

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

**This document is from the files of the Office of
the Maine Attorney General as transferred to
the Maine State Law and Legislative Reference
Library on January 19, 2022**

January 5, 1944

Hon. Harry M. Shaw
Judge, Municipal Court
Norway, Maine.

Dear Sir:-

I have your letter of December 30th, asking whether, in my opinion, a municipal court has jurisdiction in forcible entry and detainer cases in a town where it has civil jurisdiction, in the case such town has a trial justice.

As I understand P. L. 1935, Chapter 61, the word "justices" was placed in the third line because of doubt among the lawyers as to the meaning of R. S. Chapter 108, Section 3. Actions of forcible entry and detainer were being brought before courts under such circumstances that there was doubt about jurisdiction.

The second amendment, as I recall the legislation, was stuck in by somebody who was afraid that putting in the word "justices" up above would limit the authority of municipal judges who travel on circuit, as in the cases of Piscataquis County and Somerset County. If there are both a municipal judge and a trial justice in a town, it seems to me that either will have jurisdiction.

Very truly yours,

Frank I. Cowan
Attorney General

FIC:c