

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

SENATE

NO. 331

In Senate, Feb. 18, 1913.

Presented by Senator Dutton of Kennebec, and on motion by same senator laid on the table for printing, pending reference to a committee.

W. E. LAWRY, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THIRTEEN.

AN ACT to make the certificate of the official court stenographer sufficient authentication of a report of evidence for the law court, and to prescribe the course of procedure in the courts in the event of the death of the official stenographer.

Be it enacted by the People of the State of Maine, as follows:

Section 1. In all cases coming before the law court from
2 the supreme judicial or superior court, in which a copy
3 of the evidence is required by statute, rule of court, or
4 order of the presiding justice, a certificate signed by the
5 official court stenographer, stating that the report furnished
6 by him is a correct transcript of his stenographic notes of

7 the testimony and proceedings at the trial of the cause,
8 shall be a sufficient authentication thereof without the sig-
9 nature of the presiding justice.

Sect. 2. When a verdict has been rendered or a decree
2 made in any cause in law or equity, in the supreme judicial
3 or superior court, and a certified copy of the evidence taken
4 by the official stenographer cannot be obtained by reason
5 of the death or disability of such stenographer, the justice
6 who presided at the trial of such cause may, if a motion
7 for a new trial has been filed during the term at which the
8 verdict was rendered, on petition therefor, after notice and
9 hearing thereon, set aside such verdict and grant a new trial
10 at any time within one year after it was returned, when
11 in his opinion the evidence demands it; and exceptions
12 allowed by such justice, when the evidence or any portion
13 thereof is made a part of the exceptions, or an appeal taken
14 from any decree in equity made by him, may be heard and
15 determined by the law court either upon a statement of
16 facts agreed upon by counsel and certified by such justice,
17 or upon a report signed and certified by him as a true re-
18 port of all the material facts in the case.