

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE.

1877.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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AUGUSTA :

SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.

1877.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1877.

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**Chapter 186.**

CHAP. 186

An act requiring Railroad Corporations to be holden for labor.

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

That chapter fifty-one of the revised statutes be amended, by adding thereto these words and figures :

Ch. 51, R.S.,  
amended.

‘SECT. 84. Every railroad company, in making contracts for the building of its road, shall require sufficient security from the contractors for the payment of all labor thereafter performed in constructing the road by persons in their employ ; and such company shall be liable to the laborers employed, for labor actually performed on the road, if they, within twenty days after the completion of such labor shall, in writing, notify its treasurer that they have not been paid by the contractors.’

Railroad companies shall require security for payment of laborers, and be liable to them, if notified.

Approved February 7, 1877.

**Chapter 187.**

An act relating to Witnesses and Evidence.

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

SECT. 1. Whenever it becomes necessary, in any court in this state, to prove the testimony of any witness in the trial of any former case in any court in this state, the certified copy of the notes of the testimony of said witness, taken by the stenographic reporter at the court where said witness testified, shall be legal evidence to prove the testimony of said witness.

Testimony of any witness may be proved by a certified copy of stenographic notes of former testimony of said witness.

SECT. 2. This act shall take effect when approved.

Approved February 7, 1877.

**Chapter 188.**

An act to amend chapter one hundred and thirty-seven of the Revised Statutes, in relation to disposal of Criminals.

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

Section five of chapter one hundred and thirty-seven of the revised statutes is amended by inserting the words ‘ or county

Sec. 5, ch. 137,  
R. S., amended.

CHAP. 189 jail,' after the word "prison," in the first line, and the words 'or jailor,' in the second line, after the word "warden," so that said section, as amended, shall read as follows :

Proceedings when an inmate of state prison or county jail becomes insane.

'SECT. 5. When an inmate of the state prison or county jail becomes insane, the warden or jailor shall notify the governor of the fact, and he, with advice of council, shall appoint a commission of two or more skilful physicians to investigate the case, and if such inmate is found insane by their examination, he shall be sent to the insane hospital until he becomes of sound mind ; and if this takes place before the expiration of his sentence, he shall be returned to prison ; but if after, he shall be discharged free. The expenses of the commission, removal, and support, shall be paid by the state.'

Approved February 7, 1877.

### Chapter 189.

An act to amend section ten, chapter one hundred and thirty-one of the Revised Statutes, relating to Indictments.

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

Sec. 10, ch. 131, R. S., amended.

Section ten, chapter one hundred and thirty-one of the revised statutes is amended by adding, at the end thereof, the following words : ' No variance between any matter in writing or in print, produced in evidence on the trial of any criminal cause, and the recital or setting forth thereof in the complaint, indictment or other criminal process whereon trial is had, shall be deemed material, provided, that the identity of the instrument is evident, and the purport thereof is sufficiently described to prevent all prejudice to the defendant ; and any criminal process may be amended, in matters of form, at any time before final judgment,' so that said section, as amended, shall read as follows :

Definition of "owner" of property as used in indictments.

'SECT. 10. In an offense in any way relating to real or personal estate, it shall be deemed sufficient and not a variance, if proved at the trial that, when the offense was committed, the actual or constructive possession, or the general or special property in whole or in part of such estate, was in the person or community alleged in the indictment to be the owner thereof. No variance between any