

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE

1903.

Published by the Secretary of State, agreeably to Resolves of June 28,
1820, February 18, 1840, and March 16, 1842.

AUGUSTA
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1903

PUBLIC LAWS

OF THE

STATE OF MAINE.

1903.

CHAP. 111

Chapter 111.

An Act to amend Section ninety-eight of Chapter eighty-two of the Revised Statutes, relating to Evidence.

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

Section 98 of chapter 82, R. S., amended.

Section 1. Section ninety-eight of chapter eighty-two of the revised statutes, is hereby amended by adding a sixth exception, as follows:

Executors and administrators may testify to facts happening before death of person whom they represent.

'Sixth. In all actions brought by an executor, administrator or other legal representative of a deceased person, such representative party shall not be excused from testifying to any facts admissible upon general rules of evidence, happening before the death of such person, if so requested by the opposite party. But nothing herein shall be so construed as to enable the adverse party to testify against the objection of the plaintiff when the plaintiff does not voluntarily testify.'

Section 2. This act shall take effect when approved.

Approved March 18, 1903.

Chapter 112.

An Act to provide for the protection of Trees and Shrubs from injurious insects and diseases.

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

Inspection of nursery stock.

Section 1. All nursery stock shipped into this state from any other state, country or province shall bear on each box or package a certificate that the contents of said box or package have been inspected by a duly authorized inspecting officer, and that said contents appear to be free from all dangerous insects or diseases. In case nursery stock is brought into the state without such a certificate the consignee shall return it to the consignor at the expense of the latter; provided, however, that any box or package bearing a certificate of fumigation, which shall be an affidavit made before a justice of the peace that all stock sold by the consignor has been fumigated in a manner approved by the state nursery inspector of the state from which said nursery stock is shipped, the same may be accepted as though bearing a proper certificate of inspection.

—nursery stock brought into the state without certificate of inspection, shall be returned.
—proviso.

Penalty for transporting or selling un-inspected nursery stock.

Section 2. Any transportation company that shall bring into this state any nursery stock such as trees, shrubs, vines, cuttings or buds, and any transportation company, owner or owners of