity of such sale, until he shall have deposited with the clerk of the court in which such action is to be commenced or defended, the amount of all taxes, interest and costs accruing under such sale, and of all taxes paid after such sale, and interest thereon, to be paid out by order of court to the party legally and equitably entitled thereto." [Approved March 15, 1880.]

#### Chapter 215.

AN ACT giving justices of the peace and of the quorum jurisdiction throughout the state.

Be it enacted, &c., as follows:

Justices of the peace and of the quorum shall be appointed and commissioned by the governor with the advice and consent of the council, to act within and for each and every county throughout the state. All duties and powers now granted by law to, and exercised by, justices of the peace and of the quorum shall be exercised by them in each and every county in the state. [Approved March 15, 1880.]

#### Chapter 216.

AN ACT to incorporate the Steam Heating and Power Company for the city of Bangor.

Be it enacted, &c., as follows:

SECT. 1. Thomas N. Egery, Nathan C. Ayer, Franklin A. Wilson, Moses Giddings, George Varney, N. Gilbert Higgins, Eugene M. Hersey, Charles F. Woodard, their associates, and successors, are hereby constituted a body politic and corporate by the name of the Steam Heating and Power Company for the city of Bangor, and by that name shall have and enjoy all the necessary powers and privileges to effect the objects of their association, and shall be subject to such duties, liabilities and exemptions as are or may be provided by the general laws of this state in case of manufacturing corporations.

SECT. 2. The capital stock of said company shall be not less than thirty thousand dollars, nor more than three hundred thousand dollars, and shall be divided into shares of not exceeding one hundred dollars each. Said company shall have power to erect, establish and maintain in the city of Bangor, suitable works for the manufacture and distribution of steam for heating purposes and power for manufacturing establishments.

SECT. 3. The said company is hereby authorized to lay down, in and through the streets of said city, and to take up, replace and repair, all such pipes, conduits and fixtures as may be necessary for the objects of its incorporation, first having obtained the consent of the city council therefor, and under such restrictions and regulations as said city council may see fit to prescribe; and any obstruction in any street of said city, or taking up, or displacement of any portion of any street without such consent of the city council, or contrary to the rules and regulations that may be prescribed as aforesaid, shall be considered a nuisance, and said company shall be liable to indictment therefor and to all the provisions of law applicable thereto; and said company shall, in all cases, be liable to repay to said city all sums of money that said city may be obliged to pay on any judgment recovered against said city for damages occasioned by any obstruction, or taking up or displacement of any street by said company whatever, with or without the consent of the city council, together with the council fees and other expenses incurred by said city in defending any suit to recover damages as aforesaid with interest on the same to be recovered in an action for money paid to the use of said company.

SECT. 4. Whenever the company shall lay down any pipes, conduits or fixtures in any street, or make any alteration or repairs upon its works in any street, it shall cause the same to be done with as little obstruction to the public travel as may be practicable, and shall at its own expense, without unnecessary delay, cause the earth and pavement removed by it to be replaced in proper condition. It shall not be allowed, in any case, to obstruct or impair the use of the pipes and fixtures of the Bangor Gas Light Company, or of the water pipes of said city, or of any public or private drain, or common sewer, or reservoir; but said company shall have the right to cross or, where necessary, to change the direction of any private drain in such a manner as not to obstruct or impair the use thereof, being liable for any injury occasioned by any such crossing or alteration, to the owner thereof, or any other person, in an action upon the case.

SECT. 5. If the said company shall be duly organized within three years from the passage of this act, and shall, within that time, have raised and expended at least ten thousand dollars for the objects of its incorporation, and shall have actually commenced the manufacture and distribution of steam, it shall then have and enjoy the franchise and privileges granted by this act, exclusively, for the term of thirty years from the date of its organization, subject to the terms and limitations hereinafter prescribed, and subject to all such regulations and control as may, by law, be exercised over corporations by the judicial tribunals of this state.

SECT. 6. The management of the affairs of the company, and all expenditures made for the purposes authorized by this act, shall be directed by a board of five or seven directors, to be chosen annually.

SECT. 7. At the expiration of the term of thirty years named in the fifth section of this act, the city of Bangor shall be authorized, upon the vote of the city council to that effect, to pay to said company the appraised value of the buildings, works, pipes, fixtures and other property, and upon such payment may take and hold all said property, without any right, privilege or franchise remaining to said company, and may dispose of said property in such manner as the city council shall determine. For the purpose of making the valuation aforesaid, the city council shall, within the three months before expiration of the thirty years aforesaid, give notice to the company, and appoint two disinterested persons, and the company shall appoint two other disinterested persons, to be appraisers, and the four persons so appointed shall appoint a fifth disinterested person to be one of the appraisers. If the company shall neglect or omit, for two months after the notice aforesaid, to appoint appraisers on its part, then the two appraisers appointed by the city council shall be authorized to make the appraisal, and the decision of the appraisers in either case shall be final. And if said company neglect or refuse for the space of one month after an appraisal shall have been made in pursuance of the provisions of this section, and after the said city shall have notified said company of its readiness to take said property at such appraisal, to deliver all its aforesaid property to said city, and to execute good and sufficient conveyances thereof, then said city may take possession of said property and hold the same as is hereinafter provided, being responsible to said company to pay the appraised value aforesaid, and no sale of said property, at any time by said company, in derogation of the rights of said city herein specified, shall be valid, as against the right of the city to take said property as aforesaid.

SECT. 8. If the city of Bangor shall not so pay for and take the property of the company at the appraisal so made, then the franchise and privileges hereby granted to said company, shall be continued to it, and shall be held and enjoyed by it exclusively for a further term of twenty years after the expiration of the thirty years aforesaid, subject to the limitation prescribed in the seventh section of this act.

SECT. 9. If said company or any of its servants or officers employed in effecting the objects of the company shall wilfully or negligently place or leave any obstruction in any of the streets of Bangor beyond what is actually necessary in constructing its works, laying down, taking up, and repairing its pipes and fixtures, or shall wilfully or negligently omit to repair and put in proper condition any street in which the earth or pavement may have been removed by them, the company shall be subject to indictment therefor in the same manner that towns are subject to indictment for bad roads, and shall be held to pay such fine as may be imposed therefor, which fine shall be collected, applied and expended in the same manner as provided in the case of the indictment aforesaid against towns, or may be ordered to be paid into the treasury of the city. If any person shall suffer injury in his person or property by reason of any such negligence, willfulness or omission he shall be entitled to recover damages of the company therefor, by an action on the case in any court of competent jurisdiction.

SECT. 10. Nothing contained in this act shall be construed to affect or diminish the liability of said corporation for any injury to private property by depreciating the value thereof or otherwise, but said corporation shall be liable therefor in an action on the case.

SECT. 11. The first meeting of said corporation may be called by a notice signed by any three of the corporators, published five days successively before the day fixed for such meeting, in any newspaper published in Bangor.

SECT. 12. The mayor and aldermen for the time being shall at all times have the power to regulate and control the acts and doings of said corporation, which may in any manner affect the health or safety of the inhabitants of the city.

SECT. 13. This act shall be taken and deemed to be a public act and shall be in force from and after its approval by the governor. [Approved March 15, 1880.]

#### Chapter 217.

AN ACT in Relation to Town and Private Ways.

Be it enacted, &c., as follows:

SECT. 1. Any owner or tenant of land over or across which a town or private way has been or shall be located shall have the same right of appeal or petition as is provided in section twenty-three of the eighteenth chapter of the revised statutes.

SECT. 2. No such way shall be opened or used until the expiration of sixty days from the time it is accepted by the town, and if within that time notice of such appeal or petition shall be filed with

the town clerk, such way shall not be opened or used until finally located by the appellate tribunal.

SECT. 3. This act shall take effect when approved. [Approved March 15, 1880.]

#### Chapter 218.

AN ACT in Relation to Increase of Damages on Location of Ways.

Be it enacted, &c., as follows:

When an appeal is taken on the location of any way, petitions for increase of damages may be filed within sixty days after final decision in favor of such way. [Approved March 15, 1880.]

#### Chapter 219.

AN ACT to amend section two, chapter ninety-four of the Revised Statutes, relating to process of forcible entry and detainer.

Be it enacted, &c., as follows:

SECT. 2. of chapter ninety-four of the revised statutes, is hereby amended by striking out in the tenth line the words, "a third party," and inserting in place thereof the words, "another party," so that said section as amended shall read as follows:

"SECT. 2. All tenancies at will may be determined by either party, by thirty days' notice in writing for that purpose, given to the other party, and not otherwise except by mutual consent, and excepting cases where the tenant is liable to pay rent, and no rent is due at the time the notice expires; when terminated, the tenant is liable to the process aforesaid, without further notice and without proof of any relation of landlord and tenant, unless he has paid, after service of the notice, rent that accrued after the termination of the tenancy. These provisions shall apply to tenancies of buildings erected on land of another party." [Approved Mar. 15, 1880.]

#### Chapter 220.

AN ACT in relation to the compensation and number of the Judges of the Supreme Judicial Court.

Be it enacted, &c., as follows:

SECT. 1. So much of section two of chapter one hundred and twenty-five of the public laws of the year eighteen hundred and seventy-nine, as relates to the compensation and number of the judges of the supreme judicial court, is hereby repealed, and hereafter the compensation and number of said judges shall be the same as they were previous to the passage of the statute aforesaid.

SECT. 2. This act shall take effect when approved. [Approved March 15, 1880.]

#### Chapter 221.

AN ACT to amend section sixteen of chapter forty-eight of the Revised Statutes, relating to the employment of children in Cotton and Woolen Manufactories.

Be it enacted, &c., as follows:

SECT. 1. Section sixteen of chapter forty-eight of the revised statutes is hereby amended by substituting for the word "fifty", between the words "forfeits" and "dollars", in the third line thereof, the words "one hundred"; also, for the word "may", between the words "committees" and "inquire", in the sixth line, and for the words "is to", in the last line, the word "shall", so that said section as amended shall read as follows:

"SECT. 16. Any owner, agent or superintendent of such manufactory, for each violation of the provisions of the preceding section, forfeits one hundred dollars, to be recovered by indictment, one half to the prosecutor and the other to the town where the offense was committed, to be added to its school money. Superintending school committees shall inquire into such violations, and report them to a county attorney, who, on reception thereof, shall prosecute therefor."

SECT. 2. This act shall take effect when approved. [Approved March 15, 1880.]

#### Chapter 222.

AN ACT to further provide for safety of travel on Railroads.

Be it enacted, &c., as follows:

SECT. 1. Any person who shall behave in a disorderly or riotous manner while on a train of cars on any railroad in this state, or shall use indecent or profane language in the cars of such train, shall be deemed guilty of a breach of the peace, and, upon conviction, be liable to a fine of not less than five nor more than five hundred dollars, or imprisonment in the county jail not less than thirty days nor more than one year; but this act shall not relieve such person from any other penalty prescribed by law.

SECT. 2. It shall be lawful for the conductor of a train of cars on any railroad in this state, to arrest and temporarily hold any person guilty of such breach of the peace, until a warrant can be obtained, or he be placed in custody of the proper officers of the law.

SECT. 3. This act shall take effect when approved. [Approved March 16, 1880.]

#### Chapter 223.

AN ACT relating to Ways.

Be it enacted, &c., as follows:

SECT. 1. No private way, town way, city street, or highway, shall hereafter be located, taking any land of any railroad corporation in this state, unless a notice of the time and place of the hearing upon said location shall have been served upon the station agent of said railroad within such town or city, if any there be, and otherwise upon such station agent whose station is nearest the land proposed to be so taken, at least seven days before the time for such hearing.

SECT. 2. This act shall take effect when approved. [Approved March 16, 1880.]

#### Chapter 224.

AN ACT relating to the expenditure of the Public Monies.

Be it enacted, &c., as follows:

SECT. 1. All sums of money appropriated for the various branches of expenditure in the public service shall be applied solely to the objects for which the appropriations are made.

SECT. 2. This act shall take effect when approved. [Approved March 16, 1880.]

#### Chapter 225.

AN ACT concerning the Militia.

Be it enacted, &c., as follows:

SECT. 1. The names of all male citizens of this state between the ages of eighteen and forty-five, shall, biennially, in April, be enrolled alphabetically by the assessors of the several cities, towns and plantations in which they respectively reside. On such enrollments, and opposite the name of every person exempt from military duty, or a minor, or in the volunteer militia, the assessors shall write "exempt," and the reason of such exemption, or "minor," or "volunteer militia," as the case may be. Said lists shall contain the whole number enrolled in their respective cities, towns and plantations, and the number exempt on said rolls. They shall subscribe and make oath to said lists, that, in their opinion, and to the best of their knowledge and belief, they are true. They shall file said lists in the offices of the respective city, town or plantation clerks on or before the first day of May, biennially. The city, town or plantation clerks shall forward to the adjutant general, on or before the tenth day of May, biennially, a certified copy of said roll, and copy the same into an enrollment book kept by them for that purpose.

SECT. 2. All able bodied male citizens enrolled in this state, not exempt by law, and not belonging to the volunteer or reserve militia, shall be known as the enrolled militia of Maine.

SECT. 3. The following persons, being exempted from military duty by the laws of the United States, shall not be included in said enrollment: that is to say, the vice-president of the United States, the officers, judicial and executive, of the government of the United States; members of the houses of congress and their officers; custom-house officers and their clerks; inspectors of exports; pilots and mariners employed in the sea service of a citizen, or merchant within the United States; postmasters, assistant postmasters, and their clerks; post-officers, post riders, and stage drivers in the care and conveyance of the mail of the United States; telegraph operators, and ferrymen employed at any ferry on a post road.

SECT. 4. The following persons are also exempted from military duty, and shall not be included in said enrollment: that is to say, the members of the executive council; judges and clerks of all courts of record; judges and registers of probate; registers of deeds; the attorney general, county attorneys, sheriffs; the secretary, deputy secretary, and treasurer of the state; the attendants upon the insane, employed in the asylum for the insane; keepers of light houses; conductors, engine men, road masters, and superintendents of railroads and railroad trains, necessarily employed in running the same; members and officers of the legislature while in session; persons who have held commissions in the army or navy of the United States, or in the militia of any state for five years, have been discharged, or superseded; persons employed as officers or keepers in the state prison; the officers and keepers of the asylum for the insane; the superintendent of the reform school and his assistants; officers and keepers of jails; common drunkards, pilots, vagabonds, and persons convicted of any infamous crime in this or any other state.

SECT. 5. The reserve and enrolled militia shall not be subject to active duty, except in case of war, or for the purpose of preventing, repelling, or suppressing invasion, insurrection, or riot, or of aiding civil officers in the execution of the law, and then only when the volunteer force shall be insufficient for that purpose.

SECT. 6. When it is necessary for said purposes, the commander-in-chief may order into actual service as many of the reserve and enrolled militia as may be required, by draft or otherwise, and if a draft is to be made, shall issue his orders to the municipal officers to return from their towns or cities the number required; and they shall notify the persons enrolled to appear at a time and place of parade appointed by them, and then and there by draft or voluntary enlistment, procure the required number, and forthwith return their names to the commander-in-chief.

SECT. 7. When a draft is made, each town shall be required to furnish its quota in proportion to the number of its able bodied militia; and members of the volunteer and reserve militia called into active service, and volunteers enlisting from any town, shall be accounted for upon its quota.

SECT. 8. Every person enrolled who is ordered out, or is drafted or volunteers, and fails to appear at the time and place designated by the selectmen for his reporting for duty, or has not then and there an able bodied substitute, shall be dealt with as a soldier absent without leave.

SECT. 9. When in actual service the volunteer, reserved and enrolled militia, shall be organized, by the commander-in-chief, into companies, regiments, brigades and divisions, and proper officers appointed therefor, commissioned officers shall furnish themselves with equipments, and non-commissioned officers and privates shall be armed and equipped by the state.



SECT. 10. Officers and soldiers in actual service shall be governed and trained in accordance with the laws and regulations of the United States for governing the militia when in actual service, and shall receive the same pay as similar grades and arms of the service in the army of the United States.

SECT. 11. Any person knowingly and wilfully refusing information, or giving false information to assessors making such enrollment, respecting the name, age, residence, occupation, military service, or physical or mental disability of himself, or of his son or ward, or person in his employ, or boarding with him, shall be fined twenty dollars; and, if the person incurring such forfeiture is a minor, his parent or guardian shall be liable therefor. In case of doubt as to exemption from military duty, the burden of proving such exemption shall be on the person claiming it; and all enrolling officers may require the persons examined by them to testify under oath, and may administer such oath.

SECT. 12. Any assessor neglecting or refusing to faithfully perform the duty of enrolling officer required by this chapter, or making any false entry upon said roll, or committing any other fraud in making said roll, shall be fined not exceeding two hundred dollars, or imprisoned not exceeding one year. When the adjutant general shall find, from the returns of the assessors in any city, town or plantation, that they have not made a true report of the number of persons liable to do military duty under the provisions of this title, he shall notify them by mail that they have failed to make such report; and if they shall not make true report of the number of such persons, as nearly as the same can be ascertained, within twenty days after such notice, he shall notify the state's attorney in the county in which said assessors reside, who shall proceed at once to collect such fine or enforce such penalty.

SECT. 13. Any town clerk or other officer required to forward a copy of the roll to the adjutant general shall forfeit twenty dollars, and any selectman or other officer required to make any draft or return the names of persons drafted or enlisted to the commander-in-chief, who neglects to make such draft or return, shall forfeit one hundred dollars for each neglect, to be recovered by the adjutant general in a special action on the case, and credited to the account of the volunteer militia.

SECT. 14. The commander-in-chief may make all further rules and regulations necessary for the complete enrollment of the militia, under the provisions of this act, and in accordance with the laws of the United States.

SECT. 15. The active militia shall be known and designated as the Maine volunteer militia; and on a peace footing, shall consist of not more than three regiments of infantry, one battery of light artillery and one squadron of cavalry. All enlistments therein shall be for five years, and made by signing such enlistment books as may be prescribed by the adjutant general and approved by the commander-in-chief. An attested copy of such enlistment book in the same form shall be made by the clerk and forwarded forthwith to the adjutant general. Also, when a new enlistment is made in any troop of cavalry, platoon or battery of light artillery, or company of infantry, the commanding officer thereof shall cause the clerk to forward the name of such man or men so enlisted to the adjutant general. The commanding officer of every troop of cavalry, platoon or battery of light artillery, or company of infantry, or any field or commissioned staff officer of the Maine volunteer militia, may, and is hereby qualified to administer the oath required upon enlistment. No enlistment shall be allowed in the Maine volunteer militia of other than able-bodied citizens of this state, between the ages of eighteen and forty-five years, residing in the town or city, or an adjoining town or city, where the armory of the troop of cavalry, platoon or battery of light artillery, or company of infantry is situated. In time of peace, no minor shall be enlisted into the Maine volunteer militia without the written consent of his parent or guardian. The written consent of the parent or guardian shall be copied into the orderly-book of the organization into which said minor enlists, and the original kept on the file. No uniform, allowance, pay, or compensation shall be given by the state to any enlisted man or officer not certified to by the surgeon or assistant surgeon of the regiment, to be able-bodied and capable of doing military duty. The Maine volunteer militia, herein mentioned, shall be liable at all times to be ordered into active service for the purpose of repelling, preventing, or suppressing invasion, insurrection, or riot, or for aiding civil officers in the execution of the laws; and shall first be called out by the commander-in-chief on all occasions for military service. If such invasion, insurrection or riot, or imminent danger thereof, in any part of the state be so sudden that the commander-in-chief cannot be informed and his orders received and executed in season to resist or suppress the same, any commander of division in such part of the state may order out his division, or any part thereof, as the commander-in-chief might do.

SECT. 16. Troops of cavalry, platoons and batteries of light artillery, and companies of infantry shall be raised on petition to the commander-in-chief, or by his order.

SECT. 17. When a petition for raising such troop, platoon, battery, or company has been signed by not less than sixty citizens of the town where such organization is to be raised, the order for raising the same may be issued, and the adjutant general, on application therefor, shall furnish the petitioners with an enlistment book and roll.

SECT. 18. Such book and roll shall be prepared

by the adjutant general, in form and with heading to be approved by the commander-in-chief, and of a uniform character for all branches of the service. The signing said book, and taking the oath required upon enlistment, shall constitute a valid enlistment for five years into the troop, platoon, battery or company mentioned therein, and no person shall be considered enlisted or entitled to pay or compensation until he is so enlisted.

SECT. 19. When an order has been issued for raising a troop of cavalry or a company of infantry, and fifty persons have been enlisted, or thirty-six men enlisted for a platoon of light artillery, as is required, the petitioners may give notice thereof to the commander-in-chief, who shall issue an order for calling a meeting of the persons who have so enlisted for the election of officers.

SECT. 20. A commissioned officer of the volunteer militia shall be designated to attend and preside at such meeting. Such commissioned officer shall cause reasonable notice to be given to each person who has so enlisted, and at said meeting such officer shall preside.

SECT. 21. At said meeting, the persons present who have so enlisted, may, by ballot, and major vote, nominate suitable persons to be commissioned as captain and subaltern officers of the troop, platoon, battery or company; and the person presiding at said meeting shall within five days thereafter, file in the office of the adjutant general his certificate of such election.

SECT. 22. As soon as said troop of cavalry, platoon or battery of light artillery, or company of infantry is fully organized, the commanding officer shall cause the clerk of said organization to forward an attested copy of its enlistment-book to the adjutant general.

SECT. 23. On a peace footing, each troop of cavalry, company of infantry or heavy artillery, shall be limited to sixty enlisted men; and each platoon of light battery to thirty-five enlisted men; and each full battery, to one hundred and five enlisted men; but, in actual service, when the exigency of the case requires it, the commander-in-chief may, by proclamation, authorize enlistments to the maximum standard of similar organizations in the army of the United States; and when the exigency ceases, he shall, by proclamation, order the reduction of such organizations to the most expedient way, to the limit on a peace footing.

SECT. 24. The date of the organization of a troop of cavalry, platoon or battery of light artillery, or company of infantry, shall be the day of the meeting first held under an order for the election of its officers.

SECT. 25. The volunteer militia shall be arranged by the commander-in-chief into battalions, squadrons, regiments, brigades and divisions; and the commander-in-chief may, from time to time, change the organizations at pleasure.

SECT. 26. Each of said organizations shall be assigned to its respective squadron, battalion, or regiment, and be numbered and lettered at its formation; and the order for its organization and number and for any alterations therein shall be recorded in the office of the adjutant general.

SECT. 27. The squadron of cavalry shall consist of two troops; the battery of light artillery, of not less than three platoons; and regiments of infantry, of not less than eight nor more than ten companies.

SECT. 28. Each colonel of a regiment may enlist a band of musicians, not exceeding twenty-four, including one master and one deputy-master, to be attached to his regiment, and may issue his warrant to the master, deputy master and musicians, provided that the members of such band shall furnish their own uniforms and instruments, and shall be held to duty until discharged by the colonel of the regiment.

SECT. 29. Every non-commissioned officer and private, enlisted into the Maine volunteer militia, shall be held to duty therein for the term of five years, unless disability after enlistment shall incapacitate him to perform such duty, and he shall be regularly discharged in consequence thereof, by the proper authority. The commander of a regiment may, upon the written application of the commander of a company in his regiment, accompanied by a request in writing, signed by a non-commissioned officer or private, discharge such non-commissioned officer or private from the company; and the commander of a battery or separate company may, upon an application in writing, signed by a member thereof, discharge such member; provided, however, that the commander-in-chief may, for sufficient reasons and in his discretion, discharge enlisted men, at any time.

SECT. 30. If a troop of cavalry, platoon or battery of light artillery, or company of infantry, fails to comply with law in regard to uniform, equipments, or discipline, so that it is incapacitated to discharge its duties, or if a troop of cavalry, or company of infantry, is reduced below forty enlisted men, and a platoon of light artillery below twenty enlisted men, or a battery below sixty enlisted men, such organization so deficient in numbers may be disbanded by order of the commander-in-chief.

SECT. 31. The commander-in-chief may, by special order to that effect, accept as a part of the active force any troop of cavalry, platoon or battery of light artillery, or company of infantry, raised without previous order therefor, commission officers elected by them or otherwise appointed, as he may elect, and attach such organization to any existing regiment or other organization at his discretion.

SECT. 32. The same laws, rules and regulations

applying to companies of infantry shall be applicable to companies of heavy artillery.

SECT. 33. The staff of the commander-in-chief shall consist of the adjutant general, who shall be, ex-officio, chief of staff, quartermaster general, and paymaster general, with the rank of brigadier general; an inspector general, with the rank of brigadier general; a commissary general, a surgeon general, a judge advocate general, each with the rank of colonel, and four aids-de-camp, each with the rank of lieutenant colonel; a military secretary with the rank of major, and such other staff officers as the public service may require, with such rank as the commander-in-chief may designate. All staff officers of the commander-in-chief, except the adjutant general and quartermaster general, shall be appointed and commissioned by him, and shall hold office during the term of office of the governor, unless otherwise removed by him, which he may do at his pleasure. The adjutant general and quartermaster general shall be chosen as provided by the constitution.

SECT. 34. The adjutant general shall distribute all orders from the commander-in-chief, attend all public reviews when the commander-in-chief shall review the militia, or any part thereof, obey all orders from him relative to carrying into execution and perfecting the system of military discipline established by the laws of the state and of the United States, furnish blank forms of the different returns and rolls that may be required, and explain the principles on which they should be made, distribute all books required to be furnished at the public expense, receive from the several officers of the different corps throughout the state, returns of the militia under their command, reporting the actual situation of their arms, accoutrements and ammunition, their delinquencies, and every other thing which relates to the general advancement of good order and discipline, all of which the several officers of the divisions, brigades and regiments are hereby required to make in the usual manner, so that the adjutant general may be furnished therewith, and from all said returns he shall make proper abstracts and lay the same annually before the commander-in-chief; and he shall annually, on or before the first Monday in January, make a return in duplicate of the militia of the state, with their arms, accoutrements and ammunition, according to such directions as he may receive from the secretary of war of the United States, one copy of which he shall deliver to the commander-in-chief, and the other of which he shall transmit to the president of the United States.

SECT. 35. The quartermaster general, under the direction and supervision of the commander-in-chief, shall purchase and issue all ordnance stores, artillery, arms and accoutrements, clothing, camp equipage, and military stores generally, except such as are expressly directed by law to be purchased by other officers. He shall, under the orders of the commander-in-chief, procure and provide means of transportation for the militia, and for all its implements, munitions of war and military supplies, and shall be the keeper of the public magazines and of all military property of the state, excepting such as is by law expressly entrusted to the keeping of other officers. He shall give bond to the state in the penal sum of twenty thousand dollars, with two sureties at least, to be approved by the governor and council, conditioned faithfully to discharge the duties of his office; to use all necessary diligence and care in the safe keeping of military stores and property of the state committed to his custody; to account for the same and deliver over to his successor, or to any other person authorized to receive the same, such stores and property. And any other officer to whom any arms, equipments, stores or other property of the state shall at any time be issued, may be required to give a bond to the satisfaction of the governor and council, with the like condition.

SECT. 36. The inspector general shall attend at the encampments provided in this act, and witness the instruction, drill and manœuvres practiced at the encampments, critically observe the same, and make a written detailed report thereon, independent of the report of the commanding officer. Said report shall state the amount and kind of duty performed by the troops on each day, the manner of its performance, the state and condition of each regiment, battery, troop, and company, the degree of order maintained, and shall also contain such suggestions as are deemed important upon the working and efficiency of the system of instruction, drill and discipline prescribed, and of the necessity of further regulation and legislation in order to perfect the military system of the state, and be transmitted to the commander-in-chief within thirty days from the breaking up of such encampments. He shall also make an annual inspection of each troop of cavalry, platoon or battery of light artillery, and company of infantry, and of all other organizations belonging to the volunteer militia, at such time as the commander-in-chief may order; provided, however, that such inspections shall be made on or before the first day of December in each year. He shall also inspect all armories, books, records, and military property in possession of each organization, and report to the commander-in-chief, through the adjutant general, within thirty days of such inspection, the condition thereof.

SECT. 37. The commissary general, under the direction and supervision of the commander-in-chief, shall purchase and issue all military subsistence supplies.

SECT. 38. The surgeon general, under the direction and supervision of the commander-in-chief, shall purchase and issue all medical, surgical and hospital supplies.

SECT. 39. The judge advocate general is charged with the supervision, care and management of all things relating to the administration of justice among the military forces of the state. He shall diligently scrutinize and examine the proceedings of all courts martial and report thereon, for the information of the commander-in-chief. Under the orders of the commander-in-chief the judge advocate general shall act as judge advocate at any court martial where the public interests shall require his attendance. He shall be the legal adviser of the military department upon all legal questions which may arise therein, and to him may be referred for supervision all contracts, agreements, or other instruments to be drawn or executed in the course of the business of this department.

SECT. 40. The adjutant general, quartermaster general, paymaster general, surgeon general, and commissary general shall account, as often as may be required by the commander-in-chief, and at least once yearly to the commander-in-chief, in such manner as he shall prescribe, for all property which shall have passed through their hands, or the hands of the subordinate officers of their respective departments, or that shall be in their care and possession, and for all moneys which they shall expend in discharging their respective duties; and they shall annually, on or before the first day of January, lay before the governor and council, accounts with vouchers, of their expenditures during the previous year.

SECT. 41. Neither the adjutant general, quartermaster general, paymaster general, surgeon general, or commissary general nor any assistant of either of them, nor any subordinate officer of their departments, shall be concerned, directly or indirectly, in the purchase or sale of any article intended for, making a part of, or appertaining to, their respective departments, except for and on account of the state, nor shall they or either of them take or supply to him or their own use any gain or emolument for negotiating or transacting any business in their respective departments, other than what is or may be allowed by law.

SECT. 42. The commander-in-chief, may at his discretion, whenever the office of commissary general or inspector general shall be vacant, assign the duties of such officer to some officer already in commission, until the commander-in-chief shall deem it necessary to fill such office by special appointment.

SECT. 43. The officers of the line shall be elected as follows: Major generals by the senate and house of representatives, each having a negative upon the other; brigadier generals by the written votes of the field officers of their respective brigades; field officers of regiments by the written votes of the captains and subalterns of the companies of the respective regiments; captains and subalterns of companies by the written votes of the non-commissioned officers and privates of the respective companies. Major generals shall be notified of their elections by the secretary of state, and, unless within thirty days after such notice, they signify to the secretary their acceptance of office, shall be taken to have refused the same. Major generals shall order elections to fill all vacancies which occur in their respective divisions, in the office of brigadier general, field officer, captain or subaltern.

SECT. 44. To each division there shall be one major general, one assistant adjutant general, one division inspector, each with the rank of lieutenant colonel; one quartermaster, one commissary, one judge advocate, one aid-de-camp, each with the rank of major, and two aids-de-camp, each with the rank of captain.

SECT. 45. To each brigade there shall be one brigadier general, one assistant adjutant general, one brigade inspector, each with the rank of major; one quartermaster, one commissary and one aid-de-camp, each with the rank of captain, and one aid-de-camp, with the rank of first lieutenant.

SECT. 46. To each regiment of infantry there shall be one colonel, one lieutenant colonel, and one major; one adjutant and one quartermaster, each with the rank of first lieutenant; one surgeon with the rank of first lieutenant, two assistant surgeons with the rank of first lieutenant, one sergeant major, one quartermaster sergeant, one commissary sergeant, one hospital steward, and two principal musicians, and not less than eight nor more than ten companies; each company to consist of one captain, one first lieutenant, one second lieutenant, one first sergeant, four sergeants, six corporals, two musicians, one wagoner, and not less than forty nor more than sixty privates.

SECT. 47. To each regiment of cavalry there shall be one colonel, one lieutenant colonel, three majors; one adjutant, one quartermaster, each with the rank of first lieutenant; one surgeon with the rank of first lieutenant, two assistant surgeons with the rank of first lieutenant, one sergeant major, one quartermaster sergeant, one commissary sergeant, one hospital steward, and two principal musicians, and not less than ten nor more than twelve companies; each company to consist of one captain, one first lieutenant, one second lieutenant, one first sergeant, four corporals, two trumpeters, one wagoner, one farrier, one blacksmith, and one saddler, and not less than forty nor more than sixty privates.

SECT. 48. To each regiment of artillery there shall be one colonel, one lieutenant colonel, three majors; one adjutant and one quartermaster, each with the rank of first lieutenant; one surgeon with the rank of major, two assistant surgeons with the rank of

first lieutenant, one sergeant major, one quartermaster sergeant, one commissary sergeant, one hospital steward, and two principal musicians, and not less than ten nor more than twelve companies. To each battery of light artillery, or company of heavy artillery, there shall be one captain, two first lieutenants, two second lieutenants, one first sergeant, one quartermaster sergeant, six sergeants, twelve corporals, two trumpeters, and seventy-eight privates.

SECT. 49. To each company of engineers there shall be one captain, two first lieutenants, one second lieutenant, ten sergeants, ten corporals, two musicians, sixty-four artificers, and sixty-four privates.

SECT. 50. To each company, troop or battery, there shall be elected by such organization a treasurer, who shall give bonds in the sum of five hundred dollars, for the faithful performance of his duties.

SECT. 51. Any officer may be discharged by order of the commander-in-chief, upon either an address of both houses of the Legislature, the report of a court of inquiry, or the sentence of a court martial.

SECT. 52. An officer may be honorably discharged by the commander-in-chief upon tender of resignation, upon the disbandment of the organization to which he belongs, or, if a staff officer, upon the written request of the officer appointing him, or upon the qualification of his appointed successor; or when he shall accept an appointment in the army or navy of the United States.

SECT. 53. Any officer may be dismissed by the commander-in-chief, when it shall appear to him that such officer has been convicted of any crime, or has been dishonorably discharged or dismissed from the service of the United States, or from the militia of this or any other state; or to carry out the sentence of a court martial.

SECT. 54. All officers discharged from the service of the state shall be entitled to receive a certificate of such discharge in such form as the commander-in-chief shall direct.

SECT. 55. Enlistments in the reserve militia shall be for two years.

SECT. 56. The governor and commander-in-chief may allow companies to be organized from the enrolled militia of the state, in numbers of not less than forty nor more than sixty enlisted men, and with officers corresponding to those of the volunteer militia, and elected as officers of such volunteer militia are elected; such companies to be known as the reserve militia of the state.

SECT. 57. Such companies may be formed into battalions, regiments and brigades by the governor and commander-in-chief, with such officers for such organizations as he may deem proper; the officers of such companies, battalions, regiments and brigades to be commissioned by the governor.

SECT. 58. Such companies may be furnished with arms and equipments and other military property necessary for their use, by the state, when on hand, such property to be accounted for the same as by the volunteer militia, but the reserve militia shall be to no other expense to the state except when ordered out by the governor and commander-in-chief; when so ordered out by the governor and commander-in-chief, such reserve militia shall be governed by all the rules and regulations governing the volunteer militia.

SECT. 59. An enlisted man of the reserve militia may be discharged at any time by the commanding officer of his company, with the consent of the commanding officer of the battalion or regiment to which he may be attached.

SECT. 60. The assistant adjutant general of each division and brigade, and the adjutant of each regiment or corps, shall constantly keep a correct roster of the command to which he belongs, and an orderly book in which he shall record all orders received and issued.

SECT. 61. Clerks of companies shall record in the orderly book all company orders and notifications.

SECT. 62. Each quartermaster shall keep an orderly book and record therein all orders and official communications received or written by him, relating to his office or the public property in his charge, all receipts for public property distributed and returns of public property made by him.

SECT. 63. The commanding officer of each troop, platoon, battery or company, on the first Tuesday of April in each year, shall make and sign a correct return, in the form prescribed, of the number of persons enrolled in his troop, platoon, battery or company, and cause the same to be recorded in the orderly book of his command, signed by the clerk, and transmitted to the adjutant of the regiment or battalion.

SECT. 64. He shall at the same time make and sign a correct return, in the form prescribed, of the camp equipage, ordnance, military stores, musical instruments, and other public property in his troop, platoon, battery or company, furnished by the state, cause the same to be signed and recorded by the clerk, and transmitted to the quartermaster of his regiment.

SECT. 65. The clerk shall assist the officer in command in making his returns, and shall sign and record the same in his orderly book.

SECT. 66. The clerk of each troop, platoon, battery or company, shall, when called upon, file with the selectmen or assessors of any town, city or plantation in which any officer or soldier of his troop, platoon, battery or company, is liable to be enrolled, a certified list of such officers and soldiers; and a certified copy of such certificate shall be evidence of the enrollment, in said troop, platoon,

battery or company, of the persons named in said lists.

SECT. 67. The adjutant of each regiment or battalion shall furnish the commander of each troop, platoon, battery or company assigned to the regiment or battalion of which he is adjutant, with blank forms of returns to be made by them, and explain how they are to be made; shall consolidate the returns made to him into a regimental return, record the same in his orderly book, and transmit the same, countersigned by the colonel, to the assistant adjutant general of the brigade or division, and keep on file the returns made to him; the assistant adjutant general shall consolidate the returns made to him into a brigade or division return, record the same in his orderly book, and transmit the same to the adjutant general, and shall keep on file in his office a copy of the same.

SECT. 68. The quartermaster shall consolidate the returns made to him into a regiment or battalion return, add thereto the public property in his keeping, record the same in his orderly book, and transmit it, countersigned by the colonel, to the brigade or division quartermaster, who shall consolidate all returns made to him, add thereto all public property in his keeping, record the same in his orderly book, and transmit it, countersigned by the brigade or division commander, to the quartermaster general, and keep on file the returns made to him.

SECT. 69. The returns of troops, platoons, batteries and companies shall be made to the adjutants and quartermasters on or before the first Tuesday of December in each year, and the returns of adjutants and quartermasters on or before the third Tuesday of December, annually; and the assistant adjutant general and brigade or division quartermaster shall forward their returns to the adjutant general and quartermaster general on or before the first day of January in each year; and any officer neglecting to make such return, within the time required, shall forfeit twenty dollars; but such forfeiture may be remitted by the commander-in-chief, when, upon a report of the facts by the adjutant general, he deems the neglect excusable.

SECT. 70. The adjutant general shall, as soon as may be, examine and record the brigade or division returns, and transmit the same to the commander-in-chief, and a duplicate thereof to the secretary of war of the United States.

SECT. 71. He shall examine and record the returns of the quartermaster, add thereto all public property in his possession or issued to regimental quartermasters, or not otherwise accounted for, and record and transmit the same to the commander-in-chief.

SECT. 72. All commissioned officers shall provide themselves with such uniforms and arms complete, as the commander-in-chief shall prescribe, subject to such restrictions, limitations and alterations as he may order. The uniforms, arms and equipments of non-commissioned officers and privates shall be furnished by the state.

SECT. 73. Every officer and soldier shall hold his uniform, arms, ammunition and accoutrements required by law, free from all suits, distresses, executions or sales, for debt or payment of taxes.

SECT. 74. Non-commissioned officers and privates shall be uniformed once in five years, at the expense of the state, reckoning from May first, eighteen hundred and eighty; provided, however, that such uniforms as are in suitable condition on said date, may be used in part, to uniform said militia.

SECT. 75. The uniforms, arms, equipments and other property so furnished, shall remain and continue to be the property of the state, to be used for military purposes only; and such as shall not have been properly expended in such use, shall be returned, when called for by proper authority.

SECT. 76. All arms, equipments and military property of every description, which shall be furnished to the several commands under the provisions of this act, shall be deposited in safe keeping, or headquarters of said commands for safe keeping.

SECT. 77. It shall be the duty of every non-commissioned officer and soldier, to return to the armory, or other place of deposit, each article of military property of the state, issued to and received by him, for use in the military service, within three days after such tour of duty, or forthwith upon the order of the commanding officer; and the possession of such property by the person to whom it was issued, elsewhere than in the armory or designated place of deposit, shall be deemed and taken to be evidence of property by the person to whom it was issued, of property by the person to whom it was issued, upon military duty, or by special permission of his commanding officer, any uniform or other article of military property belonging to the state.

SECT. 78. Every officer, non-commissioned officer, and soldier, to whom a uniform or other article of military property shall be delivered in pursuance of the provisions of this act, shall be held personally responsible for its care, safe keeping, and return; he shall wear the same for military purposes only, and upon receiving a discharge, or leaving the military service, or upon the demand of his commanding officer, shall forthwith surrender and deliver up the said uniform, together with all other articles of military property that may be in his possession, to the said commanding officer, in a good condition and condition as the same were at the time he received the same, reasonable use and ordinary wear thereof excepted.

SECT. 79. Any soldier who shall wilfully or maliciously destroy, injure or deface any article of military property belonging to the state, or shall retain any property in violation of the preceding section, shall be liable to punishment.

SECT. 80. The clerk of each troop, platoon, battery or company, shall, when called upon, file with the selectmen or assessors of any town, city or plantation in which any officer or soldier of his troop, platoon, battery or company, is liable to be enrolled, a certified list of such officers and soldiers; and a certified copy of such certificate shall be evidence of the enrollment, in said troop, platoon,

battery or company, of the persons named in said lists.

SECT. 81. The adjutant of each regiment or battalion shall furnish the commander of each troop, platoon, battery or company assigned to the regiment or battalion of which he is adjutant, with blank forms of returns to be made by them, and explain how they are to be made; shall consolidate the returns made to him into a regimental return, record the same in his orderly book, and transmit the same, countersigned by the colonel, to the assistant adjutant general of the brigade or division, and keep on file the returns made to him; the assistant adjutant general shall consolidate the returns made to him into a brigade or division return, record the same in his orderly book, and transmit the same to the adjutant general, and shall keep on file in his office a copy of the same.

SECT. 82. The quartermaster shall consolidate the returns made to him into a regiment or battalion return, add thereto the public property in his keeping, record the same in his orderly book, and transmit it, countersigned by the colonel, to the brigade or division quartermaster, who shall consolidate all returns made to him, add thereto all public property in his keeping, record the same in his orderly book, and transmit it, countersigned by the brigade or division commander, to the quartermaster general, and keep on file the returns made to him.

SECT. 83. The returns of troops, platoons, batteries and companies shall be made to the adjutants and quartermasters on or before the first Tuesday of December in each year, and the returns of adjutants and quartermasters on or before the third Tuesday of December, annually; and the assistant adjutant general and brigade or division quartermaster shall forward their returns to the adjutant general and quartermaster general on or before the first day of January in each year; and any officer neglecting to make such return, within the time required, shall forfeit twenty dollars; but such forfeiture may be remitted by the commander-in-chief, when, upon a report of the facts by the adjutant general, he deems the neglect excusable.

SECT. 84. The adjutant general shall, as soon as may be, examine and record the brigade or division returns, and transmit the same to the commander-in-chief, and a duplicate thereof to the secretary of war of the United States.

SECT. 85. He shall examine and record the returns of the quartermaster, add thereto all public property in his possession or issued to regimental quartermasters, or not otherwise accounted for, and record and transmit the same to the commander-in-chief.

SECT. 86. All commissioned officers shall provide themselves with such uniforms and arms complete, as the commander-in-chief shall prescribe, subject to such restrictions, limitations and alterations as he may order. The uniforms, arms and equipments of non-commissioned officers and privates shall be furnished by the state.

SECT. 87. Every officer and soldier shall hold his uniform, arms, ammunition and accoutrements required by law, free from all suits, distresses, executions or sales, for debt or payment of taxes.

SECT. 88. Non-commissioned officers and privates shall be uniformed once in five years, at the expense of the state, reckoning from May first, eighteen hundred and eighty; provided, however, that such uniforms as are in suitable condition on said date, may be used in part, to uniform said militia.

SECT. 89. The uniforms, arms, equipments and other property so furnished, shall remain and continue to be the property of the state, to be used for military purposes only; and such as shall not have been properly expended in such use, shall be returned, when called for by proper authority.

SECT. 90. All arms, equipments and military property of every description, which shall be furnished to the several commands under the provisions of this act, shall be deposited in safe keeping, or headquarters of said commands for safe keeping.

SECT. 91. It shall be the duty of every non-commissioned officer and soldier, to return to the armory, or other place of deposit, each article of military property of the state, issued to and received by him, for use in the military service, within three days after such tour of duty, or forthwith upon the order of the commanding officer; and the possession of such property by the person to whom it was issued, elsewhere than in the armory or designated place of deposit, shall be deemed and taken to be evidence of property by the person to whom it was issued, of property by the person to whom it was issued, upon military duty, or by special permission of his commanding officer, any uniform or other article of military property belonging to the state.

SECT. 92. Every officer, non-commissioned officer, and soldier, to whom a uniform or other article of military property shall be delivered in pursuance of the provisions of this act, shall be held personally responsible for its care, safe keeping, and return; he shall wear the same for military purposes only, and upon receiving a discharge, or leaving the military service, or upon the demand of his commanding officer, shall forthwith surrender and deliver up the said uniform, together with all other articles of military property that may be in his possession, to the said commanding officer, in a good condition and condition as the same were at the time he received the same, reasonable use and ordinary wear thereof excepted.

SECT. 93. Any soldier who shall wilfully or maliciously destroy, injure or deface any article of military property belonging to the state, or shall retain any property in violation of the preceding section, shall be liable to punishment.



tions, shall be punished by a fine not exceeding forty dollars, to be paid into the treasury of the company, to be recovered on complaint of the clerk of the company, before any court having jurisdiction.

SECT. 81. It shall be the duty of all commissioned officers of the militia to exercise the strictest care and vigilance for the preservation of the uniforms, arms, equipments and military property furnished to the several commands under the provisions of this act; and in case of loss thereof, or damage thereto, by reason of the neglect or default of such officers, or either of them, to exercise such care and vigilance, he or they shall be liable to trial by court martial for neglect of duty.

SECT. 82. Whenever any corps or detachment of the militia is ordered to perform any duty requiring the use thereof, the quartermaster general shall deliver to the commanding officer of such corps or detachment, such tents, fixtures and other camp equipment, and such ammunition as may be necessary for the discharge of such duty; and each officer to whom such equipment is delivered, shall be responsible for the safe keeping of the same, and shall return the same to the quartermaster general when the duty shall have been performed for which the same was issued, and in case of the discharge or death of such officer, he or his legal representative shall be released from such responsibility upon filing in the office of the quartermaster general a certificate of the officer succeeding him in command, that the articles so furnished are in his custody at the date of his certificate, and in good order and condition, reasonable use and wear thereof excepted, and the officer giving such certificate shall from that time be responsible for such articles as if they had been originally issued to him. In case of the discharge or death of such officer, he or his legal representative shall be relieved from such responsibility, upon filing in the office of the quartermaster general a certificate signed by not less than two commissioned officers of his company, that such articles are, at the date of the certificate, undiminished in quantity and value, reasonable use and wear thereof excepted.

SECT. 83. Each regiment shall be furnished by the state with the national and state colors, their staffs, belts and sockets, two guidons, and four markers; and such company of cavalry, and each battery of light artillery, with its proper guidon, staff, belt and socket, and the commander of such regiment, battery or company, shall be responsible for their safe keeping.

SECT. 84. The mayor and aldermen and selectmen shall provide to each company of the volunteer militia within the limits of their respective places, a suitable armory or place of deposit for the arms, equipments and equipment, furnished it by the state. When a company is formed from different places, the location of such armory or place of deposit shall be determined by the commanding officer with the approval of the commander of the regiment, but when it has been once so determined it shall not be again changed without the approval of the quartermaster general. They shall also provide a suitable room for the safe keeping of books, the transaction of business, and the instruction of officers for each regiment or separate battalion of Maine volunteer militia located within their limits, and a reasonable compensation for any such armory, headquarters, or place of deposit, not exceeding the sum of one hundred dollars per annum may be allowed to the town or city so furnishing such armory, headquarters, or place of deposit, and paid from the state treasury.

SECT. 85. The volunteer militia shall parade by companies on the first Tuesday in May for inspection, company drill and maneuvers. They shall also be assembled for drill not less than three hours in each month.

SECT. 86. Mayors and aldermen and selectmen shall provide suitable places for the parade, target practice and drill of the militia belonging to their respective cities and towns.

SECT. 87. The officer commanding the troops to be encamped may contract for the use of the land required for the encampment, at a reasonable rent to be paid therefor.

SECT. 88. Every commanding officer, when on duty, may ascertain and fix necessary bounds and limits to his parade, not including a road, so as to prevent passing, within which no spectator shall enter without leave from such commanding officer. Whoever intrudes within the limits of the parade, after being forbidden, may be confined under guard not exceeding twelve hours, at the discretion of the commanding officer; and whoever resists a sentry who attempts to put him or keep him out of such limits, may be arrested by order of the commanding officer and carried before a court or magistrate, to be examined or tried upon complaint for such assault or disturbance and breach of the peace.

SECT. 89. The authority of the officer in command of any camp may be extended by order of the commander-in-chief to a distance of one-half mile around such camp, and upon the external space within such distance from the camp, with the exception of any road or roads within said distance, no person or persons other than the owners of the same, with their servants, for the purpose of occupying and improving the same in the same manner and way in which they occupied and improved the same at the time of the establishment of such camp, shall be allowed to enter, except under such rules as shall be established by the officer commanding such camp, with the approval of the commander-in-chief, or by special

permission of the officer in command, for the time being, or some officer by him designated; and if any person shall so enter he may be immediately expelled, and before being expelled he may, at the discretion of the officer commanding such camp, be confined under guard for a period not exceeding twenty-four hours.

SECT. 90. The commander-in-chief may order such target or rifle practice, at the annual encampment or at other times, by companies, platoons, batteries, battalions or regiments, as he deems for the best interest of the service.

SECT. 91. When a troop, platoon, battery, or company is to be paraded, the commander shall issue his orders to one or more of the sergeants if any, otherwise to one or more corporals or privates of his troop, platoon, battery or company, requiring them to warn the officers, non-commissioned officers, musicians and privates, to appear at the time and place appointed for parade.

SECT. 92. Such sergeants, corporals or privates shall warn every person, by delivering to him in person, or leaving at his abode, a written or printed order, at least four days previous to the time of such parade.

SECT. 93. The return under oath of the sergeant, corporal or private upon the order directed to him stating that such notice was given, or a copy of the record of such order, and return in the company books, certified by the clerk, is evidence that due notice was given of such parade.

SECT. 94. The captain or any commissioned officer shall be qualified, by virtue of commission, to administer such oath upon any return or military order.

SECT. 95. Any sergeant, corporal or private, convicted of wilfully making a false return shall be punished as in other cases of perjury.

SECT. 96. If any sergeant, corporal or private shall neglect or refuse to warn any officer, non-commissioned officer, musician or private, whom he is ordered to warn, he shall forfeit the sum of two dollars for each person not warned.

SECT. 97. If any non-commissioned officer, musician or private, is confined to his house by sickness at the time of any training or encampment, or is absent from town at the time he is warned, and remains absent till after such training or encampment, or has any other reasonable excuse, the commander may excuse him for non-appearance.

SECT. 98. No excuse shall be received unless the same is made in writing, and filed with the clerk within ten days after such training or encampment, and recorded in the clerk's orderly book, unless it is proved, that, by reason of continued sickness or absence, such officer or soldier was unable to make the same within that time, and that the same was made immediately on his return or recovery.

SECT. 99. No evidence of any disability by reason of bodily infirmity or debility, except in case where the party is confined to his house by sickness, shall be admitted in any case, except the certificate of the surgeon or assistant surgeon of the regiment or battalion, or, if there is no surgeon or assistant surgeon located in the town or city where the party is confined on account of such disability, an affidavit of a physician in good and regular standing, and practicing medicine under the laws of the state, regularly sworn to before any officer qualified to administer oaths, may be admitted.

SECT. 100. The adjutant general shall act as paymaster general, and shall have the general charge and supervision of all expenses, and pay for the militia in the service of the state.

SECT. 101. There shall be paid, for attendance and performance of duty, to such officers, non-commissioned officers, musicians and privates, as shall be specially ordered to attend encampments, parades or on duty, as is provided in this law, the following sum each per day, for every day actually on duty.

To a major or brigadier general, six dollars; to all division and brigade staff officers, four dollars; to all commanding officers of regiments, five dollars; to all field officers below the rank of colonel, four dollars; to all regimental staff officers, and the staff officers of a battalion, two dollars and fifty cents; and to all non-commissioned staff officers, one dollar and fifty cents; to captains, three dollars; to lieutenants, two dollars; to all non-commissioned officers, musicians and privates, members of regimental bands excepted, one dollar.

SECT. 102. The adjutant general shall receive as compensation for his services, the annual salary now provided by law, or to be fixed from time to time by the legislature.

SECT. 103. The inspector general shall receive for his services the sum of four dollars per day for the time necessarily employed in making inspections, when ordered by the commander-in-chief, and all necessary expenses incurred.

SECT. 104. The commissary general, surgeon general, judge advocate general, and other officers on the staff of the commander-in-chief shall receive four dollars per day when on duty.

SECT. 105. To each member of regimental bands, there shall be paid, as compensation for services and subsistence, when ordered out by the regimental commander to do duty, the sum of two dollars per day.

SECT. 106. There shall be allowed for each horse actually employed by officers required to be mounted, three dollars per day; for horses used in the cavalry, for non-commissioned officers and orderlies when required, two dollars per day; and for each draft horse employed in batteries of light artillery, not exceeding sixteen to each platoon, the

sum of two dollars per day, which shall be in full for use, keeping and forage.

SECT. 107. Division and brigade assistant adjutant generals, and inspectors, and adjutants of regiments of the Maine volunteer militia, shall receive twenty-five dollars annually, in addition to their pay as herein provided.

SECT. 108. Transportation shall be furnished by the state, through the quartermaster general, to and from the place of encampment, parade or other duty, when troops are ordered out by the commander-in-chief.

SECT. 109. Officers obliged to go out of the city or town of their residence to attend a military election, shall be allowed five cents a mile, each way, for travel.

SECT. 110. The militia, when ordered into camp or on special duty, shall be furnished with rations by the state.

SECT. 111. The militia, when called into actual service for more than six days, shall receive the same pay and rations as the regular troops of the United States; and the rations, when commuted, shall be valued at the rate fixed by the regulations of the United States in force at the time.

SECT. 112. Any officer, non-commissioned officer, musician, or private, who neglects, after due notice, to appear at any training, inspection or review, or who is at any time absent from his guard, troop, platoon, battery or company, without leave from the commanding officer, before such guard, troop, platoon, battery or company is dismissed, shall be fined not less than three nor more than ten dollars.

SECT. 113. Any non-commissioned officer, musician or private who, after due notice, neglects or refuses to appear at any training, inspection or review, with the uniform, arms and equipments of his troop, platoon, battery or company, shall be fined five dollars; if the offense is committed at any encampment, and three dollars if at any company training.

SECT. 114. A soldier who unnecessarily, or without order from a superior officer, comes to any parade with his musket, rifle or pistol loaded with ball, slug or shot, or shall so load the same while on duty, or unnecessarily, or without order from a superior officer, discharges the same when going to or returning from, or upon parade, shall forfeit not less than five nor more than twenty dollars; to be recovered on complaint of the clerk to the use of the company.

SECT. 115. A soldier behaving with contempt toward an officer, or conducting himself in a disorderly manner, or exciting or joining in any tumult or riot, or being guilty of unmilitary conduct, disobedience of orders, or neglect of duty when under arms or on duty, shall forfeit not less than ten nor more than forty dollars; to be recovered as provided in the preceding section.

SECT. 116. Any officer, non-commissioned officer, musician or private, who, after due notice, neglects to obey any legal order to turn out and march for the suppression of a riot, or in case of an invasion or threatened invasion, or to enforce the execution of the laws of the state, or the United States, or when out refuses to obey the command of his superior officers, shall be fined not more than five hundred dollars or imprisonment not more than two years. Courts martial ordered by the commander-in-chief shall have jurisdiction of officers described in this section.

SECT. 117. The clerk of each troop, platoon, battery or company shall make in his orderly-book a record of all persons who have incurred a fine at each training or encampment, specifying their offenses, which shall be signed by the commander and clerk; and the same or a certified copy thereof is evidence of such offense, but other evidence relating thereto may be received.

SECT. 118. Fines and forfeitures incurred by members of the volunteer militia shall be collected in the following manner, to wit: The clerk of each company, after the expiration of twenty days, and within forty days after the parade, election of officers, inspection, training, review, encampment, or other duty, shall in those cases when fines are to be collected upon his complaint, make and subscribe an information against the offending soldiers or non-commissioned officers who have not been excused by their commander, or who have not within the twenty days aforesaid paid to him the forfeiture they have incurred, which information shall be left with some trial justice or filed in some police or municipal court in the county in which the offender resides. Such information shall be in substance as follows:

To A. B., Esq., trial justice within and for the county of ——— or to the justice of the police or municipal court within and for ———, I, the subscriber, clerk of the company commanded by ———, do hereby give information against the following person or persons who, being duly enrolled in said company, and being duly notified to meet with said company, on the ——— day of ———, in the year ———, for inspection or review, election of officers, special duty, or as the cause may be, was guilty of the offenses, and did incur the forfeitures set against his name:

Names.	Offense.	Forfeiture.	Sums.
A. B., non-commissioned officer.	For unnecessarily neglecting to appear on said day.	has forfeited —	—
C. D., private.	For being delinquent on said day.	has forfeited —	—
E. F.,	For being on said day, guilty of coming on to the parade with his arms loaded.	has forfeited —	—
G. H.,			

I. K.

L. M.

(And in the same manner, substantially, all other offenses are to be set forth against offending non-commissioned officers and privates.)

I, therefore, agreeably to my oath of office, and in compliance with the regulations of the law in this behalf, request you to issue a summons, directed to the person named in the above information, to appear before you, and show cause, if any he has, why it should not be adjudged that he pay the forfeiture set against his name, for the offense which he is therein alleged to have committed.

Dated at ———, this day of ———, in the year ———, A. B., clerk of the company.

Commanded by ———. The justice or court shall file the same; and upon motion of the clerk shall, within nine months, and not afterwards, issue a summons to each person informed against, to be served at least seven days before the time appointed for showing cause. The summons, if issued by a trial justice, shall be in substance as follows:

SECT. 119. To the sheriff of said ——— county, or either of his deputies, or either of the constables of the town of ———, in the county aforesaid, greeting:

In the name of the state of Maine, you are hereby required to summon C. D., of ———, in the county aforesaid, to appear before me, E. F., one of the trial justices within and for the county aforesaid, at ———, in ———, on the ——— day of ———, at ——— of the clock in the ——— noon, then and there to show cause, if any he has, why judgment should not be rendered, that he has forfeited ——— for (here insert the offense, and the time when and place where it was committed). Hereof fail not, and make due return of this writ, and your doings thereon, unto myself, on or before the said hour of the day of ———.

Dated at ———, aforesaid, the ——— day of ———, in the year ———, E. F., Trial Justice.

If issued from a police or municipal court, as follows:

STATE OF MAINE.

SECT. 120. To the sheriff of the county of ———, or either of his deputies, or either of the constables of the town of ———, in said county, greeting:

We command you to summon C. D., of ———, in said county, to appear before ———, judge of our police (or municipal) court of ———, to be held at ———, within and for our ———, on ———, then and there to show cause, if any he has, why judgment should not be rendered, that he has forfeited ——— for (here insert the offense, and the time and place where it was committed). Hereof fail not, and have you there this writ with your doings thereon.

Witness, W. S., Esq., at ———, on the ——— day of ——— year ———, T. P., Clerk (or Recorder). (Or witness my hand and seal at ———, on the ——— day of ———, in the year of our Lord ———, A. B., Justice of such Court.)

When the person summoned appears, he may plead that he is not guilty, and give any special matter in evidence.

Upon the trial of such complaint, made by the clerk of a company, it shall be sufficient for the complainant, to prove that he is clerk of the company; for which purpose he shall produce his warrant as a non-commissioned officer, and prove the signature thereto of the colonel or commanding officer, and that at the time of signing such warrant he was reputed to be and acted as such colonel or commanding officer, which shall be prima facie evidence that such complainant was appointed a non-commissioned officer by the captain or commanding officer of such company, and that a legal return of such appointment was made to the colonel or commanding officer of the regiment. He shall then show, upon the back of his warrant, a legal certificate of his appointment as clerk, and qualification as such by taking the oaths required by law.

For which purpose he shall procure the signature of the captain or commanding officer of such company, and that he is such captain or commanding officer, by producing his commission as such; but if the clerk is appointed clerk pro tempore, his appointment may be proved by the records of his company. He shall then produce the roll of the company, and prove that the defendant resided within the limits of the company, and was enrolled or enlisted therein at the time he was notified of such meeting. He shall then produce the order of the commanding officer of such company to notify the said meeting or meetings thereof, and prove his signature thereto, and that the defendant was legally notified of the time and place of such meeting or meetings. If it is required by law that the order for such military duty shall in such case be given by any officer, superior to the commanding officer of a company, then the orders of such superior officer, and all intermediate orders of officers transmitting the same to the commanding officer of the company shall be proved, and that the persons purporting by such orders to be such officers, are such; for which

purpose, it shall be sufficient to produce the transmitted written or printed copies of such orders, and the regimental or other last order transmitting the same to the commanding officer of the company, to prove the signature of the proper officer to such regimental or other last order, transmitting the same; and to prove that all the officers above mentioned are reputed to be such officers and act as such. The absence or offense of the defendant shall then be proved, to show that he is liable to the fine alleged to be incurred by him; and, in case of absence, the burden of proof shall be upon him to show that his absence was necessary. The evidence above described shall be taken to be prima facie sufficient to support the complaint. When it appears that a document or paper above mentioned cannot be produced, satisfactory secondary evidence thereof shall be received. Upon the hearing of such case, the testimony of the clerk, or other person who was ordered to notify the whole or part of the company, shall be prima facie evidence of notice to the defendant and that he neglected to appear. If the defendant makes default, or judgment is rendered against him, and he neglects for two days after to satisfy the same with legal costs, execution shall be issued therefor; which execution issued by a trial justice, shall be in substance as follows, but if by a police or municipal court, shall be so altered as to conform to the summons:

STATE OF MAINE.

SECT. 121. To the sheriff of such county, or either of his deputies, or either of the constables of the town of ———, in the same county, greeting:

Whereas, E. L., clerk of the company commanded by ———, in said county, on the ——— day of ———, before J. D., Esquire, one of our trial justices for our county aforesaid, recovered judgment against T. P., of ———, for the sum of ——— fine or forfeiture, and ——— costs of prosecution, as to as appears of record whereof execution remains to be done. We command you, therefore, that of the money of the said T. P., or of his goods or chattels, within your precinct, at the value thereof in money, you cause to be levied, paid and satisfied, unto the said E. L., the sums aforesaid, being ——— in the whole, and also out of the money, goods and chattels of the said T. P., you levy twenty-five cents more for this writ, together with your own fees; and for want of such money, goods or chattels of said T. P., to be by him shown unto you, or found within your precinct to the acceptance of the said E. L., for the aforesaid sums, we command you to take the body of the said T. P., and him commit unto our jail in ———, and we command the keeper thereof accordingly to receive the said T. P. into our said jail, and him safely keep until he pay the full sums above mentioned, with your fees, so that he be discharged by the said E. L., or otherwise, by order of law. Hereof fail not, and make return of your doings thereon unto our said justice, within twenty days next coming.

Witness, our said justice at ———, the ——— day of ———, in the year one thousand ———, J. D., Trial Justice.

The complaint or summons may be amended in any stage of the proceedings without payment of costs; and the defendant shall be allowed an adjournment or continuance of the case, if justice requires it. The clerk shall not be liable to pay costs to a defendant in a case in which the commanding officer of his company has certified, upon the information of the clerk, his approval of the same. And no appeal shall be allowed from any judgment, unless the forfeiture adjudged exceeds ten dollars, exclusive of costs. A complaint, by any other officer, shall be prosecuted in the like manner so far as the same is applicable thereto, the forms being varied accordingly; and he shall prove his authority by producing his commission, and other competent evidence which may be necessary.

SECT. 119. The clerk of each company, or other officer prosecuting such complaint, shall retain to his own use, from the forfeitures so collected, the amount of the expenses incurred by him in prosecuting the same, and upon demand, pay the remainder to the treasurer of the company, regiment or corps entitled to the benefit thereof, who shall give his receipt therefor, and expend the same in defraying such expenses of the company, regiment or corps, as a majority of the commissioned officers thereof shall judge necessary. All captains or commanders of companies, and all other officers authorized by this act to direct or control the collection of fines, shall report annually to the adjutant general, through the usual channels of military communication, the amount of fines imposed, the amount collected, and the disposition thereof.

SECT. 120. Whenever it shall be necessary to call out any of the enrolled militia for active duty, the commander-in-chief shall direct his order to the mayor and aldermen of cities, or to the selectmen of towns, who upon the receipt of the same, shall forthwith, by written or oral notice to each individual, or by proclamation, appoint a time and place for the assembling of the enrolled militia in their city or town, and shall then and there proceed to draft as many thereof, or accept as many volunteers as is required by the order of the commander-in-chief, and shall forthwith forward to the commander-in-chief a list of the persons so drafted, or accepted as volunteers.

SECT. 121. Every member of the enrolled militia ordered out, or who volunteers or is detached or drafted, under the provisions of this act, who does not appear at the time and place designated by the mayor and aldermen or selectmen, or who has not

some able-bodied and proper substitute at such time and place, or does not pay to such mayor and aldermen, or selectmen, for the use of the state, the sum of seventy-five dollars within twenty-four hours from such time, or who does not produce a sworn certificate, from a physician in good standing, of physical disability to so appear, shall be taken to be a deserter, and dealt with accordingly.

SECT. 122. The portion of the enrolled militia so accepted shall be immediately mustered into the service of the state for three years, or such less period as the commander-in-chief may direct, and shall be organized into companies, which may be arranged in battalions or regiments, or assigned to organizations of the volunteer militia already existing. Such new organization shall be officered, equipped, trained and governed according to the laws for the government of the volunteer militia.

SECT. 123. Elections shall forthwith be ordered in such new organizations by the commander-in-chief, who may detail officers to train and command them until the officers elect shall have qualified.

SECT. 124. Any person, directly or indirectly, advising or in any manner attempting to influence any person to avoid compliance with any order issued in pursuance of the preceding sections, shall forfeit five hundred dollars, or be imprisoned not less than two years.

SECT. 125. When there is, in any county, a tumult, riot, mob, or a body of men acting together by force with intent to commit a felony, or to offer violence to persons or property, or by force and violence to break and resist the laws of the state, or of the United States, or when such tumult, riot or mob is threatened, and the fact is made to appear to the commander-in-chief, or the mayor of a city, or to a court of record sitting in said county, or, if no such court be sitting therein, then to a justice of such court, or, if no justice is within the county, then to the sheriff thereof, the commander-in-chief may issue his order, or such mayor, court, justice or sheriff, may issue a precept, directed to any commander of a division, brigade, regiment or corps, directing him to order his command, or a part thereof, describing the kind and number of troops, to appear at a time and place therein specified, to aid the civil authorities in suppressing such violence and supporting the laws; which precept, if issued by a court, shall be in substance as follows:

STATE OF MAINE.

L. S., ———, ss. To (insert the officer's title) A. B., commanding (insert his command).

Whereas, it has been made to appear to our justices of the peace, now holden at ——— within and for the county of ———, that there state one or more of the causes above mentioned, in our county of ———, and that military force is necessary to aid the civil authority in suppressing the same; now, therefore, we command you that you cause, (here state the number and kind of troops required, armed, equipped, and with proper officers, as the law directs, and with proper officers, either attached to the troops, or detailed by you, to parade at ——— on ———, then and there to obey such orders as may be given them, according to law. Hereof fail not at your peril; and have you there this writ, with your doings returned thereon.

Witness G. T. D., Esq., at ——— on the ——— day of ——— in the year ———, C. D., Clerk.

And if the same be issued by a mayor, justice or sheriff, it shall be under his hand and seal, and otherwise varied to suit the circumstances of the case.

SECT. 126. The officer to whom the order of the commander-in-chief or such precept is directed, shall forthwith order the troops therein mentioned, to parade at the time and place appointed. If he refuses or neglects to obey such order or precept, or if an officer neglects or refuses to obey an order issued in pursuance thereof, he shall be cashiered and punished by fine, or imprisonment not exceeding six months, as a court martial may adjudge. And a non-commissioned officer, or a soldier, neglecting or refusing to appear at the place of parade, to obey an order issued in such case, shall forfeit fifty dollars to the use of the state. And any person advising or attempting to persuade an officer or soldier to refuse or neglect to appear at such time and place, or to obey such order, shall forfeit two hundred dollars to the use of the state, or be imprisoned not exceeding six months.

SECT. 127. Every commissioned officer, before he enters on the duties of his office, or exercises any command, shall take and subscribe, before a justice of the peace, or general or field officer, who has of the peace taken and subscribed them himself, the following oaths and declarations:

"I, A. B., do solemnly swear that I will bear true faith and allegiance to the state of Maine, and will support the constitution thereof. So help me God."

"I, A. B., do solemnly swear and affirm, that I will faithfully and impartially discharge and perform all the duties incumbent on me as ———, according to the best of my abilities and understanding, agreeably to the rules and regulations of the constitution, and the laws of this state. So help me God."

"I, A. B., do solemnly swear, that I will support the constitution of the United States."

And on the back of every commission the following certificate shall be written or printed, and signed by the person before whom such officer is qualified:

This may certify that A. B., commissioned as



"SECT. 5. The governor and council, on or before the first day of December in each year, shall open and compare the votes so returned, and have the same tabulated, and may receive testimony on oath to prove that the return from any town does not agree with the record of the vote of such town in the number of votes, or the names of the persons voted for, and to prove which of them is correct; and the return, when found to be erroneous, may be corrected by the record. No such correction can be made without application within twenty days after the returns are opened and tabulated, stating the error alleged, and reasonable notice thereof given to the person to be affected by such correction,



during said twenty days any person voted for, or personally, by or with counsel, shall have the privilege of examining said returns in the presence of the governor and council, or either of them, or any member of the council. The persons having the greatest number of votes, not exceeding the number to be chosen, shall be declared elected; and shall be notified thereof by the secretary of state, be sworn, and enter upon the discharge of official duties on the first day of January thereafter. If a number of persons, exceeding the number to be chosen, receive an equal number of votes, no one is elected. But, in order to ascertain what persons have received the highest number of votes, the governor and council shall count and declare for any person all votes intentionally cast for such person, although his name upon the ballot is misspelled or written with only the initial or initials of his christian name or names; and they may hear testimony upon oath, in relation to such votes, in order to get at the intention of the electors, and decide accordingly. The provisions of this section shall be applied in determining the election of all county officers, and the provisions of said section five, so far as they relate to the examination and correction of returns, and to ascertaining for whom votes were intentionally cast, shall be applied in determining the election of representatives to congress, senators and representatives to the state legislature, and electors of president and vice-president of the United States. In all cases when a return is defective by reason of any informality, a duly attested copy of the record may be substituted therefor. [Approved March 18, 1880.]

#### Chapter 231.

AN ACT to amend section one, chapter one hundred and forty-two of the Revised Statutes relating to the Return School.

Be it enacted, &c., as follows:

Section one, of chapter one hundred and forty-two of the revised statutes is hereby amended, by striking out in the seventh and eighth lines of said section the words "They are allowed ten cents a mile for actual travel each way," and inserting instead the words "They are allowed actual expenses," so that said section, as amended, shall read as follows:

SECT. 1. The government of the state reform school, established for the instruction, employment and reform of juvenile offenders, in the town of Cape Elizabeth, in the county of Cumberland, is vested in a board of five trustees appointed by the governor, with the advice of the council, and commissioned to hold their offices during the pleasure of the governor and council, but not more than four years under one appointment. They are allowed actual expenses and two dollars a day for their services when employed. They have charge of the general interests of the institution, shall see that its affairs are conducted as required by the legislature, and such by-laws as the board may adopt; see that proper discipline is maintained therein; provide employment for the inmates, and bind them out, discharge or remand them, as hereinafter provided, appoint a superintendent, subject to the approval of the governor and council, and during the pleasure of the governor and council, and appoint such other officers as in their judgment the wants of the institution require; prescribe the duties of all the officers thereof; exercise a vigilant supervision over its concerns, remove its subordinate officers at pleasure, and appoint others in their stead; determine their compensation subject to the approval of the governor and council, and prescribe and submit by-laws to the governor and council, which shall be valid when sanctioned by them. They may contract with the Secretary of the Interior for the confinement and support in the reform school of juvenile offenders against the laws of the United States in accordance with the provisions in the act of Congress, approved March three, eighteen hundred and sixty-five. [Approved March 18, 1880.]

#### Chapter 232.

AN ACT to amend section ten of chapter nineteen of the Revised Statutes as amended by chapter twenty-four of the Public Laws of 1879, relating to the Law of Roads.

Be it enacted, &c., as follows:

Section ten of chapter nineteen of the revised statutes as amended by chapter twenty-four of the public laws of eighteen hundred and seventy-eight is hereby amended so that said section as amended shall read as follows:

SECT. 10. Teams with wheels, when drawn by more than two horses, oxen or mules, must have the wheels of their wheels at least four inches wide, when drawn by more than four horses, oxen or mules, at least five inches wide, when traveling on the road between Jackson brook, in Washington county, to Fort-ly, and no team drawn by more than six horses, oxen or mules, is allowed to travel on the roads. These provisions are not applicable to stage or pleasure carriages, or to those owned by the State, or the United States, or to any cart or wagon owned by the owners in the vicinity and used for farming purposes. The owner or driver of a team violating this provision forfeits twenty dollars, and one dollar for each mile of road passed, to be recovered by complaint before a trial justice in the county where the offense was committed, and on a libel or complaint he may issue his warrant to seize and detain such team to respond such fine and costs. [Approved March 18, 1880.]

#### Chapter 233.

AN ACT to amend section sixteen of chapter six of the Revised Statutes, relating to the Taxation of the Capital Stock of Toll Bridges.

Be it enacted, &c., as follows:

Section sixteen of chapter six of the revised

statutes is hereby amended by adding after the word "reside" in the second line thereof, the words "except stock owned by persons residing out of the state, which shall be taxed in the town or towns where the bridge is located; and where such bridge is located in two towns, one-half of such stock so owned by persons residing out of the state shall be assessed and taxed in each town," so that said section as amended shall read as follows:

SECT. 16. The stock of all toll bridges shall be taxed as personal property, to the owners thereof, in the towns where they reside, except stock owned by persons residing out of the state, which shall be taxed in the town or towns where the bridge is located, and where such bridge is located in two towns one-half of such stock so owned by persons residing out of the state shall be assessed and taxed in each town. [Approved March 18, 1880.]

#### Chapter 234.

AN ACT to amend an amendment to chapter sixty-six of the Public Laws of eighteen hundred and seventy-eight, relating to Shore Fisheries.

Be it enacted, &c., as follows:

SECT. 1. Section one of chapter one hundred and twelve of the public laws of the year eighteen hundred and seventy-nine, is hereby amended, by striking out after the word "width," in the sixth line of said section the following words: "and such taking or fishing therefor is also hereby prohibited in any of the waters within one nautical mile of the coast, or of any inhabited island within the jurisdiction of this state," so that said section, as amended, shall read as follows:

SECT. 1. The taking of herring, or porgies, or menhaden, or fishing therefor by the use of purse and drag seines, is hereby prohibited in all of the small bays, inlets, harbors or rivers of this state, where any entrance to the same, or any part thereof from land to land, is not more than two nautical miles in width, under a penalty upon the master or person in charge of such seine or seines, or upon the owner of said vessels, seine or seines, of not less than one hundred nor more than three hundred dollars, and there shall be a lien upon the vessels, steamers, boats and apparatus used in such unlawful pursuit until said penalty, with costs of prosecution, is paid; but a net for meshing porgies of not more than one hundred meshes in depth, and a net for meshing herring of not more than one hundred and seventy meshes in depth, shall not be deemed a seine.

SECT. 2. All of chapter sixty-six of the public laws of eighteen hundred and seventy-eight, excepting section one as amended, is hereby repealed.

SECT. 3. All penalties named in section one may be recovered by indictment or action of debt; and one-fourth part of the penalty recovered or imposed shall be for the benefit of the complainant or party prosecuting, and the remaining three-fourths to the county in which the proceedings are commenced. [Approved March 18, 1880.]

#### Chapter 235.

AN ACT to remodel the Board of Agriculture.

Be it enacted, &c., as follows:

SECT. 1. The president and the professor of agriculture of the state college of agriculture and the mechanic arts, together with one person from each county in the state as now provided for, whose terms of office and the election of their successors shall also be as now provided for, shall constitute the Maine board of agriculture for the improvement of agriculture and the advancement of the general interests of husbandry.

SECT. 2. The board shall hold a business session of not exceeding two days at the capital, on the first Wednesday of April next, and thereafter annually on the third Wednesday of January in each year, for the election of officers and perfecting plans for the execution of the work for the year.

SECT. 3. The board, by its secretary and one of its members, shall hold annually one farmers' institute in each county, and as many more as it shall deem expedient or find practicable with the means at its disposal, for the public discussion of topics relating to husbandry, either independently or in connection with any organization devoted to the same general object, and it may in its discretion issue bulletins, employ experts, lecturers, a reporter or other aids to enhance the usefulness of said institutes to the public; and shall, as far as practicable, aid and encourage agricultural societies and associations in their efforts. The members of the board shall receive no compensation for time and services rendered, but shall be reimbursed for expenses incurred in the discharge of their duties, two dollars per day for subsistence and six cents per mile for travel. The whole expenses under this section not to exceed fourteen hundred dollars annually.

SECT. 4. The board shall appoint a secretary as its chief executive officer for a term of three years, and until his successor shall be appointed, and may prescribe his duties, a part of which shall be to acquaint himself, by personal observation, investigation, and correspondence with the methods and wants of practical husbandry, the means of fertilization, the adaptation of various products to the soil and climate of Maine; also with the progress of scientific and practical agriculture elsewhere, with a view to the more complete development of the natural resources of the state. He shall annually, on or before the third Wednesday in January, present to the governor and council a report of the doings of the board and the results of his own labors and investigations, together with such communications, suggestions and recommendations as may be useful.

Ten thousand copies of said report, in size not exceeding two hundred pages, shall be printed; nine thousand bound in paper covers, one thousand in cloth, one-half of those in paper covers for the use of the legislature, and the remainder, after reserving a suitable number for foreign exchanges, for distribution under the direction of the board, among the agricultural associations and the people of the state.

SECT. 5. The compensation of the secretary shall be six hundred dollars per annum and reimbursement for necessary expenses incurred in the discharge of his duties, an account thereof to be first audited by the governor and council. The secretary shall be an ex-officio member of the board of trustees of the state college of agriculture and the mechanic arts, also of the board of commissioners provided for in section fifty of chapter fourteen of the revised statutes relative to contagious diseases in cattle.

SECT. 6. Such portions of sections one to six inclusive of chapter fifty-eight of the revised statutes, and all other acts and parts of acts inconsistent with this act are hereby repealed.

SECT. 7. This act shall take effect when approved. [Approved March 18, 1880.]

#### Chapter 236.

AN ACT relating to the sale of the Franchises of Railroad Corporations.

Be it enacted, &c., as follows:

SECT. 1. The provisions of section seventeen to twenty, each inclusive, of chapter eighty-four of the revised statutes, shall be construed so as to apply to the franchises of railroad corporations whose railroads be wholly within this state, except that in case of railroad corporations notice shall be given of the time and place of sale, by posting a notification thereof at the court-house in each county through which such railroad runs, either wholly or in part, thirty days at least before the day of sale, and by causing an advertisement to be inserted three weeks successively in at least one newspaper published in each county through which the road runs, either wholly or in part, the last publication to be at least four days before the day of sale, and if there is no newspaper printed in any one or more of such counties, then in the state paper in lieu thereof; and when the company has an established office in this state, notice of the sale shall also be given by leaving an attested copy of the same at the office of said company not less than thirty days previous to such sale; and notice given in the manner herein provided shall be sufficient, and none other shall be required.

SECT. 2. In case of sale upon execution of such franchises, the officer shall deliver to the purchaser a conveyance by deed of the franchise so sold.

SECT. 3. The franchises of railroads or their right to redeem mortgages, may, at the option of the creditor be sold as above provided, or may be seized on execution and sold by auction, as is provided for the sale of lands of corporations in sections thirty-nine, forty and forty-one, of chapter seventy-six of the revised statutes, except that the officer shall give notice of the time and place of sale in the manner provided in section one of this act, and the officer may convey the same by deed as is provided for in the sale of lands in said section thirty-nine, which said deed shall be recorded in the registry of deeds of each county in which any part of such railroad lies; and the provisions of said sections thirty-nine, forty and forty-one, except as is modified hereby shall apply to such sale of franchise or right to redeem mortgage. [Approved March 18, 1880.]

#### Chapter 237.

AN ACT relating to trustees and other officers of Public Institutions.

Be it enacted, &c., as follows:

SECT. 1. No trustee, superintendent, treasurer, or other person holding a place of trust in any state office or public institution of this state, shall be pecuniarily interested directly or indirectly in any contracts made in behalf of the state or of the institution in which he holds such place of trust, and any contract made in violation hereof shall be void; and if any such officer or person shall receive any drawbacks, presents, gratuities or secret discounts to his own use on account of such contracts, or from the profits in any materials, supplies, or labor furnished or done for the state or such institution, he shall be punished by imprisonment not more than a year, or by fine not exceeding five hundred dollars.

SECT. 2. This act shall take effect when approved. [Approved March 18, 1880.]

#### Chapter 238.

AN ACT relating to convicts and officers in the County jails in this state having workshops attached thereto.

Be it enacted, &c., as follows:

So much of sections thirty-four, thirty-five, thirty-six and thirty-seven of chapter one hundred and forty of the revised statutes as relates to the discipline and punishment of convicts in the state prison, and also to the duties and protection of officers therein, is hereby made, and is equally applicable to, convicts and officers in the county jails in this state having workshops attached thereto.

[Approved March 18, 1880.]

#### Chapter 239.

AN ACT to amend the Public Statutes as required by the amendment to the Constitution, providing for Biennial Elections and Biennial Sessions of the Legislature.

Be it enacted, &c., as follows:

SECT. 1. Section eighteen of chapter two of the revised statutes, is hereby amended by striking out

the words "each year" in the first line thereof, and inserting instead thereof the words "at each session of the legislature," and also by striking out the word "sixty-nine" in the second line thereof, and inserting instead thereof the word "eighty-one."

SECT. 2. Section twenty-one of the same chapter is hereby amended by striking out the word "annually" in the second line thereof.

SECT. 3. Section forty-two of the same chapter as amended by chapter one hundred of the public laws of the year one thousand eight hundred and seventy-six, is hereby further amended by inserting after the word "year," in the fifth line of said amended section as recited in said last named chapter, the words "in which any election is held of which returns are required to be made to the office of the secretary of state."

SECT. 4. Section forty-five of the same chapter is hereby amended by striking out the words "Wednesday of January annually," in the tenth line thereof, and inserting instead thereof the words "day of each regular session of the legislature."

SECT. 5. Section fifty of the same chapter is hereby amended by striking out the word "annual" in the first line thereof.

SECT. 6. Section fifty-two of the same chapter is hereby amended by striking the word "legislature" out of the fourth line, and inserting in the place thereof the words "governor and council."

SECT. 7. Section sixty-six of the same chapter is hereby amended so as to read as follows:

SECT. 66. He shall annually on the first Wednesday in January, lay before the governor and council, a printed detailed account of the state of the treasury, distinguishing in the receipts and expenditures the sums due at the close of the preceding year, from those that became due during the current year, and what sums are due to and from the treasury, and the resources of the state for the ensuing year. The governor and council shall lay such accounts before the legislature at each regular session on the first Monday thereof.

SECT. 8. Section seventy-two of the same chapter, is hereby amended by striking out the word "annually," in the first line thereof, and inserting instead thereof the word "biennially."

SECT. 9. Section eighty-two of the same chapter is hereby amended by striking out the word "five" in the first line thereof, and inserting instead thereof the word "ten," and also by striking out the word "annually" in the same line, and inserting in place thereof the word "biennially."

SECT. 10. Sections one, two and three of chapter four of the revised statutes are hereby amended by inserting the words "in which an election of governor, senators and representatives is held," after the words "in each year," wherever they occur in said sections.

SECT. 11. Section four of the same chapter is hereby amended by striking out the word "annually," in the first line thereof, and inserting instead thereof the words "in each year in which an election of governor, senators and representatives is held."

SECT. 12. Section seventeen of the same chapter is hereby amended by striking out the word "annually," in the fourth line thereof, and inserting instead thereof the word "biennially."

SECT. 13. Section seventy-three of the same chapter is hereby amended by striking out the word "annually" in the first line thereof, and inserting instead thereof the words "in each year which an election of governor, senators and representatives is held."

SECT. 14. Section seventy-four of the same chapter is hereby amended by striking out the word "annually" in the second line thereof, and inserting in the place thereof the words "in each year in which such election is held."

SECT. 15. Section forty-eight of chapter five of the revised statutes, is hereby amended by striking out the words "prior to the annual session of the legislature," in the fifth line thereof.

SECT. 16. Section thirty-eight of chapter six of the revised statutes, is hereby amended, by adding after the words "state tax," in line five, the words "for the current year; and shall in like manner send like warrants for the state tax for the succeeding year, forthwith upon the expiration of one year from the time such tax is so ordered. The tax for each year shall be separately ordered and apportioned;" and by changing the word "warrant," in the sixth line of said section thirty-eight, to "warrants."

SECT. 17. Section forty-two of the same chapter is hereby amended by adding at the end thereof, "as herein provided for ordering the state and county taxes upon property liable to be assessed in towns."

SECT. 18. Section forty-four of the same chapter is hereby amended so as to read as follows:

SECT. 44. When the legislature shall assess such state tax, the treasurer of state shall, within three months next thereafter, cause the lists of such assessments, with the lists of any county tax so certified to him, both for the current year, to be advertised three weeks successively in the state paper, and in some newspaper, if any, printed in the county in which the land lies, and shall cause like advertisement of the lists of such state and county taxes for the following year to be made within three months next after one year from such assessment. The said lands shall be held to the state for the payment of such state and county taxes, with interest thereon at the rate of twenty per centum, to commence upon the taxes for the year in which such assessment is made at the expiration of one year, and upon the taxes for the following year upon the expiration of two years from the date of such assessment.

SECT. 19. Section forty-five of the same chapter is hereby amended by striking out the words "two

years from the date of the assessment," in the third line thereof, and inserting instead thereof the words "one year from the time when such interest commences," and also by striking out the words "two years from the date of the assessment," in the ninth and tenth lines thereof, and inserting instead thereof the words "the time limited in this section for such redemption."

SECT. 20. Section fifty-nine of the same chapter is hereby amended, by adding thereto to the words "except when it is otherwise provided by law."

SECT. 21. Section sixty-one of the same chapter is hereby amended by striking out the words "January annually" in the second and third lines thereof, and inserting instead thereof the words "each month of January in which the legislature meets," and also by adding thereto the words "and like estimates for the year next succeeding thereafter, and the county tax for both said years shall be granted by the legislature separately at the same session."

SECT. 22. Section sixty-two of the same chapter is hereby amended by striking out the words "January annually," in the fifth line thereof, and inserting instead thereof the words "each month of January in which the legislature meets."

SECT. 23. Section sixty-three of the same chapter is hereby amended by inserting after the word "shall" in the second line thereof the words "in the month of March in the year for which such tax is granted."

SECT. 24. Section two of chapter seven of the revised statutes is amended in the fifth line by striking out the words "seventy-two and every five years," and inserting instead thereof the words "eighty-two and every four years."

SECT. 25. Section three of chapter seven of the revised statutes is amended in the eighth line by striking out the word "five" before "years," and inserting instead thereof the word "four."

SECT. 26. Section two of chapter eight of the revised statutes is amended in the first line by striking out the word "annually," and inserting after the word "September" in the second line the words "one thousand eight hundred and eighty, and every two years thence following."

SECT. 27. Section four of chapter eight of the revised statutes is amended in the fifth line by striking out the word "one," and inserting instead thereof the word "two;" and in the sixth line by striking out the word "year," and inserting instead the word "years."

SECT. 28. Section seventy-one of chapter eleven of the revised statutes is amended in the first line of the eighth clause by striking out after the word "annually," the words "prior to the session of the legislature."

SECT. 29. Section fifty-three of chapter fourteen of the revised statutes is amended in the second line by striking out the word "annual," and in the third line by inserting after the word "January" the words "one thousand eight hundred and eighty-one and biennially thereafter."

SECT. 30. Section fourteen of chapter thirty of the revised statutes, is amended in the second line by striking out the word "each," before "month," and inserting instead thereof the word "the."

SECT. 31. Section fifty-six of chapter forty-nine of the revised statutes, is amended in the fourth line by striking out the word "annually," and inserting instead thereof the word "biennially."

SECT. 32. Section two of chapter seventy-eight of the revised statutes, is amended so as to read as follows:

SECT. 2. Vacancies to occur by expiration of the term of office at the end of any year in which a biennial election is held shall be filled by election on the second Monday of September, in such year. If but one is elected he shall hold the office for six years; if two, the one having the highest number of votes, shall hold for six years, and the next highest for four years; if three, two shall hold as last provided, and the other for two years. If two have an equal number of votes, the governor, with advice of council, shall designate who shall hold for the longer and who for the shorter term.

SECT. 33. Section three of chapter seventy-eight of the revised statutes is amended in the second line by inserting after the word "county," the words "or at the expiration of any present term of office at the end of any year in which no biennial election is held."

SECT. 34. Section four of chapter seventy-eight of the revised statutes, is amended in the second line by inserting after the word "September" the words "in the year one thousand eight hundred and eighty and every two years thence following."

SECT. 35. Section five of chapter seventy-eight of the revised statutes, as amended and recited in chapter two hundred and twenty-two of the public laws of the year one thousand eight hundred and seventy-seven, is hereby further amended by inserting after the word "year," in the second line, the words "in which an election is held."

SECT. 36. Section one of chapter seventy-nine of the revised statutes is amended so as to read as follows:

SECT. 1. Clerks of the judicial courts shall be elected and notified, their elections determined and vacancies filled; and they shall enter upon the discharge of their duties at the same time as is provided respecting county commissioners by chapter seventy-eight as hereby amended, and hold their offices for the term of four years, and perform all duties required by law.

SECT. 37. Section twelve of chapter seventy-nine of the revised statutes, is amended so as to read as follows:

SECT. 12. County attorneys shall be elected and

notified, their elections determined and vacancies filled, and they shall enter upon the discharge of their duties at the same time as is provided respecting county commissioners by chapter seventy-eight as hereby amended, and hold their offices for the term of two years. None but a permanent resident of the county shall hold such office, and removal from it vacates the office.

SECT. 38. Section ten of chapter fifty of the public laws of the year one thousand eight hundred and seventy-eight is hereby amended by striking out of the second line, the words "each month of January," and inserting in the place thereof the words, "the first month of each regular session."

SECT. 39. This act shall not affect the tenure of the present incumbent of any office named herein.

[Approved March 18, 1880.]

#### Chapter 240.

AN ACT relating to the Salary of Governor.

Be it enacted, &c., as follows:

SECT. 1. The governor of the state is entitled to receive after the first Wednesday of January, in the year of our Lord one thousand eight hundred and eighty-one, a salary of two thousand dollars per annum from the treasurer of the state, in quarterly payments, on the first day of January, April, July and October of each year.

SECT. 2. All acts and parts of acts inconsistent herewith are hereby repealed. [Ap. Mar. 18, 1880.]

#### Chapter 241.

AN ACT relating to seizures on Executions.

Be it enacted, &c., as follows:

SECT. 1. Section fifty-six of chapter eighty-one of the revised statutes is hereby amended by inserting after the word "defendant" in the thirteenth line the following words: "no seizure on execution of real estate where there is no subsisting attachment thereof made in the suit in which such execution issues, shall create any lien on such real estate, unless the officer making it within five days thereafter files in the office of the register of deeds in the county or district in which all or any part of said estate is situated, an attested copy of so much of his return on said execution as relates to the seizure, with the names of the parties, the date of the execution, the amount of the debt and costs named therein, and the court by which it was issued. If the copy is not so filed the seizure shall take effect from the time it is filed," so that said section, as amended, shall read as follows:

SECT. 56. No attachment of real estate on mesne process shall create any lien thereon, unless the nature and amount, or a specification thereof is annexed to the writ nor unless the officer making it within five days thereafter files in the office of register of deeds in the county or district in which all or any part of said estate is situated, an attested copy of so much of his return on the writ, as relates to the attachment with the value of the defendant's property which he is thereby commanded to attach, the names of the parties, the date of the writ, and the court to which it is returnable. If the copy is not so filed within five days, the attachment shall take effect from the time it is filed, if before the entry of the action, although it is after service on the defendant. No seizure on execution of real estate where there is no subsisting attachment thereof made in the suit in which such execution issues, shall create any lien on such real estate, unless the officer making it within five days thereafter files in the office of the register of deeds in the county or district in which all or any part of said estate is situated, an attested copy of so much of his return on said execution as relates to the seizure, with the names of the parties, the date of the execution, the amount of the debt and costs named therein, and the court by which it was issued. If the copy is not so filed the seizure shall take effect from the time it is filed. And such proceedings shall be had in such office, by the register of deeds, as are prescribed in the chapter respecting the registry of deeds.

SECT. 2. Section sixteen of chapter seven of the revised statutes is hereby amended by inserting after the word "of," in the first line, the words "seizures on executions and," so that said section as amended shall read as follows:

SECT. 16. Every register shall receive all copies of seizures on executions, and special attachment made and attested by any officer, of real property situate in the county or district of which he is register; minute on them the time when they are received; keep them on file for the inspection of parties interested, and enter them in a book kept for that purpose.

SECT. 3. Section one of chapter one hundred and twenty-eight of the public laws of eighteen hundred and seventy-three is hereby amended by inserting after the word "attachments," in the second line thereof, the words "and seizures," so that said section as amended shall read as follows:

SECT. 1. All recorded deeds shall take precedence over (unrecorded attachments and seizures,) and so much of section fifty-six of chapter eighty-one of the revised statutes as is repugnant to this act is hereby repealed. [Approved March 18, 1880.]

#### Chapter 242.

AN ACT to amend chapter one hundred and five of the Public Laws of 1879, relating to Ways.

Be it enacted, &c., as follows:

SECT. 1. Chapter one hundred and five of the public laws of eighteen hundred and seventy-nine, is hereby amended, by inserting in the thirteenth line of section thirteen of said chapter, after the words "relating to the same," the words, "and by agree-



ment of the parties;" and by adding after the word "cases," in the fifteenth line of said section, the words, "If the parties do not agree to an adjudication by the court, the case shall be reported by the objecting party, otherwise by the party filing the motion, to the law court for judgment upon the law and the facts; and the law court may, upon motion and report of the evidence, set aside a verdict and order a new trial, as in other cases, so as to read as follows:

"SECT. 13. The jury are to view the premises, hear the testimony and arguments of the parties or their counsel, and render a verdict signed by all of them, which is to be enclosed in an envelope with an endorsement thereon stating the contents, and is to be delivered to the officer having charge of them, who is to return it to the supreme judicial court, at the next term thereof, to be held in the same county, with his doings, stating his own travel and attendance and that of each juror. Said court shall receive said verdict and the certificate and report of the person presiding. Either party interested therein may file a written motion to set aside said verdict for the same cause that a verdict rendered in court may be set aside. The court shall hear any competent evidence relating to the same, and, by agreement of the parties, adjudicate thereon, confirm the verdict, or set it aside for good cause, reserving the right to except as in other cases. If the parties do not agree to an adjudication by the court, the case shall be reported by the objecting party, otherwise by the party filing the motion, to the law court for judgment upon the law and the facts; and the law court may, upon motion and report of the evidence, set aside a verdict and order a new trial as in other cases. If the matter is determined by a committee, as provided in this chapter, their report shall be made to the next term of said court held in that county, and like proceedings shall be had thereon as on a verdict returned as aforesaid. The clerk of said court shall certify such verdict or report, as the case may be, with the final adjudication of the court thereon, to the commissioners at their next meeting after such adjudication, who shall record the same; and if the jury shall not have agreed on a verdict, or the verdict or report been set aside by the court to which it was returned, or upon exceptions, the commissioners, on application therefor, shall order a new jury, or the parties may agree upon a new committee, and thereupon like proceedings shall be had as are herein provided. The party prevailing shall recover costs, to be taxed and allowed by the court to which the verdict or report is returned and certified with it to the commissioners; except that the costs shall not be recovered by the party claiming damages, but by the other party, if upon appeal taken as provided in this chapter, by either party, said claimant shall fail to recover and have adjudged to him, a greater sum as damages than was allowed to him by the commissioners; and said court shall determine the compensation of the committee, and of the persons presiding at the trial by jury.

"SECT. 2. This act shall take effect when approved. [Approved March 18, 1880.]

#### Chapter 243.

AN ACT to amend chapter ninety-one of the Revised Statutes relating to Liens on Vessels.

Be it enacted, &c., as follows:

"SECT. 1. Section ten of chapter ninety-one of the revised statutes, is hereby amended by adding thereto the words: 'and whenever a vessel shall have been attached as aforesaid, and the expense of retaining possession of said vessel shall be great, or the vessel shall be liable to depreciate in value by reason thereof, any attaching creditor, or an owner of said vessel may in term time or vacation petition a justice of the supreme judicial court, praying that said vessel be ordered a hearing on said petition; and due notice shall be given to all parties in interest of the time and place appointed for said hearing, and a hearing on said petition shall be had before a justice of said court; and if it shall then appear to said justice to be for the benefit of all parties in interest that said vessel should be sold, said justice shall issue to the officer in possession of said vessel, or to the sheriff of the county in which said vessel has been attached, an order to sell said vessel at public auction, and said justice shall designate in said order the notice to be given of the time and place of said sale; and said vessel shall be sold pursuant to said order, and the proceeds of said sale, after deducting necessary expenses, shall be held by the first attaching officer or the sheriff, subject to the successive attachments, as if sold on execution; provided, however, that if said parties do not consent to a sale as herein provided, the provisions of sections twenty-nine to thirty-eight, inclusive, of chapter eighty-one of the revised statutes, so far as the same are applicable, shall apply to proceedings under this act.

"SECT. 2. This act shall take effect when approved. [Approved March 18, 1880.]

#### Chapter 244.

AN ACT to tax Express Corporations, Companies, or Persons carrying on Express business in this State.

Be it enacted, &c., as follows:

"SECT. 1. Every express corporation, company or person doing express business on any railroad, steamboat or vessel in this state, shall annually before the first day of May, apply to the state treasurer for a license authorizing the carrying on of said express

business; and every such corporation, company or person shall annually pay to the state treasurer, on or before the first day of May, three-fourths of one per cent. of the gross receipts of said business for the year ending on the first day of April preceding. Said three-fourths of one per cent. shall be on all of said express business done in this state, including a pro rata part on all express business coming from other states or countries into this state, and on all going from this state to other states or countries; provided, however, that nothing in this act shall be construed to apply to goods or merchandise in transit through the state.

"SECT. 2. Every such express corporation, company or person shall, by its properly authorized agent or officer, annually, on or before the fifteenth day of May, make a return to the governor and council, verified by oath as to its correctness, stating the amount of said receipts for all express matters carried within this state as stated in section one of this act; whereupon the governor and council shall on or before the fifteenth day of June in the same year assess the tax provided by this act, and forthwith certify the same to the state treasurer, who shall thereupon notify said corporations, companies or persons, and said taxes shall be paid into the state treasury on or before the first day of May following.

"SECT. 3. The tax assessed upon corporations, companies or persons as aforesaid shall be for the year commencing April one, in the year of our Lord eighteen hundred and eighty, and for every subsequent year, and payable to the state treasurer on or before the first day of May, annually, afterwards, and shall be in lieu of all local taxation.

"SECT. 4. Any corporation, company or person neglecting to make returns according to the provisions of this act, shall forfeit twenty-five dollars per day for every day's neglect so to do, to be recovered by an action of debt brought in the name of the state, and in case of such neglect, the governor and council shall proceed to make the assessment of tax prescribed herein on such gross receipts as they may think just with such evidence as they may be able to obtain, and from such assessment there shall exist no right of appeal on the part of the company or person failing to make the returns as aforesaid, and if any corporation, company or person fails to pay the tax required by this act, the state treasurer may forthwith commence an action of contract in the name of the state for the recovery of the same with interest.

"SECT. 5. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect when approved. [Approved March 19, 1880.]

#### Chapter 245.

AN ACT to authorize the Treasurer of the State to procure a Loan of three hundred and seven thousand dollars.

Be it enacted, &c., as follows:

"SECT. 1. That the treasurer of the state, with the advice of the governor, is hereby authorized to procure on the faith of the state, by issuing the bonds thereof, a loan of three hundred and seven thousand dollars, for the payment of the bonds of the state which become due on the fifteenth day of August, in the year of our Lord eighteen hundred and eighty, amounting to the same sum. Said bonds shall be dated the fifteenth day of August, in the year of our Lord one thousand eight hundred and eighty, and shall be payable as follows: Fifty thousand dollars in one year, fifty thousand dollars in two years, fifty thousand dollars in three years, fifty thousand dollars in four years, fifty thousand dollars in five years, and fifty-seven thousand dollars in six years, and bearing interest at the rate of four per centum a year, payable, both principal and interest, in Boston, or at the treasury of the state of Maine, at the option of the holder. The treasurer is hereby authorized to issue bonds therefor in sums not less than one hundred dollars each, with coupons for the interest payable semi-annually. Each bond as aforesaid shall be signed by the treasurer, countersigned by the governor and attested by the secretary of the state with the seal of the state; but the coupons shall be signed by the treasurer, or the name of the treasurer may be engraved on said coupons, as the governor and council shall direct. The treasurer may advertise for proposals for the loan hereinafter mentioned, in such papers as he shall deem expedient, but no sale of any bond or bonds shall be made at a price less than the par value of said bond or bonds, and accrued interest thereon.

"SECT. 2. The act approved March eleven, eighteen hundred and eighty, entitled "An Act to authorize the treasurer of the state to procure a loan of three hundred and seven thousand dollars," is hereby repealed. [Approved March 19, 1880.]

#### Chapter 246.

AN ACT for the taxation of Telegraph Companies.

Be it enacted, &c., as follows:

"SECT. 1. That every telegraph corporation, company or person doing business within the limits of this state shall annually pay into the state treasury a tax of two and one-half per centum on the value of any telegraph line owned by said corporation, company or person within the limits of this state, including all poles, wires, insulators, office furniture, batteries and instruments, and any circumstances or conditions which affect the value of the property.

"SECT. 2. Every such corporation, company or

person shall annually, on or before the fifteenth day of April, return to the secretary of state, under the oath of its superintendent, the amount and value of all the property enumerated in section one, owned by it within the limits aforesaid, together with the names and residences of all shareholders living in this state, and the number of shares owned by each on the first day of April annually. And the governor and council shall determine said values and assess said tax thereon on or before the first day of May annually. The secretary of state shall thereupon certify said assessment to the state treasurer, who shall forthwith notify the several parties assessed thereof. Said tax shall be paid into the treasury on or before the first day of September annually, and shall be in lieu of all state or municipal taxation on any of the property or shares of said corporations, companies or persons.

"SECT. 3. If any corporation, company or person aforesaid fails to make the return herein provided, the governor and council shall proceed to make said assessment on such valuation as they think just, with such evidence as they are able to obtain, and such assessment shall be final. And if any such corporation, company or person fails to pay the tax required by this act, the state treasurer may forthwith commence an action of contract in the name of the state for the recovery of the same with interest.

"SECT. 4. When such tax is paid, it shall be the duty of the state treasurer to credit to each town such proportion of the tax of each company as the number of shares in said company owned in said town bears to the whole number of said company's shares owned in the state, the remainder to be retained for the use of the state.

"SECT. 5. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect when approved. [Approved March 19, 1880.]

#### Chapter 247.

AN ACT amendatory of chapters seventeen and twenty-seven of the Revised Statutes in relation to common nuisances and the sale of intoxicating liquors.

Be it enacted, &c., as follows:

"SECT. 1. Section one of chapter seventeen of the revised statutes is hereby amended by inserting after the word "liquors," the words "and all places of resort where intoxicating liquors are kept, sold, given away, drunk, or dispensed in any manner not provided for by law," so that the section, as amended, shall read as follows:

"SECT. 1. All places used as houses of ill-fame, resorted to for lewdness or gambling, for the illegal sale or keeping of intoxicating liquors and all places of resort where intoxicating liquors are kept, sold, given away, drunk, or dispensed in any manner not provided for by law, are common nuisances."

"SECT. 2. Section twenty-two of chapter twenty-seven of the revised statutes, as amended by chapter two hundred and fifteen of the public laws of eighteen hundred and seventy-seven is hereby further amended by inserting after the words "purposes," the words "or as a beverage," 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, servant or agent, directly or indirectly, any intoxicating liquors, of whatever origin, except as hereinafter provided: wine, ale, porter, strong beer, lager beer, and all other malt liquors, and cider when kept or deposited with intent to sell the same for tipping purposes, or as a beverage, as well as all other distilled spirits, shall be considered intoxicating within the meaning of this chapter; but this enumeration shall not prevent any other pure or mixed liquors from being considered intoxicating."

"SECT. 3. Section twenty-five of chapter twenty-seven of the revised statutes is hereby amended by inserting after the word "case," the words "when sold in quantities of five gallons or upwards, delivered and taken away at one time," 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, in any case when sold in quantities of five gallons or upwards, delivered and taken away at one time."

"SECT. 4. Upon petition and representation of thirty or more well known tax payers in any county, that the provisions of chapters seventeen and twenty-seven of the revised statutes, and acts additional thereto and amendatory thereof, are not faithfully enforced by county or local officers, it shall be the duty of the governor and council to inquire into such representations, and if, in their judgment, such representations are well founded, the governor, by and with the consent of the council, shall appoint two or more constables for such county, whose duty shall be to diligently enforce the provisions of said chapters and acts, and for this purpose such constables shall have like powers and duties as sheriffs and deputies. For such services said constables shall receive the same compensation as is provided by law for sheriffs and deputies.

"SECT. 5. To amend chapter sixty-two of the public laws, relating to sheriffs and county attorneys, by striking out section four of said chapter and substituting therefor the following: 'Whenever the governor shall, after investigation and hearing of the parties, be satisfied that any county attorney has willfully refused or neglected to discharge the duties imposed upon him by this act, it shall be his duty to remove such attorney from office, and fill his place by appointment.'

"SECT. 6. Section forty-nine of chapter twenty-seven of the revised statutes, as amended by chapter two hundred and fifty-five of the public laws of eighteen hundred and seventy-four, is hereby amended by adding after the last word in said section, the following words, viz.: 'But said punishment, or any part thereof, shall not be remitted unless the prisoner, under oath, gives information from whom and where he procured the liquors upon which he became intoxicated,' so that said section as amended shall read as follows:

"SECT. 49. Any person hereafter found intoxicated in any streets or highways, or being intoxicated in his own house, or in any other building or place, who shall become quarrelsome, or in any other way disturb the public peace or that of his own or any other family, so as to render it necessary for the police or peace officers to interfere, may be taken into custody by any sheriff, deputy sheriff, constable, marshal, deputy marshal, police officer or watchman, and committed to the watch house or restrained in some other suitable place, till a complaint can be made and warrant issued in due form, upon which he may be arrested and tried, and if found guilty of being intoxicated in the streets or highways, or of being intoxicated in his own house or any other building or place, and becoming quarrelsome and disturbing the public peace, or that of his own or any other family, he shall be punished by fine not exceeding ten dollars, or by imprisonment in the common jail or house of correction, not exceeding thirty days. For the second offense such person may be punished by fine not exceeding twenty dollars, or by imprisonment not more than ninety days. The judge or justice may remit any portion of said punishment, and order the prisoner discharged, whenever he shall become satisfied that the objects of this law and the good of the public and the prisoner would be advanced thereby. But said punishment or any part thereof shall not be remitted unless the prisoner, under oath, gives information from whom and where he procured the liquors upon which he became intoxicated."

"SECT. 7. Section thirty-five of chapter twenty-seven of the revised statutes, is hereby amended by substituting the words "one hundred" for the word "fifty," in the twenty-ninth line, in the thirty-first line by substituting the word "ninety" for the word "thirty," and adding after the word "jail," the words "at hard labor," in the thirty-second line, by substituting the word "six" for the word "three," and by adding after the word "month," "at hard labor," in the thirty-seventh line, by substituting the word "six" for the word "three," and adding after the word "months" the words "at hard labor," so that said section as amended shall read as follows:

"SECT. 35. If any person competent to bear 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 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 then safely keep until final action on the same, and make immediate return of said warrant, and 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 liquor was 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 one hundred dollars and costs of prosecution, and in default of payment thereof to be imprisoned ninety days in the county jail, at hard labor, or instead of such fine shall be imprisoned in the county jail six months at hard labor. On every subsequent conviction after the first offense described in this section, the person or persons found guilty shall pay a fine of one hundred dollars and costs of prosecution, and stand committed until the same be paid; and in addition thereto shall be imprisoned in the county jail six months at hard labor."

"SECT. 8. This act shall take effect when approved. [Approved March 19, 1880.]

#### Chapter 248.

AN ACT relating to Amendments to the Constitution.

Be it enacted, &c., as follows:

"Whenever any constitutional amendment is submitted to the people for adoption, a ballot box shall be provided at every poll or voting place in the state, in which the ballots or votes for or against every such proposed amendment, shall be deposited separately from all other ballots or votes, and said ballot boxes shall be provided as at other elections. [Approved March 19, 1880.]

#### Chapter 249.

AN ACT relating to the Taxation of Railroads.

Be it enacted, &c., as follows:

"SECT. 1. It shall be the duty of the governor and council, between the first day of April and the first day of May in each year, to appraise the several railroads in this state, with their franchises, rolling stock and fixtures, at their cash value, and upon this valuation to levy a tax of one per centum so as to make said tax equal as near as may be to the taxes of all kinds upon other property, through which said roads may extend, and to file the amount levied upon each of said corporations with the treasurer of state, who shall on or before the fifteenth day of May annually, give notice to the treasurer, president or superintendent of each of said companies, of the amount of said tax levied upon each road.

"SECT. 2. The appraisal of the property of said railroad companies shall embrace only the roadways, rolling stock and franchises. The land, buildings and fixtures outside of said roadways shall be taxable in the towns where situated, as other property.

"SECT. 3. Where a railroad extends beyond the limits of this state, the governor and council shall appraise the road within this state, and so much of the franchise and rolling stock as may belong to the company within the state.

"SECT. 4. Said taxes shall be due and payable by said railroad companies to the treasurer of state, one-half thereof on the first day of July next after said assessment is made, and the other half on the first day of October following. And if any corporation fails to pay the tax required by this act, the state treasurer may forthwith commence an action of debt in the name of the state, for the recovery of the same, with interest, or may collect the same in such other manner as is now provided by law.

"SECT. 5. This tax shall be in lieu of all taxes on the shares of any railroad company; and when said tax is paid into the state treasury, it shall be the duty of the state treasurer to credit to each town in which shares in any road so assessed were owned on the first day of April preceding, such proportion of said tax as such shares bear to the whole number of shares of such railroad company.

"SECT. 6. All acts and parts of acts inconsistent with this act are hereby repealed; and this act shall take effect when approved. [Approved March 19, 1880.]

#### RESOLVES.

RESOLVES providing for a Seal of the State.

Resolved, That the secretary of state be, and is hereby directed to procure a suitable seal, which shall be of the same form and device as the seal last in use and acknowledged as the seal of the state, and that said seal, when so completed, be deposited in the office of the secretary of state, and that the same shall become and be the seal of the state. [Approved January 22, 1880.]

RESOLVES providing for an amendment of the Constitution, so as to elect the Governor by a Plurality, instead of a Majority, of Votes.

Resolved, Two-thirds of both branches of the Legislature concurring, that the constitution of this State shall be amended, in the third section of the first part of article five, by striking out the word "majority," wherever it occurs therein, and inserting in the place thereof the word "plurality," and a plurality of the votes cast and returned for Governor, at the annual September election for the year eighteen hundred and eighty, shall determine the election of Governor for the years eighteen hundred and eighty-one and two.

Resolved, That the aldermen of cities, selectmen of towns, and assessors of plantations, in the State, are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations, in the manner prescribed by law, at the annual meeting in September next, to give in their votes upon the amendment proposed in the foregoing resolve; and the question shall be, "shall the constitution be amended so as to provide for the election of Governor by a plurality, instead of a majority." And the inhabitants of said cities, towns and plantations, shall vote by ballot on said question, those in favor of said amendment voting "yes," and those opposed voting "no," upon their ballots; and the ballots shall be received, sorted, counted and declared in open ward, town and plantation meeting; and fair lists of the votes shall be made out by the aldermen of cities, selectmen of towns, and assessors of plantations, and signed by them, and attested by the clerks, and returned to the office of the Secretary of State within thirty days after the election. And the Governor and Council shall open, examine and count the same immediately after the expiration of said thirty days; and if it shall appear that a majority of the votes cast and returned on the question is in favor of said amendment, it shall then be a part of the constitution, and the Governor shall make known the fact by his proclamation.

Resolved, That the Secretary of State shall prepare and furnish to the several cities, towns and plantations, blank returns, in conformity with the foregoing resolves, accompanied by a copy thereof. [Approved January 27, 1880.]

RESOLVE in reference to new State Seal.

Resolved, That the new state seal, prepared by the secretary of state, under authority of the joint resolution passed on the twentieth day of January, in the year of our Lord one thousand eight hundred and eighty, be deposited in the office of the secretary of state, and that the same shall become, and be, the seal of this state. [Approved February 6, 1880.]

RESOLVES to provide for a State Valuation.

Resolved, That the governor is hereby authorized to immediately appoint a commission of sixteen persons, one of whom shall be taken from each of the counties in the state, to prepare a full, just and equal valuation of the estates, and an enumeration of the polls subject to be taxed, as a basis of taxation for state purposes, and to report the same to this legislature; provided, such valuation shall be completed during its present session, or an adjournment thereof, otherwise to report to the legislature of eighteen hundred and eighty-one.

Resolved, That the commissioners thus appointed shall hold their first session at the capitol at August immediately after their appointment, and shall proceed without delay to prepare said valuation, and shall sit at the same place without adjournment for more than two days at one time until the preparation of said valuation is completed, or until the final adjournment of this legislature. In case the report of this commission cannot be completed before said final adjournment, the same shall be made to the next legislature on the first day of its session. Said commissioners shall give such public notice of their session as they may deem proper, and also a printed notice mailed to the assessors of the several cities, towns and plantations, requiring them to appear personally with, or transmit to them immediately, unless the same have already been transmitted to the secretary of state, the several tax and valuation lists and lists of taxable polls of their several cities, towns and plantations, for the years eighteen hundred and seventy-seven, eighteen hundred and seventy-eight, and eighteen hundred and seventy-nine, containing the estates and property taxable therein, and the fair cash value of each kind of property therein enumerated, as required by law, and the correctness of said lists of taxable polls and estates, and the valuation of the property therein enumerated for the year eighteen hundred and seventy-nine, shall be verified by the oath or affirmation of said several assessors or one of them. Said commissioners shall have power to summon before them and examine upon oath either of said assessors, any town or city officer, or other person, touching such lists and the amount and value of the taxable property in said several cities, towns and plantations, and all other matters connected therewith, and to require such person summoned to produce all records or other public documents relating thereto. If the assessors of any city, town or plantation, or one of them, shall fail to appear before said commission or transmit to them the lists above named within ten days after the mailing and publication of said notices, the said commissioners may in their discretion and upon such other information as they may obtain, report the valuation of the estates and property and lists of polls, liable to taxation in such city, town or plantation so in default, as they shall deem just and equitable.

Resolved, That the land agent be, and is hereby required to immediately prepare and deliver to said commissioners full and accurate lists of all townships or parts of townships or lots or parcels of wild lands in this state sold and not included in the tax lists, whether conveyed or not conveyed, together with the fair value thereof, and to lay before said commissioners all information in his possession touching the value of wild lands when required by them so to do; also a statement of all lands on which timber has been sold, or a permit or right to cut timber has been sold or granted by lease or otherwise, together with the fair value thereof. All other state officers shall in like manner lay all information in their possession, touching said valuation, before said commissioners when requested by them so to do.

Resolved, That the secretary of state shall immediately notify each of said commissioners of his appointment. A majority of said commissioners shall constitute a quorum. They may appoint a chairman from their number, and employ a suitable clerk to keep their records, and such other clerks as they deem necessary.

Resolved, That the secretary of state furnish to said commissioners, for their use in preparing said valuation, all necessary stationery, blanks, blank-books, printed notices and summonses. That as a full compensation for services, said commissioners shall each receive from the state treasury three dollars per day whilst actually engaged in preparing said valuation and making their report thereon; and said clerks employed by said commissioners shall each receive in like manner not exceeding two dollars per day whilst actually employed in the duties of said commission. Said commissioners and clerks shall be allowed actual traveling expenses in once traveling to and returning from August. The accounts of said commissioners and their clerks for services and travel shall be audited by the council, and when the same are approved by them the governor shall be authorized to draw his warrant upon the treasurer therefor.

Resolved, That these resolves take effect when approved. [Approved February 12, 1880.]