

MAINE STATE LEGISLATURE

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FIFTY-SECOND LEGISLATURE.

HOUSE.

No. 42.

STATE OF MAINE.

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

AN ACT to amend section thirteen of chapter seventy-seven of the revised statutes, relating to decisions in the supreme judicial court.

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

Section thirteen of chapter seventy-seven of the
2 revised statutes, is hereby amended by inserting the
3 following after the word " county " in the last line of
4 said section one : And the court shall immediately
5 after the decision of the question submitted to it,
6 make such order, direction, judgment or decree as is
7 fit and proper for the disposition of the case, and cause
8 a rescript, briefly stating the points therein decided to
9 be filed therein, which rescript shall be certified by the
10 clerk of the district to the clerk of the county where

11 the action is pending, and if no further opinion is
12 written out the reporter shall publish in the next
13 volume of the reports thereafter issued, the case, to-
14 gether with such rescript, so that said section as
15 amended shall read as follows :

16 The following cases only came before the court as a
17 court of law : cases in which there are motions for
18 new trials upon evidence reported by the judge ;
19 questions of law arising on reports of cases ; bill of
20 exceptions ; agreed statements of facts ; cases civil or
21 criminal, presenting a question of law ; cases in equity
22 presented on demurrer to the bill, or when prepared
23 for a final hearing ; motions to dissolve injunctions
24 issued after notice and hearing, or continued after a
25 hearing ; questions arising on writs of habeas corpus,
26 mandamus, and certiorari, when the facts are agreed
27 as ascertained and reported by a judge. They are to
28 be marked law on the docket of the county where
29 pending, and there continued until their determination
30 is certified by the clerk of the district to the clerk of
31 the county, and the court shall immediately after the
32 decision of the question submitted to it, make such
33 order, direction, judgment or decree, as is fit and
34 proper for the disposition of the case, and cause a
35 rescript briefly stating the points therein decided to
36 be filed therein, which rescript shall be certified by the

37 clerk of the district to the clerk of the county where
38 the action is pending ; and if no further opinion is
39 written out, the reporter shall publish in the next
40 volume of the reports thereafter issued, the case,
41 together with such rescript.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
February 13, 1873. }

Reported from the Committee on Judiciary, by Mr. MORTLAND, and ordered printed under the rules.

S. J. CHADBOURNE, *Clerk.*