

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE.

1859.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840, and March 16, 1842.

AUGUSTA:
STEVENS & SAYWARD, PRINTERS TO THE STATE.

1859.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1859.

words, "against the act" written or printed thereon; said ballots shall be received, sorted, counted, and lists thereof made out and returned to the office of the secretary of state by the clerks of said cities, towns and plantations in the same manner as votes for senators, on or before the twelfth day of July, in the year of our Lord eighteen hundred and fifty-nine, and the governor and council shall immediately thereafter sort and count the same, and forthwith cause the state of the vote to be published by the printer of the state, and the governor shall issue his proclamation declaring the majority vote so returned.

CHAP. 120.
— lists of, how to be made out, returned and counted.

Proclamation of governor.

SECT. 10. The proceedings at the special election ordered by this act shall be in accordance with the provisions of chapter four of the revised statutes, so far as applicable thereto.

Proceedings at election.

SECT. 11. If it shall appear by the proclamation and return of the votes aforesaid, that upon a majority of the ballots so returned, the words "for the act" are written or printed, then this act shall take effect and be in force from and after the first day of August next, but if it shall appear by said proclamation and return, that upon a majority of the ballots so returned, the words "against the act" are written or printed, then this act shall be inoperative and void.

Effect of the vote and proclamation.

[Approved April 4, 1859.]

Chapter 120.

An act to amend section first of chapter seventy-four of the revised statutes, relating to the attestation of wills.

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

SECT. 1. The first section of the seventy-fourth chapter of the revised statutes, is hereby amended, by striking out the words "disinterested and," and adding thereto, the words "not beneficially interested under the provisions of the will;" so that the whole of said section shall read as follows:

Ch. 74, sec. 1, R. S. repealed.

SECT. 1. A person of sound mind and of the age of twenty-one years, may dispose of his real and personal estate by will, in writing signed by him, or by some person for him at his request, and in his presence, and subscribed in his presence by three credible attesting witnesses, not beneficially interested under the provisions of the will.

Will, by whom made.

— how witnessed.

CHAP. 121.

Pending suit
not affected.

SECT. 2. This act shall take effect when approved by the governor, but shall not affect any suit or process now pending.

[Approved April 4, 1859.]

Chapter 121.

An act to amend chapter seventy-nine of the revised statutes, relating to the admission of attorneys at law to practice.

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

Ch. 79, sec. 21,
R. S. amended.

Attorneys,
qualifications
for admission
to practice,
proceedings.

SECT. 1. The twenty-first section of chapter seventy-nine of the revised statutes, is hereby amended, so as to read as follows: "Any citizen of this state of good moral character, and possessing the requisite legal qualifications, on application to the supreme judicial court, shall be admitted to practice as an attorney in the judicial courts of this state, and said court shall appoint annually, in each county, an examining committee of three or more persons, learned in the law, whose duty it shall be to examine thoroughly, touching his qualifications as a lawyer, any applicant to be admitted thus to practice, and if said committee, or a majority thereof, shall be satisfied, that the applicant possesses the requisite legal qualifications, and sustains a good moral character, they shall give him a certificate to that effect."

Ch. 79, sec. 22,
R. S. amended.

Conditions of
admission.

SECT. 2. That part of the twenty-second section of said chapter, preceding the oath therein set forth, is hereby amended, so as to read as follows: "No person shall be admitted thus to practice until he submits to such examination, and produces to the court such certificate from said examining committee, and pays the duty required by law, and in open court takes and subscribes the oath to support the constitution of the United States, and takes the following oath, viz: which oath shall be the same now set forth in said twenty-second section."

Ch. 79, sec. 23,
R. S. amended.

SECT. 3. The twenty-third section of said chapter shall be amended, by striking out the words, "or by any citizen of good moral character who produces in court a letter of attorney for that purpose."

[Approved April 4, 1859.]