

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES  
OF THE  
SEVENTY-FIFTH LEGISLATURE

OF THE  
STATE OF MAINE.

1911

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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fifth  
Legislature

*1911*

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**Chapter 123.**

An Act to provide for the admission of evidence in actions for libel in Certain Cases.

*Be it enacted by the People of the State of Maine, as follows:*

At the trial of any action for libel, the defendant shall be at liberty to give in evidence in mitigation of damages that the plaintiff has already recovered or has brought action for damages for, or has received or has agreed to receive compensation for, substantially the same libel as that for which said action was brought.

Admission of evidence.

Approved March 29, 1911.

**Chapter 124.**

An Act to amend Section thirteen, of Chapter one hundred and seventeen of the Revised Statutes, as amended by Chapter sixty-six of the Public Laws of nineteen hundred and seven, as amended by Chapter one hundred and ninety-five of the Public Laws of nineteen hundred and nine, relating to fees of witnesses before Referees, Auditors, and Commissioners specially appointed to take Testimony.

*Be it enacted by the People of the State of Maine, as follows:*

Section thirteen, of chapter one hundred and seventeen of the revised statutes, as amended by chapter sixty-six of the public laws of nineteen hundred and seven, as amended by chapter one hundred and ninety-five of the public laws of nineteen hundred and nine, is hereby amended by striking out the words, "One dollar and" in the second line, and by striking out the words, "fifty cents" in the second line, and inserting the following: 'two dollars, or before referees, auditors or commissioners specially appointed to take testimony, one dollar and fifty cents'; and by striking out in the twenty-first and twenty-second lines of said section thirteen, the words, "referees, auditors or commissioners specially appointed to take testimony," so that said section as amended shall read as follows:

Section 13, chapter 117 R. S., as amended by chapter 66, public laws 1907, as amended by chapter 195, public laws 1909 further amended.

'Section 13. Witnesses in the supreme judicial or superior courts or in the probate court shall receive two dollars, and before referees, auditors or commissioners specially appointed to take testimony, one dollar and fifty cents, or before the county commissioners one dollar, for each day's attendance and six cents a mile for each mile's travel going and returning home; but the court in its discretion, may allow at the trial of any cause, civil or criminal, in said supreme judicial or superior courts, a sum not exceeding twenty-five dollars per day for the attendance of any expert witness or witnesses at said trial, in

Fees of witnesses.

—fees of expert witnesses.

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taxing the costs of the prevailing party; but such party or his attorney of record, shall first file an affidavit, during the term at which such trial is held, and before the cause is settled, stating the name, residence, number of days in attendance and the actual amount paid or to be paid each expert witness, in attendance at such trial. And no more than two dollars per day shall be allowed or taxed by the clerk of courts, in the costs of any suit, for the per diem attendance of a witness, unless the affidavit herein provided, is filed, and the per diem is determined and allowed by the presiding justice; and before a justice of the peace, a trial justice, a judge of the municipal court, fifty cents a day attendance, and for travel, the same as the courts aforesaid.'

Approved March 29, 1911.

**Chapter 125.**

An Act concerning notaries public who are stockholders, directors, officers or employees of banks or other Corporations.

*Be it enacted by the People of the State of Maine, as follows:*

Acts of notary public shall be lawful.

Section 1. That it shall be lawful for any notary public who is a stockholder, director, officer or employee of a bank or other corporation to take the acknowledgment of any party to any written instrument executed to or by such corporation, or to administer an oath to any other stockholder, director, officer, employee or agent of such corporation, or to protest for non-acceptance or non-payment bills of exchange, drafts, checks, notes and other negotiable instruments which may be owned or held for collection by such bank or other corporation: Provided, it shall be unlawful for any notary public to take the acknowledgment of an instrument by or to a bank or other corporation of which he is a stockholder, director, officer or employee, where such notary is a party to such instrument, either individually or as a representative of such bank or other corporation, or to protest any negotiable instrument owned or held for collection by such bank or other corporation, where such notary is individually a party to such instrument.

--when unlawful.

Shall apply to notaries already appointed.

Section 2. This act shall apply to notaries public already appointed and shall validate any acts heretofore done by them which would be valid hereunder.

Inconsistent acts repealed.

Section 3. All acts or parts of acts inconsistent with this act are hereby repealed.

Approved March 29, 1911.