

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

## FORTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE.

1867.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
February 26, 1840, and March 16, 1842.

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AUGUSTA:  
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1867.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1867.

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now fixed by law shall be as follows :—For the service of an original summons or scire facias, either by reading or by copy, or for the service of a capias or attachment, with summons, on one defendant, fifty cents ; if served on more than one defendant, fifty cents for each ; and for attachment of property by the written direction of the plaintiff, his agent or attorney, twenty-five cents additional to the fees for service as aforesaid ; for travel for the service of any writ, warrant or other process, four cents a mile from the place of service to and from the place of return by the usual way ; but if the distance for which travel is charged as aforesaid, is more than fifty miles, only one cent a mile shall be allowed or charged for all travel exceeding that distance.

CHAP. 115.

and constables, fees of regulated.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

SECT. 3. This act shall take effect when approved by the governor.

Approved February 23, 1867.

**Chapter 115.**

An act establishing the times of holding the several terms of the supreme judicial court.

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :*

SECT. 1. There shall be annual sessions of the supreme judicial court as a court of law, as follows :

Terms of the court of law.

For the middle district, at Augusta, on the fourth Tuesday of May.

Middle district, at Augusta.

For the western district, at Portland, on the third Tuesday of July.

Western district, at Portland.

For the eastern district, at Bangor, on the first Tuesday of December.

Eastern district, at Bangor.

The first term held under the provisions of this section in each district shall have full cognizance of all suits, processes, matters and things that but for the provisions of this act would have come before the first term in such district hereby abolished.

Of what suits, &c., the first term may have cognizance.

By consent of parties any action or other matter which properly comes before the law court may be entered and heard in either judicial district, and shall be in order after the regular business of the district is disposed of.

By consent of parties any action, &c.

SECT. 2. For the trial of civil actions and of persons accused of crimes and for the transaction of all other business except cases named in the seventeenth section of chapter seventy-seven of the revised statutes of eighteen hundred and fifty-seven, the court

Terms of court holden by one justice.

CHAP. 115. shall be held annually by one of the justices thereof, at the times and places following :

Androscoggin. ANDROSCOGGIN.—In the county of Androscoggin, at Auburn, on the third Tuesdays of January, April and September.

Aroostook. AROOSTOOK.—In the county of Aroostook, at Houlton, on the last Tuesday of February and third Tuesday of September.

Cumberland. CUMBERLAND.—In the county of Cumberland, at Portland, on the second Tuesdays of January, April and October, for the transaction of civil business, and on the last Tuesdays of July and November for the transaction of criminal business.

Franklin. FRANKLIN.—In the county of Franklin, at Farmington, on the first Tuesday of March and fourth Tuesday of September.

Hancock. HANCOCK.—In the county of Hancock, at Ellsworth, on the fourth Tuesdays of April and October.

Kennebec. KENNEBEC.—In the county of Kennebec, at Augusta, on the first Tuesday of March, first Tuesday of August, and third Tuesday of October.

Knox. KNOX.—In the county of Knox, at Rockland, on the second Tuesday of March and fourth Tuesday of September.

Lincoln. LINCOLN.—In the county of Lincoln, at Wiscasset, on the first Tuesday of April and the fourth Tuesday of October.

Oxford. OXFORD.—In the county of Oxford, at Paris, on the second Tuesday of March and third Tuesday of September.

Penobscot. PENOBSCOT.—In the county of Penobscot, at Bangor, on the first Tuesdays of January and April and third Tuesday of October for the transaction of civil business, and on the first Tuesday of February and second Tuesday of August for the transaction of criminal business.

Piscataquis. PISCATAQUIS.—In the county of Piscataquis, at Dover, on the last Tuesday of February and second Tuesday of September.

Sagadahoc. SAGADAHOC.—In the county of Sagadahoc, at Bath, on the first Tuesday of April and third Tuesdays of August and December ; the December term for civil business only.

Somerset. SOMERSET.—In the county of Somerset, at Norridgewock, on the third Tuesdays of March and September.

Waldo. WALDO.—In the county of Waldo, at Belfast, on the third Tuesdays of April and October.

Washington. WASHINGTON.—In the county of Washington, at Machias, on the fourth Tuesday of April and third Tuesday of October.

York. YORK.—In the county of York, at Saco, on the first Tuesday of January, and at Alfred on the fourth Tuesday of April and third Tuesday of September.

Of what suits, &c., the first term may have cognizance. The first civil term held in each county under the provisions of this act shall have full cognizance of all suits, processes and other matters and things which but for the provisions of this act would have come before the first civil term in such county hereby abol-

ished ; and any justice of the supreme judicial court is authorized to make such rules, orders and decrees as may be necessary to avoid discontinuances, inconvenience, delay, or a failure of justice by reason of the changes of terms herein provided for.

CHAP. 116.

Justice may make rules, &c.

SECT. 3. All terms of the supreme judicial court not herein provided for are abolished, except the term to be held in the county of Waldo on the first Tuesday of May next, and the term to be held in the county of Lincoln on the second Tuesday of May next, and the term to be held in the county of York on the fourth Tuesday of May next, which are to be held as if this act had not been passed. And all terms which by existing laws are to commence before the time when this act is to take effect, shall be proceeded with and completed the same as if this act had not passed.

What terms abolished.

SECT. 4. This act shall take effect on the first day of May next.

Approved February 28, 1867.

### Chapter 116.

An act authorizing the employment of stenographers to report proceedings in the supreme judicial court.

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :*

SECT. 1. At any term of the supreme judicial court, it shall be lawful for the presiding justice, in the exercise of his discretion, to appoint a stenographer to report the proceedings thereof, who shall be deemed an officer of the court and sworn to a faithful discharge of his duty ; and under the direction of the presiding justice, it shall be his duty to take full notes of all oral testimony and other proceedings in the trial of causes in said court, and furnish for the use of the court a fair legible long-hand copy of so much of his notes as the presiding justice shall direct ; and for his services he shall be entitled to receive such sum from the county in which such court is held as the presiding justice shall allow, to be paid by the treasurer thereof, not exceeding five dollars a day for attendance and six cents a mile for actual necessary travel and ten cents for every one hundred words of the long-hand copy of his notes furnished for the use of the court ; and he shall furnish to any party to such trial upon request, a copy of the evidence and other proceedings taken by him on such trial or of such part thereof as may be required, on payment on behalf of such party, of ten cents for every one hundred words of the copy so furnished.

Presiding justices of S. J. C. may appoint stenographers to report proceedings.

His duties.

His compensation.

SECT. 2. This act shall take effect when approved by the governor.

Approved February 28, 1867.