

MAINE STATE LEGISLATURE

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E I G H T Y - S I X T H L E G I S L A T U R E

Legislative Document

No. 105

S. P. 93

In Senate, Jan. 26, 1933.

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

ROYDEN V. BROWN, Secretary.

Presented by Senator Holmes of Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED THIRTY-THREE

AN ACT Relating to Hearings in Vacation.

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

R. S. c. 96, § 39, amended. Section 39 of chapter 96 of the revised statutes is hereby amended to read as follows:

'Sec. 39. **Hearings and judgments in vacation.** Any justice of the superior court on application of either party and on notice, may in vacation hear and determine a demurrer or any interlocutory motion in any cause pending, and may make any order therein which the court could make if in session; and by agreement of parties, he may, at any time or place, try and determine issues of fact and of law submitted to him and render any judgment therein which the court could render if in session. Any such justice may in vacation render judgment in any case heard by him in term time. Parties shall have the right of exception to such orders and judgments, and to other rulings on questions of law, as if judgment had been rendered in term time. Bills of exceptions in such cases shall be filed within 30 days from the rendition of judgment, unless the time is further extended by any justice of such court. When a judgment for the plaintiff is rendered in vacation, all pending attachments of property shall continue in force for 30 days after ~~order of final judgment is entered upon the docket,~~ **the next term in that county.'**