

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE.

1893.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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PUBLIC LAWS

OF THE

STATE OF MAINE.

1893.

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**Chapter 156.**

An Act relating to procedure in Equity.

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

SECT. 1. Section seventeen of chapter seventy-seven of the revised statutes is hereby amended, so as to read as follows:

Sec. 17, ch. 77, R. S., amended.

‘SECT. 17. When a demurrer is filed, the court upon motion of either party, may set the cause for hearing upon bill and demurrer at any time. When a plea or answer is filed, the court, upon the motion of the complainant, may set the cause for hearing upon bill and plea, or answer at any time. When a replication is filed, the court, upon the motion of either party, may set the cause for hearing bill, answer or plea and evidence, but such hearing shall not be till after sixty days from the filing the replication. When a jury trial is ordered it shall be had at the next jury term next after such sixty days. Any time fixed for hearing or trial may be extended for good cause shown.’

Time for hearing upon bill and demurrer.

SECT. 2. Section eighteen of the same chapter is hereby amended, so as to read as follows:

Sec. 18, amended.

‘SECT. 18. At any hearing or trial in equity, the evidence may be presented wholly or partly by oral testimony, or by depositions. When oral testimony is used, it shall be reduced to writing by the stenographer, certified by him, and filed with the depositions, for use in case of appeal.’

How testimony may be taken.

SECT. 3. Section nineteen of the same chapter is hereby amended by striking out all after the first sentence, so that said section nineteen shall read as follows:

Sec. 19, amended.

‘SECT. 19. The justice before whom such hearings are had, has full power to decide any motion or cause so heard, and shall make and enter such order and decree, as seems just and proper to him, and in accordance with the established principles of equity jurisprudence, subject to appeal and exceptions as hereinafter provided.’

Justice shall decide cause, subject to appeal.

Approved February 16, 1893.