

MAINE STATE LEGISLATURE

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EIGHTY-FIRST LEGISLATURE

HOUSE

NO. 155

House of Representatives, February 22, 1923.

Referred to Committee on Judiciary and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Maher of Augusta.

STATE OF MAINE

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

AN ACT to Amend Sections Ninety-two and Ninety-four of
Chapter Eighty-two of the Revised Statutes Relative to Pro-
cedure in Civil Cases in Superior Court.

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

Section 1. Section ninety-two of chapter eighty-two of
2 the revised statutes is hereby amended by striking out the
3 first thirteen lines thereof and the words "desire, at cham-
4 bers" in the fourteenth line thereof and by striking out the
5 words "If the defendant does not file his" in the sixteenth
6 line thereof and all of the seventeenth and eighteenth lines
7 thereof and the words "to file a plea or otherwise lawfully

8 disposes of the action” in the nineteenth line thereof so that
9 said section shall read as follows:

‘When a defendant, legally served, does not appear by
2 himself or attorney within the first three days of the term,
3 he shall be defaulted as in the supreme judicial court. All
4 actions duly answered to shall be in order for trial at the
5 next term after entry, and shall be so tried, except for good
6 cause. Appeals shall be entered by the appellant as in the
7 supreme judicial court, and shall be in order for trial at the
8 first term.’

Sect. 2. Section ninety-four of chapter eighty-two of the
2 revised statutes is hereby repealed.

Sect. 3. The proceedings of the superior courts in cases
2 in which special or general demurrers are filed shall be gov-
3 erned by the statutes and rules applicable to similar pro-
4 ceedings in the supreme judicial court.