

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

## THIRTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE,

1857.

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Published by the Secretary of State, agreeably to Resolves of June 23, 1820, February 26, 1840,  
and March 16, 1842.

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AUGUSTA:  
STEVENS & BLAINE, PRINTERS TO THE STATE.  
1857.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1857.

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by reason of its bulk or other special cause could not be immediately removed, heretofore or hereafter made, stating the sums sued for in the writ, it shall be sufficient evidence that the officer has complied with the requisitions of law in relation to the statement of the sums sued for, if it appears that he has stated as the sums sued for either the amount ordered to be attached in the writ, the ad damnum, or the amount of the demands described in the writ. This section shall apply in all suits, actions and proceedings in law or equity, now pending or hereafter commenced.

SECT. 2. This act shall take effect from and after its approval by the governor.

[Approved March 28, 1857.]

### Chapter 20.

An act to amend the twenty-second section, of chapter one hundred and six of the revised statutes.

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

SECT. 1. The twenty-second section, of chapter one hundred and six of the revised statutes, is hereby amended, by adding thereto, at the end thereof, the following words: Any executor, administrator or guardian, required to return an inventory into probate court, may, when he resides more than ten miles from the place where such court is held, make oath to such inventory, before any justice of the peace.

Ch. 106, sec. 22,  
R. S., amended.

Executor, &c.,  
may make oath to  
inventory when  
more than ten  
miles from court.

SECT. 2. This act shall be in force from and after its approval by the governor.

[Approved March 30, 1857.]

### Chapter 21.

An act in relation to depositions.

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

SECT. 1. That a deposition, duly taken, of any party in a suit, who has deceased since said suit was commenced, shall be admitted as evidence in said suit, in case the opposing party is alive at the

Deposition of  
party deceased  
since commence-  
ment of suit.

CHAP. 22.

time of trial; and said opposing party may also testify as a witness in such case.

SECT. 2. This act shall take effect from and after its approval by the governor.

[Approved March 30, 1857.]

### Chapter 22.

An act to amend the second section, of chapter two hundred and sixty-five of the laws of the year eighteen hundred and fifty six, relating to the militia.

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

SECT. 1. The second section, of the two hundred and sixty-fifth chapter of the laws of the year eighteen hundred and fifty-six, is hereby amended, by striking out the word May, in the fifth line thereof, and inserting in its place the word April.

Enrollment of  
militia.

SECT. 2. This act shall take effect from and after its approval by the governor.

[Approved March 31, 1857.]

### Chapter 23.

An act to repeal chapters fifty-three, fifty-six and fifty-seven, of the revised statutes, relating to the inspection of butter and lard, onions and tobacco, and exportation of flax seed.

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

SECT. 1. Chapters fifty-three, fifty-six and fifty-seven, of the revised statutes, are hereby repealed.

Chs. 53, 56 and  
57 R. S., repealed.

SECT. 2. This act shall take effect from and after its approval by the governor.

[Approved April 1, 1857.]