

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.

CHAP. 135.

Chapter 135.

An act to impose a tax on dogs.

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

Tax imposed on dogs, if towns or cities so vote.

All dogs more than six months old, shall be taxed one dollar in the town where they are kept, on the first day of April in each year, to the owner or person who has them in possession at that time, provided that towns or cities shall so vote.

[Approved March 19, 1862.]

Chapter 136.

An act to amend chapter forty-five of the revised statutes in relation to interest on money.

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

Chap. 45, R. S., amended.

SECT. 1. Chapter forty-five of the revised statutes is amended by striking out all after the first section and inserting as follows :

Excessive interest not recoverable.

SECT. 2. In any action brought or hereafter to be brought on any contract whatever in which there is directly or indirectly taken, promised or received, a rate of interest exceeding that established in section one, or where such contract is relied upon by either party in the maintenance or defence of any action, either party may under the general issue prove such excessive interest, the defendant giving notice of such defence in his specifications of defence, and it shall be deducted from the amount due on such contract ; and if in any such action, the amount claimed by either party under such contract is reduced by proof of such excessive interest, the party taking or reserving the same shall recover no cost but shall pay cost to the adverse party.

Liability for taking or retaining excessive interest.

SECT. 3. If any person directly or indirectly receives or retains any such excessive interest in money or other property, he or his personal representatives shall be liable for the same to the party from whom received or retained, or to his personal representatives, in an action on the case ; but this provision shall not extend to bills of exchange or negotiable promissory notes in the hands of an indorsee or holder for a valuable consideration paid without notice of any such excessive interest.

Exceptions.

SECT. 4. This act shall take effect when approved by the governor.

[Approved March 19, 1862.]