

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

---

---

# FIFTY-THIRD LEGISLATURE.

---

SENATE.

No. 48.

---

---

## STATE OF MAINE.

---

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

---

---

AN ACT to amend an act entitled “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 re-  
2 vised statutes, as amended by chapter one hundred and  
3 twenty-seven of the public laws of the year one thou-  
4 sand eight hundred and seventy-three, is hereby fur-  
5 ther amended so as to read as follows :

6 *Sect. 13.* The following cases only come before the  
7 court as a court of law : cases in which there are  
8 motions for new trials upon evidence reported by the  
9 judge ; questions of law arising on reports of cases ;

10 bills of exceptions ; agreed statement of facts ; cases,  
11 civil or criminal, presenting a question of law ; cases  
12 in equity presented on demurer to the bill or when  
13 prepared for a final hearing ; motions to dissolve in-  
14 junctions issued after notice and hearing, or continued  
15 after a hearing ; questions arising on writs of habeas  
16 corpus, mandamus, and certiorari, when the facts are  
17 agreed or ascertained and reported by a judge. They  
18 are to be marked law on the docket of the county  
19 where pending, and there continued until their deter-  
20 mination is certified by the clerk of the district to the  
21 clerk of the county, and the court shall immediately  
22 after the decision of the question submitted to it, make  
23 such order, direction, judgment or decree, as is fit and  
24 proper for the disposition of the case, and cause a  
25 rescript in all civil suits briefly stating the points there-  
26 in decided to be filed therein, which rescript shall be  
27 certified by the clerk of the district to the clerk of the  
28 county where the action is pending ; and if no further  
29 opinion is written out, the reporter shall publish in the  
30 next volume of the reports thereafter issued, the case,  
31 together with such rescript, if the reporter deems the  
32 same of sufficient importance for publication.

STATE OF MAINE.

---

IN SENATE, February 19, 1874.

Reported from the Committee on Judiciary, by Mr. EMERY  
of Hancock, and laid over to be printed under the Joint Rule.

SAMUEL W. LANE, *Secretary.*