

MAINE STATE LEGISLATURE

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Sixty-Sixth Legislature.

SENATE.

No. 53.

STATE OF MAINE.

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

AN ACT relating to Exceptions and Stenographers.

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

SECTION 1. Section 51 of chapter 77 of the Revised
2 Statutes is hereby amended by adding thereto the follow-
3 ing words: 'If the justice disallows or fails to sign and
4 return the exceptions, or alters any statement therein,
5 and either party is aggrieved, the truth of the exceptions
6 presented may be established before the supreme judicial
7 court sitting as a court of law, upon petition setting forth
8 the grievance, and thereupon, the truth thereof being
9 established, the exceptions shall be heard, and the same
10 proceedings had as if they had been duly signed and

11 brought up to said court with the petition. The supreme
12 judicial court shall make and promulgate rules for settling
12 the truth of exceptions alleged and not allowed.'

SECT. 2. Section 145 of chapter 82 of the Revised
2 Statutes is hereby amended by omitting the words "under
3 the direction of the court" in the fourth line, and also the
4 words "as the court" in the seventh line and the word
5 "directs" in the eighth line, and by inserting after the
6 word "justice" in the sixth line, the following words,
7 'and all comments and rulings of said justice in the pre-
8 sence of the jury during the progress of the trial, as well
9 as all statements and argument of counsel addressed to
10 the court;' also by inserting after the word "court" in
11 the seventh line, the words 'or any party interested' and
12 also after the word "notes" in the seventh line, the words
13 'as may be required.' Also by inserting after "travel"
14 in the eleventh line, the words, 'actual expenses of living
15 when (away from home) not exceeding two dollars per
16 day.' So that said section as amended shall read as
17 follows:

'Section 145. At any term of the supreme judicial
19 or superior courts, the presiding justice may appoint
20 a stenographer to report the proceedings thereof, who
21 shall be an officer of the court, and be sworn to a
22 faithful discharge of his duty. He shall take full
23 notes of all oral testimony, and other proceedings
24 in the trial of causes, including the charge of the
25 justice and all comments and rulings of said justice in

26 the presence of the jury during the progress of the trial, as
27 well as all statements and arguments of counsel addressed
28 to the court, and furnish for the use of the court or any
29 party interested, a fair, legible, long-hand copy of so much
30 of his notes as may be required. He shall receive for his
31 services, from the treasury of the county in which the
32 court is held, the sum allowed by the court, not exceeding
33 six dollars a day for attendance, six cents a mile for actual
34 travel, and ten cents for every one hundred words of the
35 long-hand copy furnished for the use of the court. He
36 shall also furnish a copy of so much of the evidence and
37 other proceedings, taken by him, as either party to the
38 trial requests, on payment therefor by such party at the
39 rate aforesaid.'

SECT. 3. This act shall take effect when approved.

| | |
|----------------|---|
| Introduction | 1 |
| Chapter I | 1 |
| Chapter II | 1 |
| Chapter III | 1 |
| Chapter IV | 1 |
| Chapter V | 1 |
| Chapter VI | 1 |
| Chapter VII | 1 |
| Chapter VIII | 1 |
| Chapter IX | 1 |
| Chapter X | 1 |
| Chapter XI | 1 |
| Chapter XII | 1 |
| Chapter XIII | 1 |
| Chapter XIV | 1 |
| Chapter XV | 1 |
| Chapter XVI | 1 |
| Chapter XVII | 1 |
| Chapter XVIII | 1 |
| Chapter XIX | 1 |
| Chapter XX | 1 |
| Chapter XXI | 1 |
| Chapter XXII | 1 |
| Chapter XXIII | 1 |
| Chapter XXIV | 1 |
| Chapter XXV | 1 |
| Chapter XXVI | 1 |
| Chapter XXVII | 1 |
| Chapter XXVIII | 1 |
| Chapter XXIX | 1 |
| Chapter XXX | 1 |

STATE OF MAINE.

IN SENATE, February 13, 1893.

Reported by Mr. PEAKS from Committee on the Judiciary, and laid
on table to be printed under joint rules.

KENDALL M. DUNBAR, *Secretary.*