

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

FORTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE.

1862.

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.
1862.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1862.

Chapter 108.

CHAP. 108.

An act amending the act relating to suits against volunteers.

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

SECT. 1. Section seven of an act approved April twenty-fifth, in the year of our Lord one thousand eight hundred and sixty-one, suspending suits against persons enlisted as volunteers, shall not apply to any suits, actions or proceedings upon official bonds.

Sec. 7 of act approved April 25, 1861, not to apply to proceedings upon official bonds.

SECT. 2. This act shall take effect on its approval by the governor.

[Approved March 15, 1862.]

Chapter 109.

An act to amend section eighty-three of chapter eighty-two of the revised statutes relating to proceedings in court.

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

SECT. 1. Section eighty-three of chapter eighty-two of the revised statutes is amended by adding thereto the words following: and an executor, administrator or heir of a deceased party, may testify to any fact, legally admissible upon general rules of evidence, happening after the decease of the testator, intestate or ancestor; and in reference to such matters the adverse party may testify.

Chap. 82, sec. 83, R. S. amended. Executors, &c., may testify in certain cases. Adverse party may testify.

SECT. 2. This act shall take effect when approved by the governor.

[Approved March 15, 1862.]

Chapter 110.

An act in addition to "an act to amend chapter sixty-four of the revised statutes" approved April fourth, eighteen hundred and fifty-nine.

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

SECT. 1. For hearing and reducing such interrogatories and answers thereto to writing, the judge shall be entitled to a reasonable compensation, to be paid by the person for whose benefit such examination is had.

Judge of probate, fees.—by whom to be paid.

CHAP. 111.

Answers, &c.,
not to be used
as evidence.

SECT. 2. Such answers, and any of the proceedings or declarations made in said probate court, shall not be used as evidence in any action in any court, directly or indirectly.

SECT. 3. This act shall take effect when approved by the governor.

[Approved March 15, 1862.]

Chapter 111.

An act to amend section eight of chapter twenty-seven of the revised statutes relating to billiards and other games in public houses.

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

Chap. 27, Sec.
8, R. S.,
amended.

SECT. 1. Section eight of chapter twenty-seven of the revised statutes is hereby amended by inserting after the word "keep" in the first line, and after the word "exercise" in the fifth line, and after the word "sport" in the seventh line, the words : for gambling purposes ; so that said section as amended shall read as follows :

Innholders and
victuallers to
allow no gamb-
ling on their
premises.

SECT. 8. No innholder or victualler shall have or keep for gambling purposes about his house, shop or other buildings, yards, gardens or dependencies, any dice, cards, bowls, billiards, quoits or other implements used in gambling ; or suffer any person resorting thither to use or exercise for gambling purposes any of said games, or any other unlawful game or sport therein ; and every person who shall use or exercise any such game or sport for gambling purposes, in any place herein prohibited, shall forfeit five dollars.

Penalty.

SECT. 2. This act shall take effect on its approval by the governor.

[Approved March 15, 1862.]

Chapter 112.

An act allowing office copies of deeds to be used in evidence in all suits where the title to real estate is in controversy.

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

Copies of deeds
allowed in
evidence in
certain cases.

SECT. 1. In all actions touching the realty, and in all other actions where such title is material to the issue between the parties, and where original deeds would be admissible, office copies of such deeds from the registry of deeds may be read in evidence without