

MAINE STATE LEGISLATURE

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E I G H T Y - N I N T H L E G I S L A T U R E

Legislative Document

No. 796

S. P. 374

In Senate, February 14, 1939.

Referred to Committee on Judiciary and sent down for concurrence.
500 copies ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Hill of Cumberland.

S T A T E O F M A I N E

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-NINE

**AN ACT Relating to Admissibility in Evidence of Declarations of Deceased
and Insane Persons.**

Be it enacted by the People of the State of Maine, as follows:

Evidence of declarations. In any civil action or proceeding at law or in equity, if a statement, whether written or oral, of a person deceased or insane, is offered in evidence, such statement shall not be excluded as hearsay, provided that the trial judge or tribunal shall find, (1) that the statement was made at the time when the person making the same was mentally competent to understand the meaning and effect of such statement; (2) that it was made before the commencement of the action or proceeding in which such statement is so offered in evidence; (3) that it was made in good faith and upon the personal knowledge of the person making the same.