

# MAINE STATE LEGISLATURE

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# FIFTY-SECOND LEGISLATURE.

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HOUSE.

No. 66.

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## STATE OF MAINE.

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

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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 facts  
15 legally admissible upon the general rules of evidence,  
16 happening before the death of such person ; and when  
17 such person so testifies, the adverse party shall neither  
18 be excluded nor excused from testifying in reference  
19 to such facts, and any such representative party or  
20 heir of a deceased party may testify to any fact legally  
21 admissible upon general rules of evidence, happening  
22 after the decease of the testator, intestate or ancestor ;  
23 and in reference to such matters the adverse party  
24 may testify.

STATE OF MAINE.

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IN HOUSE OF REPRESENTATIVES, }  
February 20, 1873. }

Reported from the Committee on Legal Affairs, by Mr. HALEY,  
and laid aside to be printed under the Joint Rule.

S. J. CHADBOURNE, *Clerk.*