

MAINE STATE LEGISLATURE

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REVISED STATUTES

OF THE

STATE OF MAINE

1954

1955 SUPPLEMENT

ANNOTATED

IN FIVE VOLUMES

VOLUME 3

**Place in Pocket of Corresponding
Volume of Main Set**

THE MICHIE COMPANY
CHARLOTTESVILLE, VIRGINIA
1955

Law Court.

Sec. 13-A. Preservation of briefs in law court cases.—The clerk of the supreme judicial court shall preserve 3 complete sets of briefs filed in all cases in the supreme judicial court sitting as a law court. Under the direction of the chief justice these briefs shall be delivered to a qualified person for arrangement in a readily accessible order and shall be delivered to a bindery designated by the chief justice for binding in convenient size and proper labelling; one set shall thereupon be delivered to the law libraries respectively of Cumberland, Kennebec and Penobscot counties for preservation and reference. The expense of binding and transportation shall be paid by the state from the appropriation for expenses of the supreme judicial court. (1955, c. 329.)

Sec. 15. Jurisdiction of law court; disposition of cases; technical errors in pleading and procedure.

Applied in *Owl's Head v. Dodge*, 150 Me. 112, 104 A. (2d) 435.

Chapter 104.

Reporter of Decisions.

Sec. 2. Duties.—The reporter of decisions shall prepare correct reports of all legal questions argued and decided, reporting cases more or less at large according to his judgment of their importance. He shall publish periodic advance sheets and at least one volume of Maine Reports yearly, provided he has material enough to make a volume of the size required by this section, and furnish current copies to the state and to the public at a price to be fixed by the governor and council. Each volume shall be of the average size of Maine Reports, and be equal thereto in paper, printing, general finish and quantity of printed matter. The reporter may from time to time as he sees fit, make a written contract in his own name with any person, firm or corporation for the printing, publishing and binding of said reports and shall require such person, firm or corporation to give a good and sufficient bond with good and sufficient sureties, conditioned for the faithful performance of all the terms and conditions of such contract by the person, firm or corporation with whom the reporter makes such contract. In case of a breach of any or all of the conditions of such bond, the reporter may maintain an action on such bond in his own name. In the exercise of any discretionary powers vested in him by this section or by section 15 of chapter 103, the reporter of decisions shall act in accordance with such instructions or advice as may be given to him by the chief justice of the supreme judicial court. (R. S. c. 92, § 2. 1951, c. 57, § 1. 1955, c. 175, § 1.)

Effect of amendment.—The 1955 amendment inserted in the second sentence the reference to periodic advance sheets and the words "of Maine Reports." It also deleted the words "the usual number of" formerly appearing before the words "current copies."

Sec. 4. Repealed by Public Laws 1955, c. 175, § 2.

Chapter 105.

Board of Bar Examiners. Attorneys at Law.

Sections 25-29. Central Register of Attorneys.

Central Register of Attorneys.

Sec. 25. Central register of attorneys.—It shall be the duty of the sec-

retary of state to establish and maintain a central register of all persons who have been duly admitted as members of the bar in this state. (1955, c. 446.)

Sec. 26. Preparation.—Said list shall be prepared from information furnished to the secretary of state by the clerk of courts from the several counties, each of whom shall within 3 months after the effective date of sections 25 to 29, inclusive, prepare in writing, certify and mail to the office of the secretary of state, a full, true and complete list of all members of the bar now living who have been admitted in their respective counties. (1955, c. 446.)

Sec. 27. Revision.—It shall likewise be the duty of the clerk of court in each of the several counties to furnish to the secretary of state by registered mail a written certificate setting forth any and all additions to the aforesaid list of members of the bar from his county as well as all deletions by reason of death, resignation, disbarment, suspension or otherwise, and all reinstatements or readmissions not otherwise reported to the secretary of state as and when they occur and thereupon it shall become the duty of the secretary of state, forthwith upon receipt of each amendatory certificate, to revise the central register of attorneys accordingly, to the end that said register may be perpetually maintained with current corrections from each county. A list of persons admitted each year together with the date and place of taking the oath and the date of admission shall be supplied annually to the secretary of the board of bar examiners by the secretary of state. (1955, c. 446.)

Sec. 28. Register as evidence.—If and whenever in any proceeding before any court of civil or criminal jurisdiction within the state of Maine, it becomes an issue as to whether or not any individual is or is not duly admitted to practice law as a member of the bar in the state of Maine, the certificate of the secretary of state as to whether or not his name then appears upon the said central roll or register of attorneys shall be prima facie evidence of the fact. (1955, c. 446.)

Sec. 29. Certificates.—It shall be the duty of the secretary of state upon payment of a fee of \$5 to furnish his certificate in respect of any individual as to whether he is or is not recorded as a member of the bar on the said central register except that such certificate shall be furnished without charge to the attorney general, his deputies and assistants and the county attorneys of the several counties for use in connection with their public duties. (1955, c. 446.)

Chapter 106.

Superior Court.

Superior Court; Constitution, General Jurisdiction and Powers.

Sec. 2. Salary; expenses.—Each of the justices of the superior court shall receive an annual salary of \$11,500. All provisions of section 4 of chapter 103 relating to reimbursement of justices of the supreme judicial court for expenses incurred by them shall apply to justices of the superior court, except that justices of the superior court shall not be entitled to reimbursement for expenses incurred in employing clerical assistance. (R. S. c. 94, § 2. 1945, c. 331, § 2. 1951, c. 403, § 2. 1955, c. 472 § 2.)

Effect of amendment.—The 1955 amendment increased the annual salary of justices of the superior court from \$10,500 to \$11,500.

Sec. 11. Trial terms.

III. Cumberland: At Portland on the 1st Tuesday of every month except July and August; but the criminal business of said county shall be transacted at the terms held on the 1st Tuesdays of January, May and September, to-