

# **MAINE STATE LEGISLATURE**

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REVISED STATUTES  
OF THE  
STATE OF MAINE  
1954

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1955 SUPPLEMENT

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ANNOTATED

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IN FIVE VOLUMES

VOLUME 4

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Place in Pocket of Corresponding  
Volume of Main Set

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THE MICHEL COMPANY  
CHARLOTTESVILLE, VIRGINIA  
1955

# REVISED STATUTES OF MAINE

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## 1955 Supplement

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### VOLUME 4

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#### Chapter 122.

##### **Forcible Entry and Detainer. Tenancies.**

**Sec. 3. Jurisdiction.**—Trial justices, judges and recorders of municipal courts have jurisdiction of cases of forcible entry and detainer respecting estates within their counties. Such justices, judges and recorders have exclusive jurisdiction of such cases within their cities or towns unless interested and except in such cases in which such justices, judges or recorders are the plaintiffs; provided, however, that judges and recorders of municipal courts shall also have jurisdiction of such cases in all towns in which they are authorized to hold court, notwithstanding the fact that their residence may be in some other town. Such cases in which such justices, judges or recorders are the plaintiffs may be made returnable before any other municipal court within their county. (R. S. c. 109, § 3. 1955, c. 301.)

**Effect of amendment.**—The 1955 amendment made this section applicable to recorders. It also inserted the words "and except in such cases in which such jus-

tices, judges or recorders are the plaintiffs" in the second sentence, and added the third sentence.

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#### Chapter 126.

##### **Habeas Corpus. Bail Commissioners.**

**Sec. 35. Commissioners admit to bail persons committed for not finding sureties.**—When a person is confined in a jail for a bailable offense or for not finding sureties on a recognizance, except when a verdict of guilty has been rendered against him for an offense punishable in the state prison and except when such person is committed pending decision on report or exceptions as provided in section 29 of chapter 148, any such commissioner, on application, may inquire into the case and admit him to bail and exercise the same power as any justice of the supreme judicial court or superior court can; and may issue a writ of habeas corpus and cause such person to be brought before him for this purpose, and may take such recognizance; provided, however, that during a term of the superior court, a bail commissioner is not authorized to admit to bail any person confined in jail or held under arrest by virtue of a precept returnable to said term; and when a person is confined in jail for a bailable offense or for not finding sureties on a recognizance and the amount of his bail has been fixed by a justice of the supreme judicial court or of the superior court or by a judge or recorder of a municipal court, a bail commissioner is not authorized to change the amount of such bail. Such bail commissioner shall receive not exceeding the sum of \$5 in each case in which bail is so taken, the same to be paid by the person so admitted to bail; but the person admitted to bail shall not be required to pay any other fees or charges to any officer for services connected with the giving of such bail; provided, however, that if a bail commissioner takes bail after