

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1874.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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1874.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1874.

CHAP. 200. nevertheless be prima facie evidence that the same is duly recorded, and such record shall be prima facie evidence of the contents of the original instrument; and copies of such record may be used for all purposes for which office copies of deeds may now be legally used.

Certain powers may be exercised by persons holding said office five years after vacancy.

SECT. 2. The power conferred by revised statutes, chapter seven, section thirteen, or any act amendatory thereof, shall be exercised by any person or persons holding the office at any time during five years after the said vacancy may have occurred.

Certificates, how made.

SECT. 3. No certificate shall be made as authorized in said section thirteen, or any act amendatory thereof, except upon comparison by the register making the certificate of the original instrument with the record thereof, and such certificate shall in all instances state the date when it was made, the fact of comparison, and the date when the original instrument was left for record; but shall be only prima facie evidence of the last fact.

Approved February 28, 1874.

Chapter 200.

An act to amend section fourteen of chapter one hundred and sixteen of the revised statutes, relating to costs of parties.

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

Sec. 14, ch. 116, R. S., amended.

All of section fourteen of chapter one hundred and sixteen of the revised statutes, between the thirteenth and twenty-fifth lines of said section, is stricken out, and the following substituted:

Costs for travel in civil suits, how taxed.

'Costs for travel shall be taxed for the prevailing party in civil suits, according to the distance of said party or his attorney who resides nearest to the place of trial, unless said prevailing party or his attorney who resides farthest from said place of trial, actually travels the greater distance for the special purpose of attending court in such cause, in which case costs for travel shall be taxed for said last named distance, and when the action is in the name of an endorsee, and the plaintiff is the prevailing party, such costs for travel shall be taxed according to the distance of the attorney, payee or endorsee, who is nearest to the place of trial, unless the attorney, payee or endorsee, residing the greater distance from said place of trial, actually travels such greater distance for the special purpose of attending court in said cause.

No cost allowed for travel beyond a certain distance.

But no costs for travel shall be allowed for more than ten miles distance from any justice, municipal or police court, nor more than forty miles distance from any other court, unless the plaintiff prevailing actually travels a greater distance, or the adverse

party, if he recovers costs, by himself, his agent or attorney, in fact travels a greater distance for the special purpose of attending court in such cause.'

CHAP. 201.

Approved February 28, 1874.

Chapter 201.

An act additional to chapter eighty-two of the revised statutes, concerning proceedings in court.

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

In actions of contract against more than one defendant, the jury may return a separate verdict as to each defendant, or as to two or more defendants jointly, and judgments shall be entered up accordingly. In case of separate judgment against defendants in the same action, the court shall apportion the costs to be taxed against each such defendant.

Separate verdicts to joint defendants.

Costs, how apportioned.

Approved February 28, 1874.

Chapter 202.

An act to make the thirtieth day of May a legal holiday.

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

SECT. 1. Section nine of chapter thirty-two of the revised statutes is hereby amended by adding after the word "January," in the seventh line, the words 'thirtieth day of May,' so that said section as amended shall read as follows :

Sec. 9, ch. 32, R. S., amendment of.

'On any promissory note, inland bill of exchange, draft or order for the payment of money, payable in this state at a future day or at sight and not on demand, a grace of three days shall be allowed, if the third day is Sunday, a day of public fast or thanksgiving appointed by the governor and council, the fourth day of July, the twenty-second day of February, or Christmas, or first day of January, or the thirtieth day of May, two days shall be allowed. If the fourth day of July, twenty-second of February, Christmas, first day of January or thirtieth day of May, is Monday, and it is the third day of grace, or is Saturday and the following Sunday is the third day of grace, four days shall be allowed.'

Days of grace for payment of money established.

SECT. 2. Section eighteen of chapter seventy-seven of the revised statutes is hereby amended by adding after the word

Sec. 18, ch. 77, R. S., amendment of.