

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FORTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE.

1868.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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1868.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1868.

Chapter 194.

CHAP. 194.

An act for the further protection of persons who have policies in marine insurance companies.

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

SECT. 1. In all cases where a policy of insurance has been issued by any insurance company, and a note given for the premium that may be due on said policy, the policy and note shall be treated as parts of the same contract, and any loss occurring under the policy for which the company issuing the policy may be liable, shall or may be applied to the said note, whether such note is in the hands of the company, or their assignee or assignees.

Note given for premium on policy of insurance to be treated as part of same contract.

SECT. 2. Where the insurance company is a foreign corporation, and has issued a policy to an inhabitant of this state, and loss occurs, such foreign corporation may be sued and jurisdiction sustained, if service be made by a copy of writ and declaration upon any member of such corporation who may be an inhabitant of this state, and resides in the county where such action is brought.

Suit against foreign insurance companies when sustained, and how service to be made.

SECT. 3. This act shall take effect when approved.

Approved March 3, 1868.

Chapter 195.

An act in addition to an act to provide for the restoration of the records of the court of probate for Cumberland county, approved March one, eighteen hundred sixty-seven.

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

SECT. 1. All the provisions of the ninth, tenth, eleventh, twelfth and fourteenth sections of said act, relating to the return, verification and record of copies or abstracts of certain accounts therein specified, and to the effect of such verification and record, shall apply to any accounts of administration which had been settled before the fourth day of July, eighteen hundred sixty-six; and any executor, administrator, guardian, trustee, assignee or surviving partner, may, at any time, voluntarily present to the court a copy, or abstract as nearly as may be, of any account settled before the day aforesaid, and a copy or abstract as nearly as may be of any inventory returned and recorded before that date, for verification and record as provided in said sections. Upon the presenting or return of any such copies or abstracts of accounts under the sections aforesaid, or under this section, the judge shall order notice to all parties interested, unless they assent in writing thereto, of the time assigned for a hearing thereon; and may, in his dis-

Provisions 9, 10, 11, 12 and 14, sects. chap. 128 public laws 1867 extended to accounts of administrators.

Notice to be given on accounts, copy or abstract of inventories.

CHAP. 196.

cretion, order like notice upon any such copy or abstract of inventory. And the record of any such inventory, or abstract of inventory, when verified, and certified copies thereof, shall be prima facie evidence in any court.

Sects. 3, 4 and 6 public laws 1867, chap. 128, amended.

SECT. 2. The third section of said act shall be amended, by striking out from the first line the words "of the record." The fourth section shall be amended, by striking out from the third line the words "of record." The sixth section shall be amended, by striking out from the last sentence but one of the same, the words "or that such statement be established as the substance of the will"; and from the last sentence the words "or of the substance of the same."

SECT. 3. This act shall take effect when approved.

Approved March 3, 1868.

Chapter 196.

An act increasing the amount of money which towns shall raise for the support of schools.

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

Cities, towns and plantations to raise for school purposes not less than \$1 per inhabitant exclusive of income from all other sources.

SECT. 1. Every city, town and plantation shall raise and expend, annually, for the support of schools therein, a sum of money, exclusive of the income of any corporate school fund, or of any grant from the revenue or funds from the state, or of any voluntary donation, devise or bequest, or of any forfeiture accruing to the use of schools, not less than one dollar for each inhabitant, according to the census of the state, by which representatives to the legislature were last apportioned.

SECT. 2. All acts or parts of acts inconsistent with the provisions of this act, are hereby repealed.

SECT. 3. This act shall take effect when approved.

Approved March 3, 1868.

Chapter 197.

An act relating to evidence.

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

Executor or administrator may testify for either party in suit when disinterested.

SECT. 1. In the trial of any action where the executor or administrator of a person deceased is a party, the adverse party if nominal merely, and he has no interest in the subject matter of the suit, and had parted with his interest during the lifetime of such deceased