

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

FORTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE.

1867.

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.
1867.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1867.

CHAP. 117.

Chapter 117.

An act defining a mutual and open account current.

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

R. S., chap.
81, sect. 99,
amended.

Accounts when
deemed mutual
and open.

SECT. 1. Section ninety-nine of chapter eighty-one of the revised statutes is hereby amended by adding thereto at its close the following words:—*And it shall be deemed a mutual and open account current when there have been mutual dealings between the parties, the items of which are unsettled, whether kept or proved by one party or both.*

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

Approved February 28, 1867.

Chapter 118.

An act relating to testimony of persons, taken in the trial of civil causes, who have since deceased.

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

Testimony of
subscribing
witness or
magistrate
taking
acknowledg-
ment of deed,
when received
in evidence.

SECT. 1. When the testimony of a subscribing witness to any deed, or of the magistrate who took the acknowledgment thereof, has once been taken in the trial of any civil cause in relation to the execution, delivery or record of such deed, and such witness shall have since deceased, proof of such former testimony shall be admissible in evidence in the trial of any other civil cause, involving the question of execution, delivery or record of such deed, wherein the parties are the same, or where one of the parties is the same, and the adverse party acted as agent or attorney for the adverse party in the former suit, but such testimony shall be liable to impeachment like the testimony of a living witness.

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

Approved February 28, 1867.

Chapter 119.

An act authorizing any city or town in this state to raise money to aid in the construction of any railroad in this state.

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

Any city or
town may raise

SECT. 1. Any town or city in this state may, at any legal meeting duly notified and holden for that purpose, raise by tax or loan,