

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

## FORTY-THIRD LEGISLATURE

OF THE

## STATE OF MAINE.

1864.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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1864.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1864.

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**Chapter 279.**

An act relating to the choice and duties of town auditors of accounts.

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

Auditors of accounts, certain towns may choose.

SECT. 1. Towns containing one thousand or more inhabitants, at their annual meeting shall choose by ballot in the same manner as other officers are chosen, one auditor of accounts.

Selectmen, treasurer, &c., to submit statement of expenditures to auditor.  
—to be laid before the town.

SECT. 2. The selectmen, treasurer and every other person charged with the expenditure of any moneys of the town shall at least fourteen days before the annual meeting in each year, submit a statement of such expenditures to said auditor, to be by him laid before the town, stating therein the amount of such expenditures, to whom and for what purposes the same was paid ; said auditor shall submit his report to the town at its annual meeting, which report shall state the liabilities and resources of the town and all expenditures of moneys as aforesaid, all claims by him allowed and all claims by him rejected. No action of said auditor shall bind the town until said action is accepted by the town. The compensation of said auditor shall be the same per day as that of selectmen.

Auditor to make report to town.

—not to bind town until accepted.

Auditor to cause report to be printed and distributed.

SECT. 3. Said auditor shall at least seven days before the annual meeting, cause a sufficient number of said reports to be printed, to furnish each voter with one copy, for the use of the town, and to be left at the several post offices in said town for distribution, and he shall forward one copy thereof to the secretary of state.

Selectmen to act as auditors for 1864.

SECT. 4. The selectmen of towns, shall for the municipal year of eighteen hundred and sixty-four, perform all the duties required by this act to be performed by auditors of accounts.

Act not to apply to cities.

SECT. 5. This act shall not apply to any incorporated city.

Approved March 25, 1864.

**Chapter 280.**

An act relating to evidence in criminal prosecutions.

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

Persons charged with crime deemed competent witnesses.

SECT. 1. In the trial of all indictments, complaints and other proceedings against persons charged with the commission of crimes or offences, the person so charged shall at his own request, but not otherwise, be deemed a competent witness ; the credit to be given to his testimony being left solely to the jury under the instructions of the court.

SECT. 2. Nothing herein contained shall be construed as compelling any such person to testify.

CHAP. 281.

Not compelled to testify.

Approved March 25, 1864.

## Chapter 281.

An act to define the extent and duration of the Lord's day; and to amend chapter eighty-one and chapter one hundred twenty-four of the revised statutes, relating to the observance of the Sabbath.

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

SECT. 1. The Lord's day shall be and include the time between twelve o'clock Saturday night and twelve o'clock Sunday night.

Lord's day defined.

SECT. 2. Chapter eighty-one of the revised statutes is hereby amended in section ninety-one, by striking out of the second line the words, "from midnight preceding to midnight following Sunday," and inserting in lieu thereof the words, *on the Lord's day*, so that said section shall read as follows :

Chap. 81, sec. 91, R. S., amended.

SECT. 91. No person shall serve or execute any civil process on the Lord's day; but such service shall be void, and the person executing such process shall be liable in damages to the party aggrieved, as if he had no process.

Process served, declared void.

SECT. 3. Chapter one hundred twenty-four of the revised statutes is hereby amended in section twenty, by striking out of the first and second lines the words, "which is the time between midnight preceding and sunset of the same day," and adding after the word "warehouse," in the third line, the words, *place of business*, so that said section shall read as follows :

Chap. 124, sec. 20, R. S., amended.

SECT. 20. Whoever on the Lord's day keeps open his shop, workhouse, warehouse or place of business, travels or does any work, labor or business on that day, except works of necessity or charity; uses any sport, game or recreation; or is present at any dancing, public diversion, show or entertainment, encouraging the same, shall be punished by a fine not exceeding ten dollars.

Shops, workhouses, &c., not to be kept open on Lord's day.

SECT. 4. Said chapter one hundred twenty-four is further amended in section twenty-one, by striking out of the first and second lines the words, "or on the evening preceding or following it," so that said section shall read as follows :

Chap. 124, sec. 21, R. S., amended.

SECT. 21. If any innholder or victualler, on the Lord's day, suffers any persons except travellers, strangers or lodgers, to abide in his house, yard or field, drinking or spending their time idly, at play, or doing any secular business, except works of charity or necessity, he shall be punished by a fine not exceeding

Innholders, &c., not to allow idlers, &c., about premises on Lord's day.

Penalty.

Penalties.