

# 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,  
February 26, 1840, and March 16, 1842.

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AUGUSTA:  
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1864.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1864.

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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.

CHAP. 281. four dollars for each person thus suffered to abide ; and if, after conviction, he is again guilty, by fine not exceeding ten dollars for each offence ; and upon a third conviction he shall also be incapable of holding any license ; and every person so abiding shall be punished by fine not exceeding four dollars for each offence.

Chap. 124,  
sec. 24, R. S.,  
amended.

SECT. 5. Said chapter is further amended in section twenty-four by striking out of the first line the word "shall" after the word "tythingmen," and inserting in lieu thereof the words, *or any other persons may* ; and also by striking out of the second line the words, "twenty-two," so that said section shall read as follows :

Tythingmen  
may prosecute.

SECT. 24. Tythingmen or any other persons may prosecute for all offences described in sections seventeen, twenty and twenty-one, at any time within six months after the commission thereof, in any competent court.

Chap. 124,  
sec. 22, R. S.,  
amended.

SECT. 6. Section twenty-two of said chapter one hundred twenty-four is hereby repealed.

Instruments  
dated on Lord's  
day not void  
without proof  
other than  
their date.

SECT. 7. No deed, contract, receipt or other instrument in writing, shall be held void, on account of being dated on the Lord's day, without proof other than its date, that it was actually made and delivered on the Lord's day.

SECT. 8. This act shall take effect when approved by the governor.

Approved March 25, 1864.