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# FORTY-SEVENTH LEGISLATURE.

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HOUSE.

No. 128.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SIXTY-EIGHT.

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AN ACT to enlarge the jurisdiction of the superior court  
in the county of Cumberland.

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

SECTION 1. The original and appellate jurisdiction  
2 now vested in and exercised by the supreme judicial  
3 court within and for the county of Cumberland, and  
4 all powers incident thereto, shall, at the end of the next  
5 July term thereof for the transaction of criminal busi-  
6 ness, be transferred to and conferred upon the superior  
7 court within and for said county, which court shall  
8 thereafter exercise the same in the same manner as  
9 theretofore authorized by law to be exercised by the  
10 supreme judicial court in said county.

SECT. 2. Said criminal business of said county of  
2 Cumberland shall, after the month of September next,  
3 be transacted at the terms of said superior court held  
4 on the first Tuesdays of January, May and September,  
5 together with the civil business of said court.

SECT. 3. All indictments and information, and all  
2 criminal processes pending in said supreme judicial  
3 court for said county, at the end of said next July  
4 criminal term thereof, shall be transferred to said  
5 superior court, and shall be entered upon the docket  
6 of the same at the next January term thereof, and  
7 shall have day therein, and all warrants, recognizances,  
8 appeals in criminal cases, and all criminal processes  
9 whatever, which, but for the passage of this act,  
10 would be returnable to, or which by law would be en-  
11 tered in, said supreme judicial court in said county,  
12 on the last Tuesday of November, eighteen hundred  
13 and sixty-eight, shall be returnable to and entered  
14 upon the docket of said superior court at said January  
15 term thereof, and shall have day therein. And all  
16 parties, all grand and traverse jurors, witnesses and  
17 others who would, but for the passage of this act, be  
18 held to appear at said supreme judicial court for said  
19 county on the last Tuesday of November, eighteen  
20 hundred and sixty-eight, shall be held to appear at

21 said January term of said superior court. Venires for  
22 grand jurors to serve at said superior court shall be  
23 issued at least forty days before the first Tuesday of  
24 September annually, and such jurors shall serve at  
25 every term of said court for the transaction of criminal  
26 business throughout the year.

SECT. 4. All exceptions or questions of law arising  
2 in any way during the trial of criminal cases in said  
3 superior court, shall be transferred to the law docket  
4 of the supreme judicial court for the western district,  
5 and shall have day therein, and if said exceptions are  
6 sustained, or a new trial is ordered, the cause shall be  
7 remanded to said superior court for trial. All motions  
8 for a new trial in criminal cases tried in said superior  
9 court shall be heard and finally determined by the  
10 justice thereof.

SECT. 5. After the next July term of said supreme  
2 judicial court held within and for said county for the  
3 transaction of criminal business, the November and  
4 July terms of said supreme judicial court provided for  
5 said county by the second section of chapter one hun-  
6 dred and fifteen of the public laws of eighteen hundred  
7 and sixty-seven, shall be abolished, and no more terms  
8 of said supreme judicial court shall thereafter be held  
9 in said county for the transaction of criminal business.

SECT. 6. Section thirteen of the act of February  
2 fourteen, eighteen hundred and sixty-eight, establish-  
3 ing said superior court, is amended by striking out  
4 from the second sentence thereof the words, “after  
5 the next April term thereof.”

SECT. 7. This act shall take effect when approved.

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STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }  
March 3, 1868. }

By leave, laid on the table by Mr. HALE of Ellsworth, read  
twice, and ordered to be printed.

S. J. CHADBOURNE, *Clerk.*