

MAINE STATE LEGISLATURE

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EIGHTY - THIRD LEGISLATURE

Senate Document

No. 269

In Senate, March 23, 1927.

Pursuant to report of Committee on Judiciary, 1000 copies ordered printed.

ROYDEN V. BROWN, Secretary.

STATE OF MAINE

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

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

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

Section 1. Section ninety-eight of chapter eighty-two of
2 the revised statutes, as amended by chapter one hundred
3 fifty-four of the public laws of nineteen hundred and twen-
4 ty-three, is hereby amended by striking out said section and
5 inserting in place thereof the following:

‘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, or when in the opinion of the chief jus-
4 tice of the supreme judicial court it is necessary to expedite

5 the business in said superior court, any other justice of a
6 superior court or any justice of the supreme judicial court
7 or any active retired justice of the superior court or of the
8 supreme judicial court by order of the chief justice, shall
9 hold the superior court in such county or assist the resi-
10 dent justice of such county by holding a session of such
11 court separate from the one presided over by such resident
12 justice during the same term, and whenever it is deemed
13 advantageous or expedient, the chief justice may assign any
14 justice of either of the superior courts or any active retired
15 justice of either of said courts to hold the court of any other
16 justice for an entire term or any part thereof or hold a
17 session of the same term in conjunction with the justice of
18 said court. And during a vacancy in the office of justice
19 of any of the superior courts, all writs issued from the
20 office of the clerk thereof, shall bear teste of any one of
21 the justices of the supreme judicial court. Whenever the
22 justice of any of the superior courts is disqualified by inter-
23 est, relationship or other lawful cause from trying any cause
24 pending in his said court, said case shall thereupon be trans-
25 ferred to the docket of the supreme judicial court for the
26 county, and be disposed of in said court according to law.
27 Whenever a justice of a superior court holds court in any
28 county other than his own, he shall be reimbursed by the
29 state for his expenses actually and reasonably incurred in
30 holding such court upon presentation to the state auditor
31 of a detailed statement of such expenses. Any justice hold-

32 ing court under the provisions of this act may appoint a
33 special stenographer whenever he deems it necessary to re-
34 port the proceedings thereof, who shall be an officer of the
35 court and be sworn to a faithful discharge of his duty, and
36 shall perform all the duties prescribed by section one hun-
37 dred and sixty-seven of chapter eighty-seven of the revised
38 statutes and acts amendatory thereof and additional thereto.
39 Such stenographer shall receive for such services from the
40 county in which such court is held such amount as is ap-
41 proved by such justice, and shall also receive his expenses
42 from said county in which such court is held, upon presen-
43 tation to the county of a detailed statement of such expenses
44 actually and reasonably incurred, approved by such justice.'

Sect. 2. The chief justice of the supreme judicial court
2 may once each year call together the several justices of the
3 superior courts at such place as he may appoint for con-
4 ference as to the conduct and dispatch of judicial business
5 in their several courts and interchange of views in matters
6 of practice in said courts. The several judges of said court
7 shall be entitled to their actual cash disbursements for ex-
8 penses incurred in attending such conference.