

# MAINE STATE LEGISLATURE

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EIGHTIETH LEGISLATURE

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SENATE

NO. 30

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In Senate, February 7, 1921.

Referred to Committee on Legal Affairs and 300 copies ordered printed. Sent down for concurrence.

L. ERNEST THORNTON, Secretary.

Presented by Senator Garce'on of Androscoggin.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND  
NINE HUNDRED AND TWENTY-ONE

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AN ACT to Amend Section Ninety-eight of Chapter Eighty-two of the Revised Statutes, Relating to the Exchange of Justices of Superior Courts.

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

Section ninety-eight of chapter eighty-two of the revised  
2 statutes is hereby amended by striking out the word "judge"  
3 in the first and third lines thereof and inserting in place  
4 thereof the word 'justice'; also by adding after the word  
5 "same" in the fourth line thereof the following: 'or when-  
6 ever it is deemed advantageous or expedient, any justice  
7 of a superior court may by mutual agreement hold the court  
8 of any other justice for an entire term or any part thereof';

9 so that said section, as amended, shall read as follows:

‘Sect. 98. Whenever a justice of a superior court, by  
2 reason of illness, death or other cause, is prevented from  
3 holding his court, any other justice of a superior court or  
4 any justice of the supreme judicial court by order of the  
5 chief justice, shall hold the same; or whenever it is deemed  
6 advantageous or expedient, any justice of a superior court  
7 may by mutual agreement hold the court of any other jus-  
8 tice for an entire term or any part thereof. And during  
9 a vacancy in the office of justice of either of the superior  
10 courts, all writs issued from the office of the clerk thereof,  
11 shall bear teste of any one of the justices of the supreme  
12 judicial court. Whenever the justice of either of the su-  
13 perior courts is disqualified by interest, relationship or other  
14 lawful cause from trying any cause pending in his said court,  
15 said case shall thereupon be transferred to the docket of  
16 the supreme judicial court for the county, and be disposed  
17 of in said court according to law.’