

the word "destroys", in the first line, the word:—mutilates,—so that the section as amended shall read as follows:—*Section 21.* Whoever steals, or for any fraudulent purpose destroys, mutilates or conceals a will, codicil, or other testamentary instrument, shall be punished by imprisonment in the state prison not exceeding five years, or in the house of correction not exceeding two years.

*Approved June 5, 1890.*

AN ACT CONCERNING THE REMOVAL AND MUTILATION OF THE RECORDS OF THE COMMONWEALTH. *Chap. 392*

*Be it enacted, etc., as follows:*

Section sixteen of chapter thirty-seven of the Public Statutes is hereby amended by adding after the words "files of", in the sixth line, the words:—the Commonwealth or,—so that as amended the section shall read as follows:—*Section 16.* Every county, city, and town, for each month it neglects or refuses to perform any duty required by this chapter, shall forfeit twenty dollars; every register or clerk who neglects or refuses to perform any such duty shall forfeit for each offence ten dollars; every person who takes and carries away any book of record, paper, or written document belonging to the records or files of the Commonwealth, or any county, city, or town, except as is provided in section twelve, or who defaces, alters, or mutilates, by mark, erasure, cutting, or otherwise, any such record, paper, or written document, shall forfeit a sum not exceeding fifty dollars; and every person who, after demand made by the clerk entitled by law to have possession of books of record and other documents mentioned in the two preceding sections, wrongtully detains the same, shall forfeit fifty dollars.

Amendment to P. S. 37, § 16.

Penalty for mutilating, etc., the records of the Commonwealth, etc.

*Approved June 5, 1890.*

AN ACT RELATING TO EVIDENCE IN PROSECUTIONS FOR OFFENCES AGAINST THE ELECTION LAWS. *Chap. 393*

*Be it enacted, etc., as follows:*

SECTION 1. In all criminal prosecutions for the violation of any law relating to caucuses or elections, if the defendant relies upon the invalidity, irregularity or informality of any caucus or election, or upon the failure or neglect of any officer or person to do or perform any act or thing whatsoever in relation to any caucus or election, or matters or things pertaining thereto, he shall prove

Caucus, etc., to be deemed regular, in criminal prosecutions.

such invalidity, irregularity, informality, failure or neglect ; and until such proof by such defendant, the presumption shall be that such caucus or election was valid and regular, and that such officer or person acted as prescribed by law ; and the testimony of the clerk of the city or town wherein it is alleged that such election was held, or of the presiding officer or clerk of such caucus that such election or caucus was actually held, shall be prima facie evidence that the same was regularly and duly held. But nothing in this section shall preclude proof of the validity or regularity of such caucuses or elections in any other legal manner.

Registration, etc., to be deemed valid and regular, in criminal prosecution.

SECTION 2. In any criminal prosecution for violation of any law in reference to the registration, qualification or assessment of voters, or in reference to check-lists or ballots, if the defendant relies upon the invalidity, informality or irregularity of such registration, qualification or assessment, or of such check-lists or ballots, or matters or things pertaining thereto, he shall prove such invalidity, irregularity or informality ; and until such proof by such defendant, the presumption shall be that such registration, qualification or assessment, or check-lists or ballots, are valid and regular and in accordance with law. But nothing in this section shall preclude proof of the validity, regularity or formality of such registration, qualification or assessment of voters, or of such check-lists or ballots, or matters or things pertaining thereto, in any other legal manner.

*Approved June 6, 1890.*

*Chap. 394* AN ACT TO AUTHORIZE SAVINGS BANKS AND INSTITUTIONS FOR SAVINGS TO INVEST IN THE FIRST MORTGAGE BONDS OF THE MAINE CENTRAL RAILROAD COMPANY.

*Be it enacted, etc., as follows :*

Savings banks, etc., may invest in bonds of the Maine Central Railroad Company.

Provided.

SECTION 1. Savings banks and institutions for savings may invest in the first mortgage bonds of the Maine Central Railroad Company, notwithstanding the existence of a mortgage indebtedness not matured upon the whole or a part of the road of said railroad company : *provided, however,* that said bonds be issued in whole or in part to renew and refund said existing first mortgage indebtedness, and that an amount of such bonds equal at the par value to the amount of such existing mortgage indebtedness shall, by the terms of the mortgage securing the same, be made applicable exclusively to the payment of such existing