

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 172**

H. P. 177

House of Representatives, January 28, 1953.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Jalbert of Lewiston.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-THREE

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**AN ACT Relating to Appeals from Probate Courts.**

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

**R. S., c. 140, § 32, amended.** Section 32 of chapter 140 of the revised statutes, as amended, is hereby further amended by adding at the end thereof a new paragraph to read as follows :

‘By agreement of parties, exceptions may be alleged and cases certified on agreed statements of facts, or upon evidence reported by the judge of probate, in all matters determinable by the several judges of probate, as in the superior court, and the same shall be entered at the 1st or 2nd law term of the supreme judicial court to be held thereafter, and the supreme judicial court, sitting as a court of law, shall have the same jurisdiction of all questions of law arising on said exceptions, statements and reports as if they had come from the supreme court of probate; and all provisions of law and rules of the superior court or supreme court of probate relative to the transfer of actions and other matters shall apply to the transfer of cases from the probate court to said law court. Decisions of the law court in all such cases transferred directly from the probate court shall be certified to the register of probate of the county from which said transfer originated, with the same effect as if said transfer had originated from the supreme court of probate of said county.’