

# MAINE STATE LEGISLATURE

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# FIFTY-FIRST LEGISLATURE.

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HOUSE.

No. 119.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SEVENTY-TWO.

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AN ACT to amend section eighty-seven of chapter eighty-two of the revised statutes, relating to evidence.

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

Section eighty-seven of chapter eighty-two of the  
2 revised statutes, is hereby amended, by striking out  
3 the words "or after" in the fourth line of the second  
4 paragraph of said section, and adding to said section  
5 the following words, 'and any such representative  
6 party or heir of a deceased party may testify to any  
7 fact, legally admissible upon general rules of evidence,  
8 happening after the decease of the testator, intestate  
9 or ancestor; and in reference to such matters the  
10 adverse party may testify,' so that the same shall  
11 read when amended as follows :

12 *Second*—In all cases in which an executor, adminis-  
13 trator or other legal representative of a deceased  
14 person is a party, such party may testify to any  
15 facts legally admissible upon the general rules of evi-  
16 dence, happening before the death of such person;  
17 and when such person so testifies, the adverse party  
18 shall neither be excluded nor excused from testifying  
19 in reference to such facts, and any such representative  
20 party or heir of a deceased party may testify to any  
21 fact legally admissible upon general rules of evidence,  
22 happening after the decease of the testator, intestate or  
23 ancestor; and in reference to such matters the adverse  
24 party may testify.

STATE OF MAINE.

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IN HOUSE OF REPRESENTATIVES, }  
February 23, 1872. }

Laid on the table by Mr. HAMILTON, and ordered printed.

S. J. CHADBOURNE, *Clerk.*