

# MAINE STATE LEGISLATURE

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# Sixty-Sixth Legislature.

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HOUSE.

No. 60.

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## STATE OF MAINE.

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

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AN ACT relating to Procedure in Equity.

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

SECTION. 1. Section seventeen (17) of chapter seventy-  
2 seven (77) of the Revised Statutes is hereby amended  
3 so as to read as follows:

‘Section 17. When a demurrer is filed the court, upon  
5 motion of either party, may set the cause for hearing  
6 upon bill and demurrer at any time. When a plea or  
7 answer is filed the court, upon the motion of the com-  
8 plainant, may set the cause for hearing upon bill and plea  
9 or answer at any time. When a replication is filed the  
10 court, upon the motion of either party, may set the cause  
11 for hearing bill, answer or plea and evidence, but such

12 hearing shall not be till after sixty days from the filing  
13 the replication. When a jury trial is ordered it shall be  
14 had at the next jury term next after such sixty days.  
15 Any time fixed for hearing or trial may be extended for  
16 good cause shown.'

SECT. 2. Section eighteen (18) of the same chapter is  
2 hereby amended so as to read as follows :

'Section 18. At any hearing or trial in equity the evi-  
4 dence may be presented wholly or partly by oral testi-  
5 mony, or by depositions. When oral testimony is used,  
6 it shall be reduced to writing by the stenographer, certified  
7 by him, and filed with the depositions, for use in case of  
8 appeal.'

SECT. 3. Section nineteen of the same chapter is hereby  
2 amended by striking out all after the first sentence, so that  
3 said section nineteen shall read as follows :

'Section 19. The justice before whom such hearings are  
5 had, has full power to decide any motion or cause so heard,  
6 and shall make and enter such order and decree, as seems  
7 just and proper to him, and in accordance with the estab-  
8 lished principles of equity jurisprudence, subject to appeal  
9 and exceptions as hereinafter provided.'



STATE OF MAINE.

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HOUSE OF REPRESENTATIVES, }  
February 7, 1893. }

Reported by Mr. HAMLIN of Ellsworth, from Committee on Judiciary,  
and ordered printed under joint rules.

W. S. COTTON, *Clerk.*