

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SIXTIETH LEGISLATURE

OF THE
STATE OF MAINE.

1881.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

AUGUSTA :
SPRAGUE & SON, PRINTERS TO THE STATE.
1881.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1881.

CHAP. 35.

Chapter 35.

An act to amend chapter one hundred and ninety-three of the Public Laws of eighteen hundred and seventy-four, relating to Clerks of Judicial Courts.

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

Sec. 1, ch. 193,
public laws 1874,
amended.

SECT. 1. Section one of chapter one hundred and ninety-three of the public laws of eighteen hundred and seventy-four, is hereby amended so as to read as follows :

Clerks to make
extended records
in certain cases.

‘SECT. 1. From and after the passage of this act, clerks of judicial courts shall make extended records of proceedings in court, in all actions contested by an issue joined before the court or jury, in actions of flowage, cases in equity, real actions, libels for divorce, petitions for partition, petitions to enforce liens, and actions upon mortgages, without unreasonable delay after the rendition of final judgment. In all other cases, it shall be sufficient to record the names of the parties, date of writ, the term of the court at which entered, date of service or notice to defendants, the time of rendition of judgment, its nature and amount, and the number of case upon the docket at the judgment term, and that, upon motion of either party, the court may, if special cause be shown, order a full record in any case.’

Records in other
cases.

Sec. 2, ch. 193,
public laws 1874,
repealed.

SECT. 2. Section two of chapter one hundred and ninety-three of the public laws of eighteen hundred and seventy-four, is hereby repealed.

Approved March 2, 1881.

Chapter 36.

An act to amend section sixty-two of chapter eighty-two of the Revised Statutes, relating to the powers and duties of Auditors.

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

Sec. 62, ch. 82,
R. S., amended.

Section sixty-two of chapter eighty-two of the revised statutes is hereby amended by inserting after the word “court,” in the fourth line of said section, the following: ‘upon such matters therein as may be ordered by the court; and the report shall be prima facie evidence upon such

matters only as are expressly embraced in the order,' so that **CHAP. 37.**
said section, as amended, shall read as follows :

'SECT. 62. When an investigation of accounts, or an examination of vouchers is required, the court may appoint one or more auditors to hear the parties and their testimony, state the accounts, and make a report to the court upon such matters therein as may be ordered by the court, and the report shall be prima facie evidence upon such matters only, as are expressly embraced in the order. They shall notify the parties of the time and place of hearing, and have power to adjourn; witnesses may be summoned and compelled to attend, and may be sworn by the auditor.'

Auditors may be appointed in certain cases and make report.

Parties may be notified and witnesses summoned.

Approved March 2, 1881.

Chapter 37.

An act explanatory of section three of chapter seventy-eight of the Public Laws of eighteen hundred and seventy-eight, relating to Tramps.

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

The words "all costs to be paid by the state," in the fifth line of section three of said act, shall be construed to mean costs and expenses incurred under the provisions of said act.

Costs and expenses to be paid by state.

Approved March 3, 1881.

Chapter 38.

An act to amend section six of chapter sixty-three of the Revised Statutes, relating to the Jurisdiction of Probate Courts.

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

Section six of chapter sixty-three of the revised statutes, is hereby amended so that said section as amended shall read as follows :

Sec. 6, ch. 63, R. S., amended.

'SECT. 6. The judge for each county may take the probate of wills, grant letters testamentary or of administration on the estates of all deceased persons, who, at the time of their decease, were inhabitants or residents of his county, or

Jurisdiction of probate court as to wills, administration and guardianship.