

# MAINE STATE LEGISLATURE

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# FIFTY-EIGHTH LEGISLATURE.

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SENATE.

No. 33.

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## STATE OF MAINE.

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

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AN ACT to regulate the terms for jury trials in the superior court for the county of Cumberland, and to transfer the criminal jurisdiction of said court to the supreme judicial court.

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

SECTION 1. Section six of chapter one hundred 2 and fifty-one of the public laws of the year eigh- 3 teen hundred and sixty-eight is hereby amended in 4 the second clause of said section by striking out 5 the words "at said terms," and inserting instead 6 thereof the words "at the September, December, 7 March and May terms of said court," and by strik- 8 ing out the words "except that the same jurors may 9 be required by the justice to serve for two suc-

cessive terms;" so that said second clause in said sixth section as amended shall read as follows:

Traverse jurors shall be drawn and returned to serve at the September, December, March and May terms of said court as in the supreme judicial court.

SECT. 2. The original and appellate criminal jurisdiction now vested in and exercised by said superior court for the county of Cumberland, and all powers incident thereto, after the next May term of said superior court shall be transferred to and conferred upon the supreme judicial court for said county of Cumberland, which court shall thereafter exercise the same in the same manner as was authorized by law to be exercised by said supreme judicial court before the act approved March sixth eighteen hundred and sixty-eight, entitled "An act to enlarge the jurisdiction of the superior court in the county of Cumberland," went into effect.

SECT. 3. Said criminal business of said county of Cumberland, shall, after the next May term thereof, be transacted at the terms of said supreme judicial court held within and for said county of Cumberland on the second Tuesdays of April, October, and January, together with the civil business of said court.

SECT. 4. All indictments and informations and  
2 all criminal processes pending in said superior court  
3 for said county at the adjournment of the next May  
4 term thereof, shall be transferred to said supreme  
5 judicial court for said county, and shall be entered  
6 upon the docket at the next October term thereof,  
7 and shall have day therein, and all warrants and  
8 recognizances, appeals in criminal cases, and all  
9 criminal processes whatever, which but for the  
10 passage of this act would be returnable to or which  
11 by law would be entered in said superior court in  
12 said county on the first Tuesday of September,  
13 eighteen hundred and seventy-nine, shall be re-  
14 turnable to and entered upon the docket of said  
15 supreme judicial court at said October term thereof,  
16 and shall have day therein. And all parties, all  
17 grand and traverse jurors, witnesses, and others  
18 who would but for the passage of this act be held  
19 to appear at said superior court for said county on  
20 the first Tuesday of September, eighteen hundred  
21 and seventy-nine, shall be held to appear at said  
22 October term of said supreme judicial court for said  
23 county. Venires for grand jurors to serve at said  
24 supreme judicial court for said county shall be  
25 issued at least forty days before the second Tuesday  
26 of October, annually, and such jurors shall serve

27 at every term of said supreme judicial court for  
28 said county for the transaction of criminal business  
29 throughout the year.

SECT. 5. When both parties to any action pend-  
2 ing in said superior court consent, the justice of  
3 said superior court may certify said action to the  
4 supreme judicial court for said county, and there-  
5 upon all the papers relating thereto shall be forth-  
6 with transferred to said supreme judicial court, and  
7 said action shall be entered upon the docket of said  
8 supreme judicial court, and shall have day therein,  
9 and shall be disposed of in the same manner as  
10 though it had been originally commenced in said  
11 court.

SECT. 6. This act shall take effect when approved.

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## STATE OF MAINE.

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IN SENATE, February 6, 1879.

Reported by Mr. VINTON of Cumberland, from the Cumber-  
land County Delegation, and laid over to be printed under the  
Joint Rule.

SAMUEL W. LANE, *Secretary*.