

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIRST LEGISLATURE

Legislative Document

No. 581

S. P. 150

In Senate, January 17, 1963

Referred to Committee on Judiciary. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary.

Presented by Senator Farris of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-THREE

AN ACT Amending Certain Statutes to Conform to the District Court Law.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., c. 1, § 17, amended. The last sentence of section 17 of chapter 1 of the Revised Statutes is amended to read as follows:

‘Costs recovered by the prevailing party shall be taxed as in case of appeal from judgments of ~~a trial justice~~ **the District Court.**’

Sec. 2. R. S., c. 10, § 22, sub-§ XXXII, repealed. Subsection XXXII of section 22 of chapter 10 of the Revised Statutes is repealed, as follows:

~~‘XXXII. The term “municipal court” or “municipal courts” shall mean “municipal and police courts.”’~~

Sec. 3. R. S., c. 12, § 18, amended. The last sentence of section 18 of chapter 12 of the Revised Statutes is amended to read as follows:

~~‘Municipal courts’~~ **The District Court** shall have jurisdiction of all such offenses.’

Sec. 4. R. S., c. 14, § 45, amended. The last sentence of section 45 of chapter 14 of the Revised Statutes is amended to read as follows:

~~‘Trial justices and municipal courts within their counties’~~ **The District Court** shall have original and concurrent jurisdiction with the Superior Court in all prosecutions for the violations ~~of the provisions~~ of this section.’

Sec. 5. R. S., c. 15, § 5, amended. The last sentence of section 5 of chapter 15 of the Revised Statutes, as amended by section 1 of chapter 334 of the public laws of 1957, is further amended to read as follows:

'Whenever any fines or penalties are imposed by any court other than ~~trial justice or municipal courts~~ **the District Court** in any proceeding in which a member of the State Police is a complainant or a witness, said court may tax costs for such complainant or witness in the usual manner.'

Sec. 6. R. S., c. 15, § 15, amended. The last paragraph of section 15 of chapter 15 of the Revised Statutes is amended to read as follows:

~~'Municipal court judges and trial justices~~ **District Court Judges** may, in their discretion, have the same authority granted to law enforcement officers under ~~the provisions of this section.'~~

Sec. 7. R. S., c. 15, § 16, amended. Section 16 of chapter 15 of the Revised Statutes is amended to read as follows:

'Sec. 16. Officers to furnish information. It is made the duty of every clerk of every criminal court, including ~~municipal courts and justices' courts~~ **the District Court**, and every head of every department, bureau and institution, state, county and local, dealing with criminals and of every officer, probation officer, county attorney or person whose duties make him the appropriate officer, to transmit, not later than the first and 15th days of each calendar month, to the Supervisor of the State Bureau of Identification, such information as may be necessary to enable him to comply with ~~the provisions of~~ sections 15 and 17. Such reports shall be made upon forms which shall be supplied or approved by the State Bureau of Identification.'

Sec. 8. R. S., c. 15, § 19-A, amended. Section 19-A of chapter 15 of the Revised Statutes, as enacted by chapter 120 of the public laws of 1955, is amended to read as follows:

'Sec. 19-A. Courts to submit criminal records. Every court ~~and trial justice~~ in every case wherein a person is convicted of the violation of any criminal statute shall forthwith transmit to the State Bureau of Identification an abstract, duly certified, setting forth therein the names of the parties, the nature of the offense, the date of hearing, the plea, the judgment and the result. For this purpose the State Bureau of Identification shall furnish to said courts proper abstract forms.'

Sec. 9. R. S., c. 15-A, § 56, amended. The last sentence of section 56 of chapter 15-A of the Revised Statutes, as enacted by section 13 of chapter 33 of the public laws of 1959, is amended to read as follows:

'Said rules and regulations shall become effective upon deposit of a copy thereof with the Secretary of State, who shall forward a copy thereof attested under the Great Seal of the State to the ~~municipal court of the City of Augusta~~ **District Court for Southern Kennebec.'**

Sec. 10. R. S., c. 15-A, § 58, amended. The first sentence of section 58 of chapter 15-A of the Revised Statutes, as enacted by section 13 of chapter 33 of the public laws of 1959, is amended to read as follows:

~~'The municipal court of the City of Augusta~~ **District Court for Southern Kennebec** shall have jurisdiction in all proceedings brought under sections 55 to 60, which court shall take judicial notice of all rules and regulations adopted pursuant to section 56.'

Sec. 11. R. S., c. 16, § 230, amended. The last sentence of section 230 of chapter 16 of the Revised Statutes is amended to read as follows:

'Whenever any shipper shall fail to pay any tax due under ~~the provisions of~~ said sections, within the time limited ~~herein~~, the Attorney General shall enforce payment of such tax by civil action against such shipper for the amount of such tax, either in the Superior Court ~~in and for the county or municipal court~~ **the District Court** ~~in and for the county~~ **division** in which such shipper has his residence or established place of business.'

Sec. 12. R. S., c. 16, § 266, amended. The last sentence of section 266 of chapter 16 of the Revised Statutes is amended to read as follows:

'Whenever any packer shall fail to pay any tax due under ~~the provisions of~~ said sections within the time limited ~~herein~~, the Attorney General shall enforce payment of such tax by civil action against the packer for the amount of such tax in either the Superior Court in Kennebec County or in ~~a municipal court~~ **the District Court** in the ~~county~~ **division** in which such packer has his residence or established place of business.'

Sec. 13. R. S., c. 16, § 278, amended. The first paragraph of section 278 of chapter 16 of the Revised Statutes is amended to read as follows:

'Any handler of milk ~~as defined in section 271~~ who shall make any false or fraudulent report or return required by sections 270 to 281, or who shall evade or violate any of the provisions of said sections, shall be punished by a fine of not more than \$500. Whenever any handler shall fail to pay any tax due under ~~the provisions of~~ said sections, within the time limited ~~herein~~, the Attorney General shall enforce payment of such tax by civil action against such handler for the amount of such tax, either in the Superior Court ~~in and for the county or municipal court~~ **the District Court** ~~in and for the county~~ **division** in which such handler has his residence or established place of business or in the Superior Court for Kennebec County.'

Sec. 14. R. S., c. 16, § 290, amended. The last sentence of section 290 of chapter 16 of the Revised Statutes, as enacted by section 1 of chapter 326 of the public laws of 1957, is amended to read as follows:

'Whenever any shipper shall fail to pay any tax due under ~~the provisions of~~ said sections, within the time limited ~~herein~~, the Attorney General shall enforce payment of such tax by civil action against such shipper for the amount of such tax, either in the Superior Court ~~in and for the county or municipal court~~ **the District Court** ~~in and for the county~~ **division** in which such shipper has his residence or established place of business.'

Sec. 15. R. S., c. 16, § 300, amended. The last sentence of section 300 of chapter 16 of the Revised Statutes, as enacted by section 22 of chapter 429 of the public laws of 1957, is amended to read as follows:

'Whenever any shellfish dealer shall fail to pay any tax due under ~~the provisions of~~ said sections within the time limited ~~herein~~, the Attorney General shall enforce payment of such tax by civil action against the shellfish dealer

for the amount of such tax in either the Superior Court in Kennebec County or in ~~a municipal court~~ **the District Court** in the ~~county~~ **division** in which such shellfish dealer has his residence or established place of business.'

Sec. 16. R. S., c. 19, § 3, sub-§ IV, amended. Subsection IV of section 3 of chapter 19 of the Revised Statutes is amended to read as follows:

IV. Accounting systems for clerks of courts, etc. To install uniform accounting systems and perform post-audits for the clerks of Superior Courts ~~judges and recorders of municipal courts,~~ **trial justices** and probation officers, the expenses of such audits to be paid as follows: 50% by the county where the audit is performed, 30% by the State Highway Department and 20% by the Department of Inland Fisheries and Game;'

Sec. 17. R. S., c. 21, § 2, amended. Section 2 of chapter 21 of the Revised Statutes is amended to read as follows:

Sec. 2. Furnish lists of appointments of magistrates to registers of probate and clerks of courts. The Secretary of State, upon receiving evidence of the qualification of any justice of the peace ~~trial justice~~ or notary public, shall immediately notify the register of probate and the clerk of the judicial courts of the county where such officer resides of his appointment and qualification ~~and.~~ **He** shall, on the first days of June and December, forward to the registers of probate courts, ~~Judges of municipal courts~~ **the District Courts** and clerks of United States courts in the State a list of all justices of the peace ~~trial justices~~ and notaries public, whose commissions are then in force, and the evidence of whose qualification has been filed in his office within the 6 months next preceding the time of forwarding such lists, which shall contain the name and residence of every such officer, the date of his commission and the county or counties for which he is commissioned ~~and he.~~ **He** shall send at the same time 2 copies of such lists to each of the clerks of the state courts.'

Sec. 18. R. S., c. 21, § 7, amended. Section 7 of chapter 21 of the Revised Statutes, as amended by section 8 of chapter 363 of the public laws of 1959, is further amended to read as follows:

Sec. 7. Fees payable by public officers. A fee of \$5 shall be paid to the Secretary of State by any person appointed to the office of justice of the peace, ~~trial justice~~ notary public, commissioner to take depositions and disclosures, disclosure commissioner and commissioner appointed under chapter 168, section 24, before such person enters upon the discharge of his official duties.'

Sec. 19. R. S., c. 22, § 111, amended. The first paragraph of section 111 of chapter 22 of the Revised Statutes, as amended by section 2 of chapter 334 of the public laws of 1957 and by chapter 355 of the public laws of 1961, is further amended to read as follows:

'Any person who violates any provision of section 109 shall be guilty of a misdemeanor on account of each such violation, and for each violation of which convicted shall be punished by a fine and, except before ~~trial justice and municipal courts~~ **the District Court**, costs of court which fine and costs of court

shall not be suspended if they relate to gross weight but may be suspended if they relate to axle weight.'

Sec. 20. R. S., c. 22, § 111, amended. The first sentence of the 2nd paragraph of section 111 of chapter 22 of the Revised Statutes, as enacted by section 2 of chapter 334 of the public laws of 1957, is amended to read as follows:

~~'Trial justice and municipal courts~~ **The District Court** shall, instead of sentencing a respondent to pay costs, impose a fine upon each conviction \$10 larger than ~~hereinafter~~ provided in this section.'

Sec. 21. R. S., c. 22, § 111, amended. The 2nd sentence of the 2nd paragraph of section 111 of chapter 22 of the Revised Statutes, as enacted by section 2 of chapter 334 of the public laws of 1957, is repealed as follows:

~~'Five dollars of any such fine collected shall be retained by the county and the balance paid by the county to the State Highway Commission.'~~

Sec. 22. R. S., c. 22, § 163, amended. Section 163 of chapter 22 of the Revised Statutes, as last repealed and replaced by chapter 160 of the public laws of 1961, is amended to read as follows:

'Sec. 163. Court jurisdiction. ~~Trial justices in their respective counties~~ **The District Court** shall have original and concurrent jurisdiction with ~~municipal courts and~~ the Superior Court over all prosecutions for violation of this chapter. All fines and forfeitures collected under this chapter shall accrue to the ~~county where the offense is prosecuted~~ **District Court Fund**, except for overload violations, only \$5 or 13%, whichever is the greater, of each such overload fine or forfeiture collected through ~~any trial justice or municipal~~ **the District Court**, shall accrue to the ~~county~~ **District Court Fund** and the balance thereof shall accrue to the General Highway Fund.'

Sec. 23. R. S., c. 22, § 165, amended. Section 165 of chapter 22 of the Revised Statutes, as amended by chapter 227 of the public laws of 1959, is further amended to read as follows:

'Sec. 165. Court record of conviction sent to Secretary of State; public record. Every court ~~and trial justice~~ in every case wherein a person is convicted of the violation of any statute relative to motor vehicles or to the operation of any vehicle shall forthwith transmit to the Secretary of State an abstract, duly certified, setting forth therein the names of the parties, the nature of the offense, the date of hearing, the plea, the judgment and the result; and in cases involving any violation of sections 112 to 113-C the abstract shall contain the legal speed involved and the speed of which the person was convicted; and they shall be open to public inspection during reasonable hours. Said magistrates may make such recommendations to the Secretary of State as to suspension or revocation of licenses and certificates of registration of respondents as they deem to be in furtherance of justice.'

Sec. 24. R. S., c. 22, § 166, amended. Section 166 of chapter 22 of the Revised Statutes, as amended by section 9 of chapter 395 of the public laws of 1961, is further amended to read as follows:

Sec. 166. Court may temporarily suspend operator's license. In addition to any other penalty provided in this chapter and imposed by any court ~~or trial justice~~ upon any person for violation of any provision of this chapter, the court ~~or trial justice~~ may suspend any operator's license for a period not exceeding 10 days, in which case the magistrate shall take up the license certificate of such person, who shall forthwith surrender the same and forward it by mail to the Secretary of State. The Secretary of State may thereupon grant a hearing and take such further action relative to suspending, revoking or restoring such license or the registration of the vehicle operated thereunder as he deems necessary.'

Sec. 25. R. S., c. 23, § 93, amended. The last sentence of section 93 of chapter 23 of the Revised Statutes is repealed as follows:

~~'Trial justices shall have jurisdiction of any offense committed under sections 16, and 90 to 93 of this chapter, and section 152 of chapter 22 when the same is not of a high or aggravated nature.'~~

Sec. 26. R. S., c. 23, § 150, amended. The 2nd sentence from the end of section 150 of chapter 23 of the Revised Statutes is repealed as follows:

~~'Trial justices shall have jurisdiction to punish offenses under the provisions of this section.'~~

Sec. 27. R. S., c. 25, § 21, amended. The 2nd sentence from the end of section 21 of chapter 25 of the Revised Statutes is repealed as follows:

~~'Trial justices shall have jurisdiction of all offenses under this section.'~~

Sec. 28. R. S., c. 25, § 62, amended. The last paragraph of section 62 of chapter 25 of the Revised Statutes is amended to read as follows:

'The local health officer may prohibit any such person from going to any part of his town where he thinks that the presence of such person would be unsafe for the inhabitants; and if he does not comply, the health officer may order him, unless disabled by sickness, forthwith to leave the State in the manner and by the road which he directs ~~and if~~. If such person neglects or refuses to do so, any justice of the peace or Judge ~~or recorder~~ of the District Court in the county, on complaint of said local health officer, may issue his warrant to any proper officer or other person named therein, and cause him to be removed from the State; and if during the prevalence of such distemper in the place where such person resides, he returns to any town in the State without the license of its local health officer, he forfeits not more than \$100.'

Sec. 29. R. S., c. 25, § 77, amended. Section 77 of chapter 25 of the Revised Statutes is amended to read as follows:

Sec. 77. Penalties. Whoever willfully violates any provision of section 45, sections 48 to 51, sections 53 to 59, and sections 68 to 76, or of said regulations and by-laws, or neglects or refuses to obey any order or direction of any local health officer authorized by said provisions, the penalty for which is not ~~herein~~ specifically provided, or willfully interferes with any person or thing to prevent the execution of ~~the provisions of~~ said sections or of said regulations and

by-laws shall be punished by a fine of not more than \$50 or by imprisonment for not more than 6 months, or by both ~~such fine and imprisonment; judges of municipal courts.~~ **The District Court** shall have jurisdiction, original and concurrent with the Superior Court, of all offenses under said sections.'

Sec. 30. R. S., c. 25, § 78, amended. Section 78 of chapter 25 of the Revised Statutes is amended to read as follows:

'**Sec. 78. Removal or separate accommodations of infected persons.** Upon complaint made to any ~~trial justice or judge of a municipal court~~ **judge of the District Court**, such ~~trial justice or judge of a municipal court~~ may issue a warrant, directed to a proper officer, requiring him to remove any person infected with contagious sickness, under the direction of the local health officer of the town where he is; or to impress and take convenient houses, lodgings, nurses, attendants and other necessaries for the accommodation, safety and relief of the sick, or for the protection of the public health.'

Sec. 31. R. S., c. 25, § 79, amended. Section 79 of chapter 25 of the Revised Statutes is amended to read as follows:

'**Sec. 79. Securing infected articles.** When on application of the local health officer of a town it appears to any ~~trial justice or judge of a municipal court~~ **Judge of the District Court** that there is just cause to suspect that any baggage, clothing or goods therein are infected with any malignant contagious distemper, he shall, by a warrant directed to a proper officer, require him to impress so many men as said ~~trial justice or judge~~ thinks necessary, to secure such infested articles, and to post said men as a guard over the place where the articles are lodged, who shall prevent any persons from removing or approaching such articles, until due inquiry is made into the circumstances.'

Sec. 32. R. S., c. 25, § 80, amended. Section 80 of chapter 25 of the Revised Statutes is amended to read as follows:

'**Sec. 80. Safekeeping of infected articles ordered by warrant.** Any ~~trial justice or judge of a municipal court~~ **Judge of the District Court** may by the same warrant, if it appears to him necessary, require said officer, under the direction of the local health officer, to impress and take convenient houses or stores for the safekeeping of such infected articles, and cause them to be removed thereto, or otherwise detained, until the local health officer thinks that they are free from infection.'

Sec. 33. R. S., c. 25, § III, amended. Section III of chapter 25 of the Revised Statutes is amended to read as follows:

'**Sec. III. Examination requested.** The Bureau of Health is empowered to make such investigations as may be necessary to ascertain the source of any infectious or communicable disease. Whenever said bureau has cause to believe that any person is infected with any of the ~~above~~ diseases **mentioned in section 110** so as to expose others to the dangers thereof, said bureau by its representative shall petition ~~a judge of the municipal court~~ **the District Court in the division where said person resides or is found** or a justice of the Superior Court in the county where said person resides or is found, setting forth said

facts and requesting an examination of such person. Said ~~judge or justice court~~ may order such notice thereon as ~~he~~ it may deem proper for such person to appear and answer thereto. Upon hearing, if said court finds cause to believe that such person is so infected, ~~he~~ it may issue an order requiring said person to be examined by a licensed physician, at the expense of the bureau; and use all necessary legal processes to carry its decrees into effect.'

Sec. 34. R. S., c. 25, § 177, amended. The last sentence of section 177 of chapter 25 of the Revised Statutes is repealed as follows:

~~'Trial justices shall have jurisdiction of all offenses under said sections.'~~

Sec. 35. R. S., c. 25, § 205, amended. The last sentence of section 205 of chapter 25 of the Revised Statutes is amended to read as follows:

~~'Trial justices and municipal courts within their counties~~ **The District Court** shall have original and concurrent jurisdiction with the Superior Court in all prosecutions under ~~the provisions of~~ sections 195 to 205.'

Sec. 36. R. S., c. 25, § 249, amended. The first sentence of section 249 of chapter 25 of the Revised Statutes, as amended by section 3 of chapter 307 of the public laws of 1959, is further amended to read as follows:

'When complaint in writing signed by an agent of the department, sheriff, police officer or by 3 or more citizens of any town or city is made under oath to the probate court of the county or the ~~municipal court~~ **District Court** having jurisdiction in said city or town, alleging that such child in such city or town is cruelly treated or willfully neglected by its parents or parent or other person having custody or control of such child or by the willful failure of such parents or parent or other person having custody or control of such child is not provided with suitable food, clothing or privileges of education, or is kept at or allowed to frequent any disorderly house, house of ill fame, gambling place or place where intoxicating liquors are sold, or other places injurious to the health or morals, or that such child is an orphan, or is a child whose mother is an inmate of a state institution, without means of support or kindred of sufficient ability who will furnish such support, and praying that suitable and proper provision be made for the care, custody, support and education of the child named in such complaint, the court, in term time or vacation, may fix a time for hearing upon said complaint to be held in term time or vacation, and may issue a warrant causing the parents or parent or other persons having custody or control of such child and the child, if necessary, to be brought before said court forthwith in term time or vacation, or may order notice to be given to said parents or parent or said other persons in such manner or in such length of time as the court deems proper.'

Sec. 37. R. S., c. 25, § 250, amended. The 2nd and 3rd sentences from the end of section 250 of chapter 25 of the Revised Statutes, as enacted by section 9 of chapter 317 of the public laws of 1959, are amended to read as follows:

~~'An appeal may be taken to the Superior Court from the order or decree of any probate or municipal court or the District Court determining the custody of the~~

child under sections ~~247~~ 248 to 258. The proceedings under such appeal shall follow the form prescribed for appeal from probate courts or from ~~a municipal court~~ the District Court, as the case may be, but pending action upon any such appeal, the court may order the custody of the child to be retained by said suitable person, children's institution, child welfare organization or the department.'

Sec. 38. R. S., c. 25, § 349, amended. The 3rd sentence of section 349 of chapter 25 of the Revised Statutes is amended to read as follows:

'If the person so notified shall not remove from said reservation within 2 days after service of said notice upon him, the commissioner or any member of the tribe may make complaint to the ~~judge proper officer~~ of the ~~Old Town municipal court~~ District Court for Southern Penobscot, who shall cause a certified copy of said complaint with a notice of the time and place of hearing thereon to be given in hand to said person or left at his place of last and usual abode at least 2 days before the time fixed for said hearing, or may cause said person to be at once apprehended and brought before said court.'

Sec. 39. R. S., c. 25, § 372, amended. Section 372 of chapter 25 of the Revised Statutes is amended to read as follows:

'**Sec. 372. Section 349 made applicable to Passamaquoddy tribe.** All the provisions of section 349 shall apply to the Passamaquoddy tribe of Indians as well as to the Penobscot tribe, except that complaints under said section relating to the Passamaquoddy tribe shall be made to the ~~judge proper officer~~ of the ~~Calais or Eastport municipal court~~ District Court for Northern Washington instead of the ~~Old Town municipal court~~ District Court for Southern Penobscot as provided in said section.'

Sec. 40. R. S., c. 27, § 7-B, amended. The last sentence of section 7-B of chapter 27 of the Revised Statutes, as enacted by chapter 164 of the public laws of 1961, is amended to read as follows:

'Said rules and regulations shall become effective upon deposit of a copy thereof with the Secretary of State, who shall forward a copy thereof attested under the great seal of the State to ~~a municipal court or a trial justice court~~ the District Court in the area of jurisdiction.'

Sec. 41. R. S., c. 27, § 7-D, amended. The first sentence of section 7-D of chapter 27 of the Revised Statutes, as enacted by chapter 164 of the public laws of 1961, is amended to read as follows:

'The ~~municipal courts or trial justice courts~~ District Court within the areas in which the state institutions are located shall have jurisdiction in all proceedings brought under sections 7-A to 7-F, which courts shall take judicial notice of all rules and regulations adopted pursuant to section 7-B.'

Sec. 42. R. S., c. 27, § 54, amended. Section 54 of chapter 27 of the Revised Statutes, as amended by section 5 of chapter 387 of the public laws of 1957 and by section 4 of chapter 342 of the public laws of 1959, is further amended to read as follows:

Sec. 54. Commitment; length of sentence; woman attendant in serving mitimus. When, before any court ~~or trial justice~~ having jurisdiction, a woman over the age of 16 years and under the age of 40 years is adjudicated a juvenile offender or is convicted of an offense punishable by imprisonment in the State Prison, or in the county jail, or in any house of correction, such court ~~or justice~~ may order her commitment to the Reformatory for Women, or sentence her to the punishment provided by law for the same offense.

When a woman is sentenced to the Reformatory for Women the court imposing the sentence shall not fix the term of commitment to the reformatory. The duration of the commitment, including time spent on parole, may not exceed 3 years. Upon commitment of such woman, if the officer to whom the mitimus or order of commitment is addressed is not a woman, the judge ~~or trial justice~~ shall in all cases when feasible designate a woman to be an attendant to accompany her to said reformatory.'

Sec. 43. R. S., c. 27, § 64, amended. The 2nd sentence of section 64 of chapter 27 of the Revised Statutes is amended to read as follows:

'When complaint is made to ~~any judge the proper officer~~ of ~~any municipal court the District Court~~ having jurisdiction, ~~he said court~~ may upon hearing bind over any person so accused to the term of the Superior Court next to be holden within such county, and if indictment is returned therefor, then, upon conviction, said incorrigible may be sentenced to the State Prison for not less than one year, nor more than 5 years.'

Sec. 44. R. S., c. 27, § 65, amended. The first 2 sentences of section 65 of chapter 27 of the Revised Statutes are amended to read as follows:

'Upon petition of the department asking for the transfer to the Reformatory for Women of any woman serving sentence in any county jail or in any house of correction, presented to the court ~~or trial justice~~ having imposed sentence, the judge ~~or magistrate~~ shall set a time for hearing, giving at least 48 hours' notice to said woman, and shall notify the custodian of said woman to bring said woman before him for hearing. After hearing, said judge ~~or said magistrate~~ may order said woman transferred to the Reformatory for Women to serve the remainder of the term of sentence under which said woman was committed to the county jail or house of correction.'

Sec. 45. R. S., c. 27, § 67, amended. The first paragraph of section 67 of chapter 27 of the Revised Statutes, as amended by section 2 of chapter 318 of the public laws of 1955 and by section 6 of chapter 342 of the public laws of 1959, is further amended to read as follows:

'When, before any court ~~or trial justice~~ having jurisdiction, a male over the age of 16 years and under the age of 36 years is adjudicated a juvenile offender, or is convicted of any offense punishable by imprisonment in the State Prison, or in any county jail or in any house of correction, such court ~~or trial justice~~ may order his commitment to the Reformatory for Men, or sentence him to any other punishment provided by law for the same offense. Any such person known by the court ~~or trial justice~~ having jurisdiction of the offense to have been previously committed to a State Prison shall not be committed to said reformatory. When

a male is ordered committed to the Reformatory for Men, the court ~~of trial justice~~ ordering the commitment shall not prescribe the limit thereof, but no male committed to the reformatory shall be held for more than 3 years.'

Sec. 46. R. S., c. 27, § 68, amended. The first sentence of section 68 of chapter 27 of the Revised Statutes is amended to read as follows:

'The judge ~~of trial justice~~ making a commitment pursuant to ~~the provisions of~~ section 67 shall cause the superintendent of the reformatory to be notified immediately of such commitment and shall cause a record to be kept of the name, age, birthplace, occupation, previous commitments, if any, and for what offense, the last residence of such person so committed and the particulars of the offense for which he is committed.'

Sec. 47. R. S., c. 27, § 69, amended. The first sentence of section 69 of chapter 27 of the Revised Statutes is amended to read as follows:

'Such judge ~~of trial justice~~ shall, before committing any such person, inquire into and determine the age of such person at the time of commitment, and his age so determined shall be stated in the mittimus.'

Sec. 48. R. S., c. 27, § 75, amended. The 4th sentence of section 75 of chapter 27 of the Revised Statutes is amended to read as follows:

'Any person so transferred shall serve the remainder of the term he might otherwise have been held at the reformatory or upon complaint being made to ~~any judge the proper officer of any municipal court~~ **the District Court in the county,** ~~he may~~ having jurisdiction, said court upon hearing may bind over any person so accused to the term of the Superior Court next to be holden within such county, and if indictment is returned therefor, then upon conviction said incorrigible may be sentenced to the State Prison for not less than one year nor more than 5 years.'

Sec. 49. R. S., c. 27, § 118, amended. The first sentence of section 118 of chapter 27 of the Revised Statutes is amended to read as follows:

'When a person is indicted for an offense, or is committed to jail on a charge thereof by ~~a trial justice or judge of a municipal court~~ **the District Court,** any justice of the court before which he is to be tried, if a plea of insanity is made in court or he is notified that it will be made, may, in vacation or term time, order such person into the care of the superintendent of either ~~insane~~ **hospital for the mentally ill,** to be detained and observed by him until further order of court or any justice thereof, in vacation, that the truth or falsity of the plea may be ascertained.'

Sec. 50. R. S., c. 27, § 122, amended. The last sentence of section 122 of chapter 27 of the Revised Statutes, as amended by section 18 of chapter 304 of the public laws of 1961, is further amended to read as follows:

'Such keeper shall apply in writing to the ~~judge of the municipal court proper officer of the District Court~~ **the District Court** in the place where such jail is located, ~~if any, otherwise to the judge of the nearest municipal court in the county,~~ and if there is ~~no municipal court in such county,~~ **to any Justice of the Superior Court** stating the facts connected therewith, and praying that the condition of such convict or

person detained may be inquired into and such decree made as to his commitment or detention as justice may require.'

Sec. 51. R. S., c. 27, § 128, amended. Section 128 of chapter 27 of the Revised Statutes, as amended by section 23 of chapter 304 of the public laws of 1961, is further amended to read as follows:

'**Sec. 128. District Court Judges may hold court in towns where prison or jails are located.** The Judge of ~~any municipal court~~ the District Court to which application is made by any jailer ~~and which court is located in a town other than that in which the jail is situated and which is within the same county~~ may hold his court for the purposes provided in the town where such jail is located.'

Sec. 52. R. S., c. 27, § 173, amended. The last paragraph of section 173 of chapter 27 of the Revised Statutes, as enacted by section 1 of chapter 303 of the public laws of 1961, is amended to read as follows:

'Such a certificate, if it states a belief that the individual is likely to injure himself or others if allowed to remain at liberty, upon endorsement for such purpose by ~~a municipal court judge~~ the District Court Judge or complaint justice within whose jurisdiction the individual is present, shall authorize any health or police officer to take the individual into custody and transport him to a hospital as designated in the application.'

Sec. 53. R. S., c. 27, § 174, amended. The last paragraph of section 174 of chapter 27 of the Revised Statutes, as enacted by section 1 of chapter 303 of the public laws of 1961, is amended to read as follows:

'Such a certificate, upon endorsement for such purpose by ~~a judge of any municipal court~~ the District Court Judge or complaint justice within whose jurisdiction the individual is present, shall authorize any health or police officer to take the individual into custody and transport him to a hospital as designated in the application.'

Sec. 54. R. S., c. 27, § 184, amended. The last sentence of section 184 of chapter 27 of the Revised Statutes, as enacted by section 1 of chapter 303 of the public laws of 1961, is amended to read as follows:

'Such an order, if not voluntarily complied with, shall, upon the endorsement by a District Court Judge ~~of a municipal court of~~ or complaint justice in the county in which the patient is resident or present, authorize any health or police officer to take the patient into custody and transport him to the hospital, or if the order is issued by the department to a hospital designated by it.'

Sec. 55. R. S., c. 30, § 163, amended. Section 163 of chapter 30 of the Revised Statutes is amended to read as follows:

'**Sec. 163. Enforcement of fines and penalties.** ~~Trial justices within their county~~ The District Court and the Superior Court shall have original jurisdiction ~~concurrent with municipal courts and the Superior Court~~ of actions brought for the recovery of fines and penalties imposed by the provisions of this chapter, and of prosecutions for violations of the provisions thereof.'

Sec. 56. R. S., c. 32, § 9, amended. Section 9 of chapter 32 of the Revised Statutes is amended to read as follows:

'Sec. 9. Jurisdiction; disposal of funds. ~~Trial justices shall have original jurisdiction, concurrent with municipal courts~~ **The District Court and the Superior Court shall have concurrent jurisdiction** of actions brought for the recovery of penalties imposed by the provisions of this chapter, and of prosecutions for violations hereof. All fines received under the provisions of this chapter shall accrue to the Treasurer of State for deposit in the General Fund.'

Sec. 57. R. S., c. 32, § 47, amended. The first sentence of section 47 of chapter 32 of the Revised Statutes is amended to read as follows:

~~'Trial justices shall have original jurisdiction, concurrent with municipal courts~~ **The District Court and the Superior Court shall have concurrent jurisdiction** of actions brought for the recovery of penalties imposed by the provisions of sections 39 to 47, and of prosecutions for violations of the provisions thereof.'

Sec. 58. R. S., c. 32, § 48-X, amended. Section 48-X of chapter 32 of the Revised Statutes, as enacted by section 1 of chapter 239 of the public laws of 1959 and amended by section 96 of chapter 417 of the public laws of 1961, is further amended to read as follows:

'Sec. 48-X. County attorneys to prosecute violations. The several county attorneys shall prosecute all violations of sections 48-A to 48-I, section 48-I-1, sections 48-J to 49-F, sections 49-F-1 and 49-G and sections 127 to 140, which shall be brought to their notice or knowledge by any person making the complaint under oath. ~~Trial justices within their counties shall have, upon complaint, original and concurrent jurisdiction with municipal courts~~ **The District Court and the Superior Court shall have concurrent jurisdiction** in all prosecutions under said sections.'

Sec. 59. R. S., c. 32, § 87-J, amended. Section 87-J of chapter 32 of the Revised Statutes, as enacted by section 1 of chapter 163 of the public laws of 1961, is amended to read as follows:

'Sec. 87-J. Jurisdiction. ~~Trial justices shall have original jurisdiction concurrent with municipal courts~~ **The District Court and the Superior Court shall have concurrent jurisdiction** in cases arising under sections 87-A to 87-G.'

Sec. 60. R. S., c. 32, § 109-L, amended. Section 109-L of chapter 32 of the Revised Statutes, as enacted by section 1 of chapter 152 of the public laws of 1961, is amended to read as follows:

'Sec. 109-L. Jurisdiction. ~~Trial justices shall have original jurisdiction, concurrent with municipal courts~~ **The District Court and the Superior Court shall have concurrent jurisdiction** in cases arising under sections 109-A to 109-L.'

Sec. 61. R. S., c. 32, § 118, amended. Section 118 of chapter 32 of the Revised Statutes is amended to read as follows:

'Sec. 118. Search warrant for vessels held in wrongful possession. Whenever any person or corporation having complied with the provisions of section 114

or the agent of any such person or corporation shall make oath before the ~~judge proper officer of any municipal court or before any trial justice~~ **the District Court** that he has reason to believe and does believe that any person or corporation has wrongfully in possession or is secreting any of his or its milk cans, jugs, bottles or jars, marked and described as provided in section 114, said ~~judge or trial justice~~ **officer** shall, if satisfied that there is reasonable cause for such belief, issue a search warrant to discover and obtain the same, and may ~~also~~ cause to be brought before ~~him~~ **said court** the person or an agent or employee of the corporation in whose possession such cans, jugs, bottles or jars are found, and shall thereupon inquire into the circumstances of such possession; ~~if.~~ **If said judge or trial justice the court** finds that such person or corporation has been guilty of a willful violation of ~~the provisions of~~ sections 115, 116 or 117, ~~he~~ **it** shall impose the penalty prescribed in the section or sections so violated, and shall ~~also~~ award to the owner possession of the property taken upon such search warrant.'

Sec. 62. R. S., c. 32, § 160, amended. The first sentence of section 160 of chapter 32 of the Revised Statutes is amended to read as follows:

~~'Trial justices shall have original jurisdiction, concurrent with municipal courts~~ **The District Court and the Superior Court shall have concurrent jurisdiction** of prosecutions for violations ~~of the provisions~~ of sections 153 to 159.'

Sec. 63. R. S., c. 32, § 164, amended. The last sentence of section 164 of chapter 32 of the Revised Statutes is amended to read as follows:

~~'Trial justices shall have original jurisdiction, concurrent with municipal courts~~ **The District Court and the Superior Court shall have concurrent jurisdiction** of actions brought for the recovery of penalties imposed by ~~the provisions of~~ sections 153 to 179, and of prosecutions for violations thereof.'

Sec. 64. R. S., c. 32, § 221, amended. The 2nd paragraph of section 221 of chapter 32 of the Revised Statutes is amended to read as follows:

'When an article detained or embargoed under ~~the provisions of~~ the preceding paragraph has been found by such agent to be adulterated or misbranded, he shall petition the ~~judge proper officer of a municipal~~ **the District Court** or Superior Court in whose jurisdiction the article is detained or embargoed for a libel for condemnation of such article. When such agent has found that an article so detained or embargoed is not adulterated or misbranded, he shall remove the tag or other marking.'

Sec. 65. R. S., c. 32, § 255, amended. The last paragraph of section 255 of chapter 32 of the Revised Statutes is amended to read as follows:

'Any person, firm or corporation who shall violate any of the provisions of this section shall be punished by a fine of not more than \$100 for the first offense and by a fine of not more than \$200 for each subsequent offense, and ~~the municipal~~ **District and Superior Courts** shall have concurrent jurisdiction of the offense.'

Sec. 66. R. S., c. 32, § 261, amended. The next to the last paragraph of section 261 of chapter 32 of the Revised Statutes, as enacted by section 4 of chapter 174 of the public laws of 1955, is amended to read as follows:

'The commissioner or duly authorized agent of the commissioner detaining

such sardines shall promptly petition the ~~Judge proper officer of a municipal court~~ **the District Court** or the Superior Court within whose jurisdiction the sardines are detained for a libel for condemnation of such sardines, the procedure of which shall conform, as nearly as may be, to the procedure for libelling intoxicating liquors.'

Sec. 67. R. S., c. 32, § 299, amended. The first sentence of the last paragraph of section 299 of chapter 32 of the Revised Statutes is amended to read as follows:

~~'Trial justices shall have original jurisdiction, concurrent with municipal courts~~ **The District Court and the Superior Court shall have concurrent jurisdiction** of actions brought for the recovery of penalties imposed by ~~the provisions of sections 295 to 301, and of prosecutions for violations thereof.'~~

Sec. 68. R. S., c. 32-A, § 60, amended. Section 60 of chapter 32-A of the Revised Statutes, as enacted by section 1 of chapter 260 of the public laws of 1957, is amended to read as follows:

'Sec. 60. Jurisdiction of courts. ~~Trial justices within their county shall have original jurisdiction, concurrent with municipal courts~~ **The District Court and the Superior Court shall have concurrent jurisdiction** of prosecutions for all offenses against the laws pertaining to weights and measures.'

Sec. 69. R. S., c. 36, § 38, amended. Section 38 of chapter 36 of the Revised Statutes is amended to read as follows:

'Sec. 38. Jurisdiction. ~~Trial justices within their county shall have concurrent jurisdiction with municipal courts~~ **The District Court and the Superior Court shall have concurrent jurisdiction** in all prosecutions under any provision of sections 33 to 39. Any person arrested as a violator of the provisions of said sections may be taken before ~~any trial justice or any municipal court~~ **the District Court in the county division** where the offense was committed, or in any adjoining ~~county division.~~ **county division.** Jurisdiction in such cases is granted to ~~all trial justices and all other courts~~ **the District Court** to be exercised in the same manner as if the offense had been committed in that ~~county division.'~~

Sec. 70. R. S., c. 36, § 45, amended. Section 45 of chapter 36 of the Revised Statutes is amended to read as follows:

'Sec. 45. Jurisdiction. ~~Trial justices and municipal courts within their counties~~ **The District Court** shall have original and concurrent jurisdiction with the Superior Court in all prosecutions under any provisions of sections 43 to 46. Any person, arrested as a violator of said sections, shall with reasonable diligence be taken before the ~~municipal court~~ **District Court in the division** nearest to where the offense is alleged to have been committed for a warrant and trial, and in such case jurisdiction is granted to ~~all municipal courts~~ **the District Court** in adjoining ~~counties divisions~~ **county divisions** to be exercised in the same manner as if the offense had been committed in that ~~county division.~~ **county division.** ~~Provided, however, that if a trial justice whose usual place of holding court in the county where the offense is alleged to have been committed is nearer to where the offense is alleged to have been committed than is any municipal court, such violator may be taken before such trial justice for warrant and trial.'~~

Sec. 71. R. S., c. 36, § 103-A, amended. Section 103-A of chapter 36 of the Revised Statutes, as enacted by chapter 124 of the public laws of 1961, is amended to read as follows:

Sec. 103-A. Jurisdiction. ~~Trial justices and municipal courts within their counties~~ **The District Court** shall have original and concurrent jurisdiction with the Superior Court in all prosecutions under any provisions of sections 95 to 112. Any person, arrested as a violator of said sections, may with reasonable diligence be taken before the ~~municipal court~~ **District Court in the division** nearest to where the offense is alleged to have been committed for a warrant and trial, and in such case jurisdiction is granted to ~~all municipal courts~~ **the District Court in adjoining counties divisions** to be exercised in the same manner as if the offense had been committed in that ~~county division~~. ~~If a trial justice whose usual place of holding court in the county where the offense is alleged to have been committed is nearer to where the offense is alleged to have been committed than is any municipal court, such violator may be taken before such trial justice for warrant and trial.~~

Sec. 72. R. S., c. 37, § 24, amended. The 3rd paragraph of section 24 of chapter 37 of the Revised Statutes, as revised, is amended to read as follows:

'The wardens shall have the authority to serve criminal processes on offenders of the law, and to arrest and prosecute camp trespassers or persons committing larceny from any cottage, camp or other building, and, except before ~~trial justice or municipal courts~~ **the District Court**, shall be allowed the same fees as sheriffs and their deputies for like services, all such fees to be paid to the commissioner. The wardens shall have the same rights as sheriffs to require aid in executing the duties of their office. They may serve all processes pertaining to the enforcement of any provisions of this chapter.'

Sec. 73. R. S., c. 37, § 74, amended. The last paragraph of section 74 of chapter 37 of the Revised Statutes, as revised, is amended to read as follows:

~~'Trial justices, judges or recorders of municipal courts~~ **Clerks of the District Court** and clerks of Superior Courts, upon conviction of any person for violation of any of the provisions of this chapter, shall immediately forward to the commissioner a transcript of the records of said proceedings with a record of any appeal entered on any judgment or sentence of said court.'

Sec. 74. R. S., c. 37, § 98, amended. The 5th paragraph of section 98 of chapter 37 of the Revised Statutes, as revised, is amended to read as follows:

'Any person having any evidence of any dog hunting, chasing, killing, wounding or pursuing any moose, caribou, deer or elk, or any other wild animal in closed season, or of any dog kept and used for the purpose, or of any dog wounding, killing or attacking any domestic animal or fowl, or any fur-bearing animals legally in captivity, when said dog is outside of the enclosure or immediate care of his owner or keeper, may present said evidence to ~~any trial justice or judge of any municipal court~~ **the proper officer of the District Court**, which said ~~trial justice or judge~~ **officer** shall have power to issue a warrant against the owner of said dog, ordering him to appear before ~~him~~ **said**

court and show cause why said dog should not be killed; ~~and upon.~~ **Upon** hearing the evidence in said case said court may order said dog killed by any officer. The costs of prosecution shall be paid by the owner or keeper of said dog.'

Sec. 75. R. S., c. 37, § 126, amended. The first paragraph of that part of section 126 of chapter 37 of the Revised Statutes, as revised, which relates to "Form of Libel", is amended to read as follows:

'County of, ss. To
a ~~trial justice, judge or recorder of a municipal court, in and for said county~~
Clerk
Judge of the District Court:
Complaint Justice

Sec. 76. R. S., c. 37, § 126, amended. That part of section 126 of chapter 37 of the Revised Statutes, as revised, which relates to "Form of Monition and Notice, is amended to read as follows:

'FORM OF MONITION AND NOTICE
STATE OF MAINE

L. S.

County of, ss.

To all persons interested in
.....
.....

The libel of hereunto annexed, this day filed with me, esquire, ~~a trial justice, judge or recorder of a municipal court, in and for said county~~ **Judge of the District Court**, shows that he has seized said articles because
.....
and prays for a decree of forfeiture of the same according to the provisions of law in such case made and provided.

You are, therefore, hereby notified thereof, that you may appear before ~~me, the said justice, judge or recorder~~ said court, at in said county, on the day of A. D. 19.... at o'clock in the noon and then and there show cause why said articles should not be forfeited, and that notice hereof be given to all persons interested by causing a true and attested copy of this libel and monition to be posted in and two conspicuous places in the town of at least ten days before the return day hereof.

Witness:, esquire
on the day of 19....

~~Trial Justice, Judge or Recorder~~

A true copy. Attest :

.....
Inland Fish and Game Warden

STATE OF MAINE

..... ss. A. D. 19....
I have this day made service of the within libel and monition, by posting up true and attested copies of the same, in two conspicuous places to wit: one and one in

Posting notice \$1.00

.....
Inland Fish and Game Warden

Travel miles
Total \$

(L. S.)

..... ss.
To one of the
..... of the

WHEREAS it appears that due notice was given to all parties interested in the birds, fish, game, wild or fur-bearing animals, or parts thereof, or equipment described in the within libel of to appear before, esquire, a ~~trial justice, judge of the municipal court, within and for the county of~~ **Judge of the District Court** at in on the day of A. D. 19.... at o'clock in the noon, and show cause why said should not be declared forfeited. And no person appearing to claim the same, said are declared forfeited.

And of did appear and claim said and after hearing all the evidence I order said returned to said claimant. The same are declared forfeited and you are hereby ordered to turn the same over to the Commissioner of Inland Fisheries and Game.

Witness,, esquire, ~~said trial justice, judge of the municipal court of the county of~~ **Judge of the District Court** this day of A. D. 19....

..... **Trial Justice**
~~Judge of Municipal Court District Court~~

Pursuant to the above order to me directed, I have turned over the within described to the Commissioner of Inland Fisheries and Game.

.....
Inland Fish and Game Warden

Sec. 77. R. S., c. 37, § 130, amended. Section 130 of chapter 37 of the Revised Statutes, as amended by section 34 of chapter 392 of the public laws of 1957, is further amended to read as follows:

'Sec. 130. Officers may arrest without process; jurisdiction; impersonating game wardens. Any officer authorized to enforce the inland fish and game laws may, without process, arrest any violator of said laws and shall, with reasonable diligence, cause him to be taken before ~~a municipal court~~ **the District Court** in the ~~county division~~ in which the offense is alleged to have been committed, for a warrant and trial; or if ~~a municipal court~~ **the District Court** in an adjoining ~~county division~~ is the nearest court to the place of violation, concurrent jurisdiction is given to such ~~municipal court~~ **District Court** to hear and try such case.

~~Provided, however, that if there is a trial justice whose usual place of holding court is in the county in which the offense is alleged to have been committed, such violator may be taken before such trial justice for warrant and trial. Any game warden may arrest with or without warrant any person who impersonates or represents himself as being a game warden.'~~

Sec. 78. R. S., c. 37, § 131, amended. Section 131 of chapter 37 of the Revised Statutes, as revised, is amended to read as follows:

'Sec. 131. Jurisdiction. ~~Trial justices and municipal courts within their counties~~ **The District Court** shall have original and concurrent jurisdiction with the Superior Court in all prosecutions under any provisions of this chapter.'

Sec. 79. R. S., c. 37, § 132, amended. The first paragraph of section 132 of chapter 37 of the Revised Statutes, as revised, is amended to read as follows:

'Any warden of the department making an arrest for any violation of any provision of this chapter at a point more than 50 miles distant from the nearest ~~trial justice, or municipal court~~ **District Court** having jurisdiction, may accept the personal recognizances of the prisoner in the sum of not exceeding \$250 for his appearance before the nearest ~~trial justice or municipal court~~ **District Court** on a specified date and a deposit in money to the amount of said recognizance. Said warden shall forthwith report all such recognizances and forward all such deposits to the court to which such recognizance is returnable.'

Sec. 80. R. S., c. 37, § 137, amended. Section 137 of chapter 37 of the Revised Statutes, as revised, is amended to read as follows:

'Sec. 137. Result of court cases reported to commissioner. Every magistrate or the clerk of the court except ~~trial justice and municipal courts~~ **the District Court** before whom any prosecution under ~~the provisions of~~ this chapter is commenced or shall go on appeal, within 20 days after the trial or dismissal thereof, shall report in writing the result thereof and the amount of fines collected, if any, and disposition thereof, to the commissioner.'

Sec. 81. R. S., c. 37-A, § 12, sub-§ V, amended. Subsection V of section 12 of chapter 37-A of the Revised Statutes, as enacted by section 1 of chapter 331 of the public laws of 1959 and as repealed and replaced by section 8 of chapter 397 of the public laws of 1961, is amended to read as follows:

V. Fees. Except before ~~trial justice and municipal courts~~ the District Court, they shall be allowed the same fees as sheriffs and their deputies for like service.'

Sec. 82. R. S., c. 37-A, § 87, amended. Section 87 of chapter 37-A of the Revised Statutes, as enacted by section 1 of chapter 331 of the public laws of 1959, is amended to read as follows :

Sec. 87. Jurisdiction of courts. ~~Trial justices and municipal courts within their counties have~~ The District Court has concurrent original jurisdiction with the Superior Court in all prosecutions under this chapter.'

Sec. 83. R. S., c. 37-A, § 88, amended. Section 88 of chapter 37-A of the Revised Statutes, as enacted by section 1 of chapter 331 of the public laws of 1959, is amended to read as follows :

Sec. 88. Arrest without warrant. Any officer authorized to enforce the sea and shore fisheries laws may, without a warrant, arrest any violator of those laws.

I. Respondent to be taken to nearest court. The arresting officer shall with reasonable diligence cause the violator to be taken, for a warrant and trial, before the ~~municipal court in the same county~~ District Court in the division nearest to where the alleged offense was committed ~~which is nearest to where the alleged offense was committed.~~

A. If a ~~trial justice court is in the same county, and nearer than the municipal court to where the alleged offense was committed, the violator may be taken before that trial justice'~~

Sec. 84. R. S., c. 37-A, § 90, sub-§ II, ¶ A, amended. The first paragraph of paragraph A of subsection II of section 90 of chapter 37-A of the Revised Statutes, as enacted by section 1 of chapter 331 of the public laws of 1959, is amended to read as follows :

'Form of libel :

STATE OF MAINE

County ofSS

To the Honorable

Clerk

....., a ~~trial justice~~ Judge ~~or recorder~~ of
Complaint Justice

court ~~in and for said county :~~

Sec. 85. R. S., c. 37-A, § 90, sub-§ II, ¶ B, amended. The last paragraph of paragraph B of subsection II of section 90 of chapter 37-A of the Revised Statutes, as enacted by section 1 of chapter 331 of the public laws of 1959, is amended to read as follows :

'Ordered this day of A.D. 19
by me, ~~Trial Justice, Recorder or~~ Judge of
the Court.

Said ~~Trial Justice, Recorder or~~ Judge.
.....

Sec. 86. R. S., c. 37-A, § 90, sub-§ II, ¶ D, amended. The last 3 paragraphs of paragraph D of subsection II of section 90 of chapter 37-A of the Revised Statutes, as enacted by section 1 of chapter 331 of the public laws of 1959, is amended to read as follows:

‘It is therefore ordered by me, said ~~Trial Justice Judge or Recorder~~ that all said items described in said libel be forfeited to the State.

You are hereby ordered to turn said forfeited items over to the Commissioner of Sea and Shore Fisheries.

Ordered by me, said ~~Trial Justice, Judge or Recorder~~, this day of A. D. 19.....

(Signed)
Said Trial Justice Judge Recorder’

Sec. 87. R. S., c. 41, § 70, amended. Section 70 of chapter 41 of the Revised Statutes is amended to read as follows:

‘**Sec. 70. Duties of State Registrar of Vital Statistics.** Whenever the State Registrar of Vital Statistics has cause to believe that any parent or guardian has unreasonably refused or neglected to comply with the provisions of sections 67 to 70, it shall be his duty to make complaint covering the circumstances to the nearest ~~municipal~~ District Court having jurisdiction.’

Sec. 88. R. S., c. 41, § 97, amended. The first and 2nd sentences of section 97 of chapter 41 of the Revised Statutes, as last amended by section 5 of chapter 366 of the public laws of 1961, are further amended to read as follows:

‘~~Municipal courts and trial justices~~ **The District Court** shall have jurisdiction of the offenses described in sections 92 and 94. All warrants issued by said ~~courts or trial justices~~ **court** for an offense committed under said sections, and all legal processes issued by said ~~courts or trial justices~~ **court** for the purpose of carrying into effect this section and said sections 92 and 94 may be directed to and executed by the attendance officer or either of the attendance officers of the administrative unit where the offense is committed.’

Sec. 89. R. S., c. 46, § 95, amended. The last sentence of section 95 of chapter 46 of the Revised Statutes is amended to read as follows:

‘Jurisdiction over each such offense is conferred on ~~each municipal court and trial justice in the state~~ **the District Court.**’

Sec. 90. R. S., c. 48, § 20, amended. The 3rd sentence of section 20 of chapter 48 of the Revised Statutes is amended to read as follows:

‘The words “regular routes” as used in sections 19 to 32 mean those routes over which any person, firm or corporation is usually or ordinarily operating, or causing to be operated, any motor vehicle or vehicles, even though there may be departures from said routes, whether such departure be periodic or irregular ~~whether.~~ **Whether** or not the operation is over regular routes within the meaning of said sections shall be a question of fact to be determined by the commission, the Supreme Judicial Court, the Superior Court or ~~a municipal~~ **the District Court.**’

Sec. 91. R. S., c. 48, § 23, amended. The last sentence of the first paragraph of section 23 of chapter 48 of the Revised Statutes is amended to read as follows:

'Whether or not any person, firm or corporation is engaging regularly in the transportation business within the meaning of this paragraph shall be a question of fact to be determined by the commission, the Supreme Judicial Court, the Superior Court or ~~a municipal court~~ **the District Court**, but the making of 2 trips for hire during any 6-month period shall be deemed as regularly engaging in the transportation business.'

Sec. 92. R. S., c. 48, § 32, sub-§ VIII, amended. The last sentence of subsection VIII of section 32 of chapter 48 of the Revised Statutes is amended to read as follows:

'In any case, all fees taxed ~~for any Judge or recorder of any municipal court or for any trial justice by the District Court~~ shall be disposed of as the law establishing the trial court directs, and all costs taxed for any officer, other than a member of the State Police or any inspector or officer employed by the commission, shall be disposed of as the law provides in other criminal cases.'

Sec. 93. R. S., c. 49, § 16, amended. The last sentence of section 16 of chapter 49 of the Revised Statutes is amended to read as follows:

~~'Trial justices~~ **The District Court** shall have **concurrent** jurisdiction ~~concurrent with municipal courts and~~ the Superior Court of all complaints and prosecutions under the ~~preceding~~ **sections 1 to 15.**'

Sec. 94. R. S., c. 58, § 14, amended. The last sentence of section 14 of chapter 58 of the Revised Statutes is amended to read as follows:

~~'Trial justices shall have jurisdiction concurrent with municipal courts and the superior court within their respective counties; and of The District Court and the Superior Court shall have concurrent jurisdiction. Of all fines provided for under the provisions of this section and recovered on complaint, 1/2 shall go to the prosecutor and 1/2 to the county where the city, town, cemetery corporation, trust company or trustee committing the offense is situated; but nothing. Nothing~~ herein contained shall be construed to compel any such city, town, cemetery corporation, trust company or trustee to expend in any one year upon any such lot more than the income from any such fund.'

Sec. 95. R. S., c. 58, § 38, amended. Section 38 of chapter 58 of the Revised Statutes is amended to read as follows:

'Sec. 38. Jurisdiction. The Superior Court shall have original and concurrent jurisdiction in all cases under the provisions hereof, ~~provided that judges this chapter. Judges of municipal courts and trial justices~~ **the District Court** may cause the persons brought before them on complaint for violation of sections 26 or 27 to recognizance with sufficient sureties to appear at the next term of the Superior Court and, in default thereof, shall commit them.'

Sec. 96. R. S., c. 59, § 240, amended. The first sentence of section 240 of chapter 59 of the Revised Statutes is amended to read as follows:

'Any dealer or any person violating any provision of sections 228 to 239, or knowingly filing with the commissioner or furnishing to him any false or misleading statements or information, shall be punished upon conviction thereof by a fine of not more than \$1,000 or by imprisonment for not more than 60 days, or by both ~~such fine and imprisonment, and municipal courts.~~ **The District Court** shall have original and concurrent jurisdiction with the Superior Court.'

Sec. 97. R. S., c. 60, § 313, amended. The last sentence of section 313 of chapter 60 of the Revised Statutes is amended to read as follows:

'Prosecutions may be commenced by complaint and warrant before any ~~municipal judge or trial justice~~ **District Court Judge**, as in the case of other offenses not within the final jurisdiction of such judge ~~or justice.~~'

Sec. 98. R. S., c. 61, § 71, amended. Section 71 of chapter 61 of the Revised Statutes, as amended by chapter 208 of the public laws of 1957, is further amended to read as follows:

'**Sec. 71. Jurisdiction of courts.** In prosecutions under ~~the provisions of~~ this chapter, except when otherwise expressly provided, ~~trial justices within their county~~ **the District Court** shall have, by complaint, jurisdiction concurrent with ~~municipal courts and~~ the Superior Court.'

Sec. 99. R. S., c. 61, § 82, amended. The 2nd sentence of section 82 of chapter 61 of the Revised Statutes, as repealed and replaced by chapter 289 of the public laws of 1961, is amended to read as follows:

'In all cases where an officer may seize intoxicating liquors which are transported for illegal sale he may seize within a period of 30 days of such transportation, with a warrant upon a sworn complaint issued by ~~a Judge~~ **the proper officer** of ~~a municipal court or trial justice~~ **the District Court** upon complaint, said automobile, truck, wagon, aircraft, boat or vessel or vehicle of every kind, not common carrier, which have been so used to transport intoxicating liquors intended for illegal sale.'

Sec. 100. R. S., c. 61, § 84, amended. The first sentence of section 84 of chapter 61 of the Revised Statutes is amended to read as follows:

'If any person competent to be a witness in civil ~~suits~~ **actions** makes sworn complaint before ~~any Judge~~ **the proper officer** of ~~a municipal court or trial Justice~~ **the District Court** that he believes that liquors are unlawfully kept or deposited in any place in the State by any person and that the same are intended for sale in violation of law, such magistrate shall issue his warrant directed to any officer having power to serve criminal process, commanding him to search the premises described and specially designated in such complaint and warrant, and if such liquors are there found, to seize them, with the vessels in which they are contained, and safely keep the same until final action thereon and to make immediate return of the warrant.'

Sec. 101. R. S., c. 61, § 97, amended. Section 97 of chapter 61 of the Revised Statutes is amended to read as follows:

Sec. 97. Forms; costs. The forms herein set forth, with such changes as adapt them for use in ~~cities, towns and plantations~~ municipalities, are sufficient in law for all cases arising under the foregoing provisions to which they purport to be adapted; and the costs to be taxed and allowed for a libel shall be 50c; for entering the same, 30c; for trying the same, \$1; for a monition, 50c; for posting notices and return, \$1; for order to restore or deliver, 25c; for executing the order, 50c.

Form of Complaint for Single Sale.

STATE OF MAINE

Judge of District Court

“ , ss.—To ~~Clerk~~ **Complaint Justice** esquire, a ~~trial justice within and for the county of~~

A. B., of, in said county, on the day of, in the year of our Lord one thousand nine hundred, in behalf of said State, on oath complains, that, of, in said county, on the day of, 19., at said, in said county of, did then and there sell a quantity of intoxicating liquors, to wit: one of intoxicating liquor to one,” (or if the individual is unknown, “to some person to said complainant unknown,”) “against the peace of said State, and contrary to the form of the statute in such case made and provided.

A. B.

On the day of, 19., said makes oath, that the above complaint, by subscribed, is true.

Before me,

. ~~Trial Justice~~
Complaint Justice
District Court Judge
Clerk.”

Form of Warrant upon Complaint for Single Sale

STATE OF MAINE

“, ss.—To the sheriff of our said county of, or either of his deputies, or either of the constables of the town of, or of either of the towns in said county. Greeting.

[L. S.] Whereas, A. B., of, on the day of, in the year of our Lord one thousand nine hundred, in behalf of said State, on oath complained to me, the subscriber, one of the ~~trial justices within and for said county of~~

Judges of the District Court
Clerks, that

Complaint Justices
of, in said county, on the day of, 19., at said, in said county of, did sell a quantity of intoxicating liquors, to wit: one of intoxicating

liquor to one, against the peace of said State and contrary to the form of the statute in such case made and provided.

Therefore, in the name of the State of Maine, you are commanded forthwith to apprehend said, if he may be found in your precinct, and bring him before ~~me said court~~, the subscriber ~~or some other trial justice within and for said county~~, to answer to said State upon the complaint aforesaid.

Witness, my hand and seal at aforesaid, this day of, in the year of our Lord nineteen hundred

. **Trial Justice
Judge
Clerk
Complaint Justice."**

Form of Recognizance in Case of a Single Sale

"Be it remembered, that at a ~~justice court held by me, the subscriber, one of the trial justices within and for the county of~~, at my office hearing held at the District Court in **district division**

in said county, on the day of, in the year of our Lord one thousand nine hundred, personally appeared, and, and severally acknowledged themselves to be indebted to the State of Maine, in the respective sums following, to wit:

The said, as principal, in the sum of dollars, and the said and, as sureties, in the sum of dollars each, to be levied of their respective goods, chattels, lands or tenements, and in want thereof of their bodies, to the use of the State, if default is made in the condition following:

The condition of this recognizance is such, that whereas said has been brought before said court, by virtue of a warrant duly issued upon the complaint on oath of, charging him, said, with having sold at said, one of intoxicating liquor to one, against the peace of said State, and contrary to the form of the statute in such case made and provided. And said, having pleaded not guilty to said complaint, but having been by said court found guilty of the same, and been sentenced to; and said having appealed from said sentence to the Superior Court, next to be held at, within and for the said county of, on the Tuesday of, in the year of our Lord nineteen hundred

Now therefore, if said shall appear at the court aforesaid, and prosecute his said appeal with effect, and abide the order and judgment

of said court, and not depart without license, then this recognizance shall be void; otherwise shall remain in full force and virtue.

Witness, , ~~Trial Justice~~
District Court Judge.”

Form of Mittimus

STATE OF MAINE

“County of, ss.—To the sheriff of the county of, or either of his deputies, or either of the constables of the town of, and to the keeper of the jail in, in our said county,

Greeting.

[L. S.] Whereas, E. F., of, in our county of, now stands convicted before me, A. B., esquire, ~~one of the trial justices in and for the said county of~~ **Judge of the District Court**, on complaint of , who, on his oath complains that” (here insert the substance of the complaint) “against the peace of the State, and contrary to the form of the statute in such case made and provided, for which offense, he, the said E. F., is sentenced to pay a fine to the State, of dollars, and costs of prosecution, taxed at dollars and cents, (and to stand committed until the sentence is performed, all which sentence said E. F., now before me, the said ~~justice~~ **judge**, fails and refuses to comply with and perform).

These are therefore, in the name of the State of Maine, to command you, the said sheriff, deputies and constables and each of you, forthwith to convey said E. F. to the common jail in, in the county aforesaid, and to deliver him to the keeper thereof, together with this precept. And you the keeper of the said jail in aforesaid, are hereby in like manner commanded, in the name of the State of Maine, to receive said E. F. into your custody, in said jail, and him there safely to keep until he shall comply with said sentence, or be otherwise discharged by due course of law.

Given under my hand and seal, this day of, A. D.
A. B., ~~Trial Justice~~
District Court Judge.”

Form of Complaint in Case of Seizure

STATE OF MAINE

“ , ss. To A. B., esquire, ~~one of the trial justices within and for the county of~~ **Clerk**
Judge of the District Court,
Complaint Justice

District, Division

A. B., of, in said county, competent to be a witness in civil ~~suits~~ **actions**, on the day of, in the year nineteen hundred, in behalf of said State, on oath complains, that he believes, that on the

day of, 19.... at said, intoxicating liquors were, and still are kept and deposited by of, in said county, in ” (here describe with precision the place to be searched,) “and that said liquors then and there were, and now are intended b ysaid for sale in violation of law, against the peace of the State and contrary to the form of the statute in such case made and provided.

I therefore pray, that due process be issued to search the premises hereinbefore mentioned, where said liquors are believed to be deposited, and if there found, that said liquors and vessels be seized and safely kept until final action and decision be had thereon, and that said be forthwith apprehended and held to answer to said complaint, and to do and receive such sentence as may be awarded against him.

....., ss.—On the day of, 19...., said A. B. made oath that the above complaint by him signed is true.

Before me, **Trial Justice**
District Court Judge
Clerk
Complaint Justice.”

Form of Warrant in Case of Seizure

STATE OF MAINE

District
Division of

“, ss. To the sheriff of our ~~said county of~~
~~or either of his several counties or any of their deputies, or either any~~
~~of the constables of the town of~~ ~~or of either of the towns within said~~
~~county or police officers of any municipality in said State or any State Police~~
~~officer.~~

[L. S.] Whereas A. B., of, in said county, competent to be a witness in civil ~~suits actions~~, on the day of, in the year nineteen hundred, in behalf of said State, on oath complained to the subscriber, ~~one of the trial justices within and for said county an officer of the District Court~~, that he believes, that on the day of 19...., at said, intoxicating liquors were and still are deposited and kept by, of, in said county, in ” (here follows a precise description of the place to be searched,) “and that said then and there intended and now intends that the same shall be sold, in violation of law as fully appears by the complaint hereunto annexed, and prayed that due process be issued to search the premises hereinbefore mentioned, where said liquors are believed to be deposited, and, if there found, that said liquors and vessels be seized and safely kept until final action and decision be had thereon, and that said be apprehended and held to answer to said complaint, and to do and receive such sentence as may be awarded against him:—

You are therefore required in the name of the State, to enter the before named, and therein to search for said liquors, and, if there found, to seize and safely keep the same, with the vessels in which they are contained, until final action and decision is had on the same; and to apprehend said forthwith, if he may be found in your precinct, and bring him before me, the subscriber, or some other trial justice within and for said county, to answer to said complaint said court, and to do and receive such sentence as may be awarded against him.

Witness,, esquire at aforesaid, this day of, in the year of our Lord nineteen hundred

..... Trial Justice
 Judge
 Clerk
 Complaint Justice."

Form of Recognizance in Case of Seizure

"Be it remembered, that at a justice the District Court held by me, the subscriber, one of the trial justices within and for the county of

at my office in said in, on the day of, in the year of our Lord nineteen hundred, personally appeared A. B., C. D. and E. F. and severally acknowledged themselves to be indebted to the State of Maine, in the respective sums following, to wit:

The said, as principal, in the sum of dollars, and the said and, as sureties, in the sum of dollars each, to be levied of their respective goods, chattels, lands or tenements, and in want thereof, of their bodies, to the use of the State, if default is made in the condition following:

The condition of this recognizance is such, that whereas said has been brought before said court, by virtue of a warrant duly issued upon the complaint on oath, of G. H., of, a competent witness in civil suits actions, charging him, and, with having at, in the said county of, on the day of 19...., kept and deposited certain intoxicating liquors in (here describe the place where the same are deposited) "with intent that the same should be sold in violation of law; and a search warrant having been issued upon said complaint, and said liquors above described, having been seized thereon, and said arrested thereon; and said having pleaded not guilty to said complaint, but having been by said court found guilty of the same, and been sentenced to And said, having appealed from said sentence to the Superior Court, next to be held at, within and for said county of, on the Tuesday of, in the year of our Lord nineteen hundred

Now therefore, if said shall appear at the court aforesaid, and prosecute his said appeal with effect, and abide the order and judgment

of said court, and not depart without license; then this recognizance shall be void; otherwise shall remain in full force and virtue.

....., ~~Trial Justice~~
District Court Judge."

Form of Libel

STATE OF MAINE

District
Division of

"County of, ss.—To A. B., ~~a trial justice, in and for said county~~

Clerk
Judge of the District Court:
Complaint Justice

The libel of C. D., of, shows that he had, by virtue of a warrant duly issued on the day of, A. D. 19...., by, ~~esquire, a trial justice in and for said county~~ **officer of said District Court**, seized certain intoxicating liquors and the vessels in which the same were contained, described as follows:" (here follows a description of the liquors.) "because the same were kept and deposited at" (describing the place) "in the said county of, and were intended for sale, in violation of law. Wherefore he prays for a decree of forfeiture of said liquors and vessels, according to the provisions of law in such case made and provided.

Dated at, in said county, this day of in the year of our Lord nineteen hundred

(Signed.)"

Form of Monition and Notice

STATE OF MAINE

District
Division of

"County of, ss.

[L. S.] To all persons interested in" (here insert the description of the liquors, as in the libel).

"The libel of C. D., hereunto annexed, this day filed ~~with me, A. B., esquire, a trial justice, in and for said county~~ **in said District Court** shows that he has seized said liquors and vessels because" (insert as in the libel), "and prays for a decree of forfeiture of the same according to the provisions of law in such case made and provided.

You are, therefore, hereby notified thereof, that you may appear before ~~me, the said justice at~~ **in said county this court** on the day of, 19...., and then and there show cause why said liquors and the vessels in which they are contained should not be declared forfeited.

Given under my hand and seal at, on the day of, in the year of our Lord nineteen hundred

., Trial Justice
District Court Judge
Clerk
Complaint Justice."

Form of Complaint in Case of Seizure of Automobile

STATE OF MAINE

District
Division of

Clerk

", ss.—To the Judge Recorder of our Municipal Court for the Complaint Justice

City of, in the County of of the District Court:

A. B., of, in the said county, competent to be a witness in civil suits actions, on the day of, A. D., 19. . . ., in behalf of said State, on oath complains, that he believes that on the day of in said year, at said, in said county, a certain automobile, herein-after described, was knowingly used for the illegal transportation of intoxicating liquors and intoxicating liquors were kept and deposited by persons unknown of in said automobile, situated on street, in said, in said county, near number on said street in said, and occupied by said persons unknown said persons unknown not being then and there authorized by law to transport liquors within said State, and that the said liquors were then and there knowingly being transported within said State, in violation of law, against the peace of said State, and contrary to the form of the statute in such case made and provided; and that the said liquors were then and there intended by said persons unknown for sale in violation of law, against the peace of said State and contrary to the form of the statute in such case made and provided.

And the said on oath further complains that he, the said at said on the day of, A. D., 19. . . ., being then and there an officer, to wit, a deputy sheriff, within and for said county, duly qualified and authorized by law to seize automobiles used for the illegal transportation of intoxicating liquors and intoxicating liquors kept and deposited for unlawful sale and the vessels containing them, by virtue of a warrant therefor issued in conformity with the provisions of the law, did find upon the above described premises, one, bearing engine number, and the 19. . . . license number plates numbered, which said automobile then and there contained, which said automobile was not then and there a common carrier, and which said automobile was not then and there engaged in the business of a common carrier; and which said automobile was then and there in the possession, care and control of the said

..... and which said automobile was then and there knowingly used by the said for the illegal transportation of intoxicating liquors from place to place in said with intent that the said intoxicating liquors should be sold in violation of law; and which intoxicating liquors as aforesaid, and the vessels containing the same, were then and there kept, deposited and intended for unlawful sale as aforesaid, and said automobile was then and there being used for the illegal transportation of said liquors as aforesaid, within said State by the said persons unknown, and did then and there by virtue of this authority as a deputy sheriff as aforesaid, seize the above described automobile, intoxicating liquors and the vessels containing the same, to be kept in some safe place for a reasonable time, and hath since kept and does still keep said automobile, liquors and vessels to procure a warrant to seize the same.

He therefore prays, that due process be issued to seize said automobile, liquors and vessels, and them safely keep until final action and decision be had thereon, and that said persons unknown be forthwith apprehended and held to answer to said complaint, and to do and receive such sentence as may be awarded against them.

On the day of, the said makes oath that the above complaint by him signed is true.

Before me, , Said **Clerk** ~~Recorder.~~ **Complaint Justice**

Form of Warrant in Case of Seizure of Automobile
STATE OF MAINE

“....., ss.—To the sheriff of our county of, or either of his deputies, or either of the constables or police officers of ~~the City of~~ **any city or town within said county:**

[L. S.]

In the name of said State you are commanded to seize the automobile, liquors and vessels containing the same, named in the foregoing complaint of the said and now in his custody as set forth in said complaint, which is expressly referred to as a part of this warrant, and safely keep the same, until final action and decision be had thereon, and to apprehend the said persons unknown forthwith, if they may be found in your precinct, and them bring before said court, holden at the ~~municipal~~ **District Court room** in said, to answer to said complaint, and to do and receive such sentence as may be awarded against them.

Witness, esquire, our said Judge ~~Recorder~~ at, aforesaid, this day of, A. D., 19.... **Judge**”

Form of Libel for Automobile

STATE OF MAINE

District
Division of

“....., ss.—To the Judge Recorder of our municipal court for the City of , in the county of of the District Court:

The libel of shows that he has by virtue of a warrant duly issued by the Judge Recorder of the municipal court for the city of of the District Court, seized on the day of, A. D., 19....., a certain automobile, intoxicating liquors and the vessels in which the same were contained, described as follows:

One bearing engine number and the 19.... license number plates numbered, which said automobile then and there contained, which said automobile was not then and there a common carrier, and which said automobile was not then and there engaged in the business of a common carrier; and which said automobile was then and there in the possession, care and control of the said, and which said automobile was then and there knowingly used by the said for the illegal transportation of intoxicating liquors from place to place in said, and because the same were then and there kept and deposited on the day of, A. D., 19....., on street, in said, in said county, near number on said street, in said, and because said automobile was being knowingly used for the illegal transportation of said liquors, within the State in violation of law. Wherefore he prays for a decree of forfeiture of said automobile, liquors and vessels, according to the provisions of law in such case made and provided.

Dated at, in said county, the day of A.D. 19...
(Signed.), Deputy Sheriff.”

Form of Monition and Notice Case of Automobile

STATE OF MAINE

“....., ss.

[L. S.] To all persons interested in the automobile, liquors and vessels described in the foregoing libel:

The libel of hereunto annexed, this day filed with the Judge Recorder of our municipal court for the City of the District Court, shows that he has seized said automobile, liquors and vessels because the same were used, kept and deposited as set forth in said libel, and said automobile was then and there knowingly used for the illegal transportation of intoxicating liquors, and prays for a decree of forfeiture of the same, according to the provisions of law in such case made and provided.

You are, therefore, hereby notified thereof, that you may appear before said court ~~at the municipal court room~~ in said, on the day of, A. D., 19. . . ., at o'clock, A.M. and then and there show cause why said automobile, liquors and vessels in which they are contained should not be declared forfeited.

Witness,,, Esquire, our said Judge Recorder at aforesaid, this day of, A. D., 19. . . .
 **Judge”**’

Sec. 102. R. S., c. 63-A, § 21, amended. The last sentence of section 21 of chapter 63-A of the Revised Statutes, as enacted by section 1 of chapter 417 of the public laws of 1955, is amended to read as follows:

‘The procedure in the said court shall be the same as that in appeal from decisions of the ~~municipal courts~~ **District Court.**’

Sec. 103. R. S., c. 68, § 20, amended. The last sentence of section 20 of chapter 68 of the Revised Statutes is amended to read as follows:

‘~~Trial justices~~ **The District Court** shall have original and concurrent jurisdiction with ~~municipal courts~~ and the Superior Court of offenses under ~~the provisions of the 2 preceding sections 18 and 19.~~’

Sec. 104. R. S., c. 68, § 29, amended. The first sentence of the 3rd paragraph of section 29 of chapter 68 of the Revised Statutes is amended to read as follows:

‘If any person competent to be a witness in civil ~~suits actions~~ makes sworn complaint before ~~any Judge~~ **the proper officer of a municipal court or trial justice the District Court**, that he believes that narcotic drugs are unlawfully kept or deposited in any place in the State by any person, or that the same are intended for sale within the State in violation of law, such ~~magistrate officer~~ shall issue his warrant directed to any officer having power to serve criminal process, commanding him to search the premises described and specially designated in such complaint and warrant, and if said narcotic drugs are ~~there found there,~~ to seize the same with the vessels in which they are contained, and ~~then~~ safely keep ~~them~~ until final action thereon, and make immediate return of said warrant.’

Sec. 105. R. S., c. 69-A, § 10, amended. The first sentence of the last paragraph of section 10 of chapter 69-A of the Revised Statutes, as enacted by section 1 of chapter 303 of the public laws of 1959, is amended to read as follows:

‘~~Trial justices in their respective counties~~ **The District Court** shall have original and concurrent jurisdiction with ~~municipal courts~~ and the Superior Court over all prosecutions for violation ~~of the provisions~~ of this chapter.’

Sec. 106. R. S., c. 73, § 22, amended. The 2nd sentence of section 22 of chapter 73 of the Revised Statutes is amended to read as follows:

‘Any person failing or refusing to appear or testify regarding any matter about which he may be lawfully questioned or to produce any papers, books, records, documentary evidence or materials in the matter to be heard, after having been required by order of the board or by a subpoena of the board to do so may, upon application to any ~~municipal~~ **District Court of the state**, be ordered to

comply therewith, and upon failure to comply with the order of said ~~municipal~~ **District Court**, the court may compel obedience by attachment as for contempt as in case of disobedience of a similar order or subpoena issued by said court.'

Sec. 107. R. S., c. 89, § 108, amended. The last paragraph of section 108 of chapter 89 of the Revised Statutes is amended to read as follows:

'Convictions for violation of the fish and game laws or motor vehicle traffic laws or municipal ordinances where the fine imposed does not exceed \$50 shall not be deemed to constitute a criminal record against any person so convicted; ~~but the provisions of this. This section shall not exempt any court or trial justice from filing court abstracts as now required by law.'~~

Sec. 108. R. S., c. 89, § 123, amended. The next to the last sentence of section 123 of chapter 89 of the Revised Statutes, as amended by section 2 of chapter 41 of the public laws of 1959, is further amended to read as follows:

'They shall, when directed by the county attorney, act as counsel for the State in the trial of complaints before Judges of ~~municipal courts and trial justices~~ **the District Court.'**

Sec. 109. R. S., c. 89, § 124, amended. The next to the last sentence of section 124 of chapter 89 of the Revised Statutes is amended to read as follows:

'He shall, when directed by the county attorney, act as counsel for the State in the trial of complaints before Judges of ~~municipal courts and trial justices~~ **the District Court.'**

Sec. 110. R. S., c. 89, § 125, amended. The last sentence of section 125 of chapter 89 of the Revised Statutes is amended to read as follows:

'He shall, when directed by the county attorney, act as counsel for the State in the trial complaints before ~~municipal courts and trial justices~~ **the District Court.'**

Sec. 111. R. S., c. 89, § 125-A, amended. The 3rd sentence of section 125-A of chapter 89 of the Revised Statutes, as enacted by section 4 of chapter 470 of the public laws of 1955, is amended to read as follows:

'He shall, when directed by the county attorney, act as counsel for the State in the trial of complaints before Judges of ~~municipal courts and trial justices~~ **the District Court.'**

Sec. 112. R. S., c. 89, § 125-B, amended. The last sentence of section 125-B of chapter 89 of the Revised Statutes, as enacted by section 2 of chapter 93 of the public laws of 1957, is amended to read as follows:

'He shall, when directed by the county attorney, act as counsel for the State in the trial of complaints before ~~municipal courts and trial justices~~ **the District Court.'**

Sec. 113. R. S., c. 89, § 125-C, amended. The last sentence of section 125-C of chapter 89 of the Revised Statutes, as enacted by section 1 of chapter 388 of the public laws of 1961, is amended to read as follows:

'He shall, when directed by the county attorney, act as counsel for the State in the trial of complaints before ~~municipal courts and trial justices~~ **the District Court.**'

Sec. 114. R. S., c. 89, § 199, amended. Section 199 of chapter 89 of the Revised Statutes is amended to read as follows:

'Sec. 199. Service of precepts by constables; right of pursuit. A warrant issued by a ~~municipal court or a trial justice~~ **the District Court** for an offense ~~committed in his county or~~ under the laws for the maintenance of bastard children may be directed to and executed by a constable of any town ~~therein within his county; and if.~~ **If** the accused has gone into another county before or after the warrant was issued, a sheriff or his deputy or a constable having the warrant may pursue and arrest him in any county and carry him to the county where the act complained of was committed; ~~and when.~~ **When** such officer arrests a person to commit to the jail of his county, he may convey him by the most convenient and suitable route, although it pass through other counties. Except for the purpose of retaking a prisoner whom he has arrested and who has escaped, or for the purpose of taking a person before such a court ~~or trial justice,~~ or for the purpose of executing a mittimus given to him by such a court ~~or trial justice,~~ or for the purpose of pursuing a person who has gone into another town and for whose arrest a constable or a city marshal has a warrant, no constable of the several towns or city marshal of the several cities shall have any authority in criminal matters beyond the limits of the town or city in which he is elected or chosen.'

Sec. 115. R. S., c. 91-A, § 107, amended. Section 107 of chapter 91-A of the Revised Statutes, as enacted by section 1 of chapter 399 of the public laws of 1955 and as amended by section 255 of chapter 317 of the public laws of 1961, is further amended to read as follows:

'Sec. 107. Collector may bring an action in own name. Any tax collector or his executor or administrator may bring a civil action in his own name for any tax, and no ~~trial justice or Judge of any municipal~~ **District Court** before whom such action is brought is incompetent to try the same by reason of his residence in the municipality assessing said tax. No defendant is liable for any costs of the action, unless it appears by the ~~declaration~~ **complaint** and by proof that payment of said tax had been duly demanded before the action.'

Sec. 116. R. S., c. 94, § 32, amended. The first sentence of section 32 of chapter 94 of the Revised Statutes is amended to read as follows:

'When the removal of a pauper to the town of his alleged settlement is sought, under ~~the provisions of~~ section 29 or section 30, and the person to whom the order of the overseers is directed requests him to go with him in obedience thereto and he refuses to go or resists the service of such order, the person to whom it is directed may make complaint in writing, by him signed, of the facts aforesaid, to ~~any Judge~~ **the proper officer of a municipal court or trial justice** ~~the District Court~~ within the ~~county~~ **division** where said pauper is then domiciled.'

Sec. 117. R. S., c. 94, § 34, amended. Section 34 of chapter 94 of the Revised Statutes is amended to read as follows:

Sec. 34. Out-of-state paupers removed; exception of families of volunteers. On complaint of overseers that a pauper chargeable to their town has no settlement in this State, any Judge of ~~a municipal court or trial justice~~ **the District Court** may, by his warrant directed to a person named therein, cause such pauper to be conveyed, at the expense of such town, beyond the limits of the State to the place where he belongs; ~~but this.~~ **This section does not apply to the families of volunteers enlisted in the State who may have been mustered into the service of the United States.'**

Sec. 118. R. S., c. 94, § 36, amended. Section 36 of chapter 94 of the Revised Statutes is amended to read as follows:

Sec. 36. Overseers to complain of intemperate paupers. When a person in their town, notoriously subject to habits of intemperance, is in need of relief, the overseers shall make complaint to a ~~judge proper officer of a municipal court or trial justice of the county~~ **the District Court**, who shall issue a warrant and cause such person to be brought before ~~him~~ **said court**, and upon hearing and proof of such habits, ~~he~~ **said court** shall order him to be committed to the house of correction, to be there supported by the town where he has a settlement, and if there is no such town, at the expense of the county, until discharged by the overseers of the town in which the house of correction is situated or by 2 justices of the peace.'

Sec. 119. R. S., c. 95, § 15, amended. Section 15 of chapter 95 of the Revised Statutes is amended to read as follows:

Sec. 15. Persons committed only on conviction. Persons shall be committed to workhouses or houses of correction only upon conviction of the offenses, acts or conditions for which such commitments are by law authorized before ~~some municipal court or trial justice~~ **the District Court**. Commitments to workhouses may be for terms of not more than 3 months.'

Sec. 120. R. S., c. 96, § 79, amended. The last sentence of section 79 of chapter 96 of the Revised Statutes is amended to read as follows:

'In all prosecutions under ~~the provisions of this section, trial justices within their county~~ **the District Court** shall have, upon complaint, jurisdiction concurrent with ~~municipal courts and~~ **the Superior Court.'**

Sec. 121. R. S., c. 96, § 104, amended. The last sentence of section 104 of chapter 96 of the Revised Statutes is amended to read as follows:

'~~Trial justices within their county~~ **The District Court** shall have jurisdiction concurrent with ~~municipal courts and~~ **the Superior Court; and of.** Of all fines provided for by this section, and recovered on complaint, $\frac{1}{2}$ shall go to the prosecutor and $\frac{1}{2}$ to the county where the town committing the offense is situated.'

Sec. 122. R. S., c. 97, § 20, repealed. Section 20 of chapter 97 of the Revised Statutes is repealed, as follows:

'**Sec. 20. Trial justices, jurisdiction.** Trial justices shall have jurisdiction of the offenses named in the 4 preceding sections.'

Sec. 123. R. S., c. 97, § 27, amended. The first sentence of section 27 of chapter 97 of the Revised Statutes is amended to read as follows:

'The Insurance Commissioner, the deputy insurance commissioner and the municipal officers of cities and towns shall each have the ~~powers of a trial justice for the purpose of summoning and compelling~~ power to summon and compel the attendance of witnesses before them or either of them, to testify in relation to any matter which is by ~~the provisions of the 3 preceding~~ sections 24 to 26 a subject of inquiry and investigation, and to compel the production of all books, records, documents and papers pertaining to said subject of inquiry and investigation.'

Sec. 124. R. S., c. 100, § 13, amended. Section 13 of chapter 100 of the Revised Statutes is amended to read as follows:

'**Sec. 13. Keeping unlicensed dog.** Whoever keeps a dog contrary to ~~the provisions of~~ sections 9 to 28 shall be punished by a fine of not more than \$25 to be recovered by complaint before any ~~trial justice or municipal court in the county where such owner or keeper resides~~ District Court.'

Sec. 125. R. S., c. 100, § 24, amended. The 3rd sentence of section 24 of chapter 100 of the Revised Statutes, as amended by chapter 220 of the public laws of 1957, is further amended to read as follows:

'Any person having any evidence of any dog hunting or chasing moose, caribou or deer, or of any dog kept and used for that purpose, or of any dog worrying, wounding or killing any livestock or poultry, when said dog is outside of the enclosure or immediate care of his owner or keeper, may present said evidence to any ~~trial justice or judge or recorder of any municipal court~~ the proper officer of the District Court having jurisdiction, which said ~~trial justice, judge or recorder~~ officer shall have power to issue a warrant against the owner of said dog, ordering him to appear before ~~him~~ said court and show cause why said dog should not be killed.'

Sec. 126. R. S., c. 100, § 25, amended. The first paragraph of section 25 of chapter 100 of the Revised Statutes is amended to read as follows:

'Whoever is assaulted by a dog when peaceably walking or riding or finds a dog strolling outside of the premises of its keeper and the said dog is not safely muzzled, may, within 48 hours thereafter, make written complaint before the ~~municipal~~ District Court having jurisdiction ~~in the city or town where the owner or keeper resides or, in case there is no court, before a trial justice in said town,~~ that he really believes and has reason to believe that said dog is dangerous and vicious ~~whereupon.~~ **Whereupon** said court ~~or trial justice~~ shall order said owner or keeper to appear and answer to said complaint by serving said owner or keeper of said dog with a copy of said complaint and order a reasonable time before the day set for the hearing thereon ~~and if.~~ **If**, upon hearing, the court ~~or trial justice~~ is satisfied that the complaint is true, he shall order the dog to be killed or order said owner or keeper of said dog to muzzle the same, restrain the same, or confine said dog to the premises of said owner or keeper and the owner or keeper shall pay the costs. If the order of said court ~~or magistrate~~ is not complied with within the time fixed by such order, the court

~~or magistrate~~ making said order may, upon application by the complainant or other person, issue his warrant directed to the sheriff of the county or any of his deputies, or to any police officer or constable in the town where the dog is found, commanding such officer forthwith to kill said dog and to make return of his doings on said warrant to the court ~~or magistrate~~ issuing the same within 14 days from date thereof. The officer shall receive from the county treasurer \$2 for executing said warrant, together with his legal fees for travel, and the owner or keeper ~~aforsaid~~ shall be ordered to pay the costs of such supplementary proceedings.'

Sec. 127. R. S., c. 100, § 28, amended. The first sentence of section 28 of chapter 100 of the Revised Statutes is amended to read as follows:

~~'Trial justices~~ **The District Court** shall have original and concurrent jurisdiction with ~~municipal courts and~~ the Superior Court of all violations of ~~the 19 pre-~~
~~ceding sections 9 to 27.'~~

Sec. 128. R. S., c. 100, § 46, amended. The last sentence of section 46 of chapter 100 of the Revised Statutes is repealed as follows:

~~'Trial justices shall have jurisdiction of all offenses arising under the provisions of sections 44 and 45, where the amount of which any such keeper of a hotel, inn, boardinghouse or eating house has been thus defrauded does not exceed the sum of \$20'~~

Sec. 129. R. S., c. 100, § 51, amended. The last sentence of section 51 of chapter 100 of the Revised Statutes is amended to read as follows:

'Appeal from the decision of the licensing authority may be had to the Superior Court in and for the county in which the licensing authority is located, in the usual manner provided for appeals from ~~municipal courts, courts~~ **the District Court.** Courts of competent jurisdiction, for due cause shown, may issue temporary orders restraining the enforcement of such revocations and suspensions, and after full hearing may vacate such temporary orders or make the same permanent.'

Sec. 130. R. S., c. 100, § 56, amended. The last paragraph of section 56 of chapter 100 of the Revised Statutes is amended to read as follows:

~~'Municipal~~ **The District Court** and Superior Courts in the counties where such traveling circus or traveling amusement show exhibits or parades shall have jurisdiction over said offense.'

Sec. 131. R. S., c. 100, § 58, amended. Section 58 of chapter 100 of the Revised Statutes is amended to read as follows:

'Sec. 58. Violations. Whoever, being an owner, lessee, tenant or licensee of a pavilion, hall or other building, in which a dance is held in violation of any restriction imposed by ~~the previous section 57,~~ shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than \$100 or by imprisonment for not more than 90 days, or by both ~~such fine and imprisonment~~ ~~trial justices shall have concurrent jurisdiction with municipal courts of such offenses.'~~

Sec. 132. R. S., c. 100, § 71, amended. Section 71 of chapter 100 of the Revised Statutes is amended to read as follows:

'Sec. 71. Penalty. ~~Trial justices, in their respective counties, shall have jurisdiction of all offenses arising under the provisions of sections 55 to 79, except as provided in section 56 relating to state license for traveling circuses, and all~~ All penalties ~~herein~~ provided in sections 55 to 79, except that specified in said section 56, shall be recovered by complaint for the use of the town where incurred.'

Sec. 133. R. S., c. 100, § 89, amended. The 2nd sentence of section 89 of chapter 100 of the Revised Statutes, as amended by section 309 of chapter 317 of the public laws of 1961, is further amended to read as follows:

'If action is brought in a municipal court or a trial justice court the District Court, such licensee shall be considered to be a resident of the county in which the plaintiff resides.'

Sec. 134. R. S., c. 100, § 116, amended. The 2nd sentence of section 116 of chapter 100 of the Revised Statutes is amended to read as follows:

'Said deposit shall also be subject to the payment of any and all fines and penalties incurred by the licensee through violation of any of the provisions of the 13 preceding sections 103 to 115, and the clerk or recorder of the court in which or the trial justice by whom such fine or penalty is imposed shall thereupon notify the Secretary of State of the name of the licensee against whom such fine or penalty is adjudged and of the amount of such fine or penalty and the. The Secretary of State, if he has in his hands a sufficient sum deposited by such licensee, shall pay the sum so specified to said clerk recorder or trial justice; and if. If the Secretary of State shall not have a sufficient sum so deposited, he shall make payment as aforesaid of so much as he has in his hands.'

Sec. 135. R. S., c. 100, § 119, repealed. Section 119 of chapter 100 of the Revised Statutes is repealed, as follows:

'Sec. 119. Jurisdiction. ~~Trial justices shall have jurisdiction of all complaints and prosecutions under the provisions of the 16 preceding sections'~~

Sec. 136. R. S., c. 100, § 151, amended. The 2nd sentence of section 151 of chapter 100 of the Revised Statutes is repealed as follows:

'Trial justices shall have jurisdiction of such offenses, and in default of payment may commit the respondent to the county jail or house of correction for a period of not more than 30 days'

Sec. 137. R. S., c. 100, § 188, amended. Section 188 of chapter 100 of the Revised Statutes, as last amended by section 314 of chapter 317 of the public laws of 1961, is further amended to read as follows:

'Sec. 188. Penalties. All pecuniary penalties in sections 174 to 188 may be recovered by civil action, indictment or complaint, and all other forfeitures by a libel filed by the treasurer of any inhabitant of the town interested. ~~Where the violation of any of the provisions of sections 174 to 188 is made an offense~~

~~punishable by a fine, trial justices within their county shall have jurisdiction of such offenses concurrent with municipal courts and the Superior Court'~~

Sec. 138. R. S., c. 103, § 7-A, amended. The first sentence of section 7-A of chapter 103 of the Revised Statutes, as enacted by chapter 159 of the public laws of 1957, is amended to read as follows: 'The Supreme Judicial Court of Maine shall have the power to prescribe, by general rules, ~~for the trial justices and for municipal~~ the District and Superior Courts of Maine, the forms of process, writs, pleadings and motions, and the practice and procedure in civil actions at law.'

Sec. 139. R. S., c. 105, § 24, amended. Section 24 of chapter 105 of the Revised Statutes, as amended by chapter 40 of the public laws of 1959, is further amended to read as follows:

'**Sec. 24. Management of causes by parties or counsel.** Parties may plead and manage their own causes in court or do so by the aid of such counsel as they see fit to employ; ~~but no.~~ **No** person whose name has been struck from the roll of attorneys for misconduct shall plead or manage causes in court under a power of attorney for any other party or be eligible for appointment as a ~~trial justice or~~ justice of the peace.'

Sec. 140. R. S., c. 106, § 5, amended. The first sentence of section 5 of chapter 106 of the Revised Statutes, as repealed and replaced by section 74 of chapter 317 of the public laws of 1959, is amended to read as follows:

'The Superior Court, exclusive of the Supreme Judicial Court, shall have and exercise jurisdiction and have and exercise all of the powers, duties and authority necessary for exercising the jurisdiction in any and all matters either original or appellate, which were, prior to January 1, 1930, within the jurisdiction of the Supreme Judicial Court or any of the Superior Courts, whether cognizable at law or in equity, except as concurrent jurisdiction is vested in the ~~several municipal courts~~ **District Court**, and except as provided in chapter 107, section 1, provided that it shall have and exercise none of the jurisdiction, powers, duties and authority of the Supreme Judicial Court sitting as a law court.'

Sec. 141. R. S., c. 106, § 11, sub-§ III, amended. The last sentence of subsection III of section 11 of chapter 106 of the Revised Statutes, as last amended by chapter 113 of the public laws of 1957, is further amended to read as follows: 'Criminal appeal cases from ~~municipal courts and trial justice courts~~ the **District Court** in Cumberland County when appealed or appealed and bailed shall be appealed or appealed and bailed to the very next succeeding, convening term of Cumberland County Superior Court at Portland.'

Sec. 142. R. S., c. 106, § 11, sub-§ IV, amended. The last sentence of subsection IV of section 11 of chapter 106 of the Revised Statutes is amended to read as follows:

'All recognizances from ~~municipal courts and trial justices~~ the **District Court** in which parties are held to await the action of the grand jury, made returnable to said May term, shall, when no grand jury is in attendance, be continued to and have day in the next term of the court held in said county.'

Sec. 143. R. S., c. 106, § 11, sub-§ X, amended. The last sentence of subsection X of section 11 of chapter 106 of the Revised Statutes is amended to read as follows:

'All recognizances from ~~municipal courts and trial justices~~ the District Court in which parties are held to await the action of the grand jury, made returnable to said April term, shall, when no grand jury is in attendance, be continued to and have day in the next term of the court held in said county.'

Sec. 144. R. S., c. 108, repealed. Chapter 108 of the Revised Statutes, as amended, is repealed.

Sec. 145. R. S., c. 108-A, § 2, amended. Section 2 of chapter 108-A of the Revised Statutes, as enacted by section 1 of chapter 386 of the public laws of 1961, is amended to read as follows:

'Sec. 2. Jurisdiction. The District Court shall possess the civil and criminal jurisdiction exercised by all trial justices and municipal courts in the State on ~~the effective date of this act~~ **September 16, 1961**, and in addition, original jurisdiction, concurrent with that of the Superior Court of all civil actions in which neither damages in excess of \$1,200 nor equitable relief is demanded, of actions for divorce or annulment of marriage and of proceedings under chapter 167 and **chapter 167-A** and original jurisdiction, concurrent with that of the probate court, of actions for separation.

~~All fees and costs payable in and to municipal courts prior to the effective date of this act shall thereafter be payable in and to the District Court in those cases initiated in a District Court after such date'~~

Sec. 146. R. S., c. 108-A, § 2-A, additional. Chapter 108-A of the Revised Statutes, as enacted by section 1 of chapter 386 of the public laws of 1961, is amended by adding a new section 2-A, as follows:

'Sec. 2-A. Costs and fees; overcharging costs. The costs and fees taxed and allowed in all the District Courts shall be as follows:

Costs in civil actions. Costs to parties and attorneys in civil actions shall be:
To plaintiffs who prevail:

I. Damages \$20 or more. Where the damages recovered amount to \$20 or more;

Summons	\$3.50
Entry	1.00
Officers' fees for serving summons and writ of attachment, as allowed by the court	—
Attendance, each term	3.50
Travel, each term	.66
Witness fees, as allowed by the court	—

II. Damages less than \$20. Where the damages recovered amount to less than \$20;

Summons	\$2.00
Entry	1.00
Officers' fees for serving summons and writ of attachment, as allowed by the court	—
Attendance, each term	2.00

Travel, each term	.66
Witness fees, as allowed by the court	—
To defendants who prevail:	
Pleadings	\$2.00
Witness fees as allowed by the court	—
Attendance, each term	2.00
Travel, each term	.66
To trustees who make disclosure at the return term:	
Disclosure	\$1.00
Attendance, each term	2.00
Travel, each term	.66
Witness fees, as allowed by the court	—

If the prevailing party actually travels more than 10 miles for the special purpose of attending court in any such action, he may be allowed by the court for every 10 miles so traveled, but not exceeding 40 miles .33

The allowance for travel and attendance to parties recovering costs shall be limited to 2 terms, except that the court for good and sufficient cause may order allowance for additional terms.

Copies of papers for removal or appeal to the Superior Court, to be paid by the appellant to the District Court and taxed in his cost by the Superior Court if he finally prevails 2.00

If any attorney at law or other person demands or takes for a writ of attachment with a summons or for an original summons and complaint, returnable before a Judge of a District Court, more than the costs and fees allowed in the preceding paragraphs of this section from the defendant; or, in the taxation of costs, such judge taxes or allows more than that sum for the same, he forfeits to the defendant not less than \$5 nor more than \$10, to be recovered in a civil action, but nothing herein contained shall be so construed as to reduce the fees of District Courts otherwise established by law.

Fees in criminal cases.

Receiving a complaint and issuing a warrant	\$5.00
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The aforesaid fees when received shall be disposed of as provided by the public laws.'

Sec. 147. R. S., c. 108-A, § 2-B, additional. Chapter 108-A of the Revised Statutes, as enacted by section 1 of chapter 386 of the public laws of 1961, is amended by adding a new section 2-B, as follows:

'Sec. 2-B. Fees of clerks. The fees of clerks of the District Court shall be as follows:

For every blank document	\$.10
Filing of action	2.00
Copy of summons, complaint, writ of other process, or abstract	

thereof, together with copy of order of notice thereon, not less than	1.00
Exemplifying copies, not less than	1.00
Copy of decree of divorce or certificate of same not less than	1.00
Computing damages and taxing costs	1.00
Writ of execution	1.00
Every other writ and seal	1.00
Subpoena	.10
Removal of court action to Superior Court	7.00
Appeal of court action to Superior Court	7.00

Sec. 148. R. S., c. 108-A, § 2-C, additional. Chapter 108-A of the Revised Statutes, as enacted by section 1 of chapter 386 of the public laws of 1961, is amended by adding a new section 2-C, as follows:

'Sec. 2-C. Fees for entering appeal. No Judge of a District Court shall demand or receive any fees for entering an appeal or taking a recognizance to prosecute it, in a criminal case. The legal fees therefor may be taxed in the bill of costs, and certified and paid like other fees.'

Sec. 148-A. R. S., c. 108-A, § 5, sub-§ IV, amended. Subsection IV of section 5 of chapter 108-A of the Revised Statutes, as enacted by section 1 of chapter 386 of the public laws of 1961, is amended to read as follows:

'IV. Other civil actions. Any other civil action or proceeding shall be brought in the division where any plaintiff or defendant resides, but if all defendants are nonresidents of the State, it may be brought in any division of the plaintiff's choice.'

Sec. 149. R. S., c. 108-A, § 8, amended. Section 8 of chapter 108-A of the Revised Statutes, as enacted by section 1 of chapter 386 of the public laws of 1961, is amended to read as follows:

'Sec. 8. Appeal. Any appeal shall be taken to the Superior Court for the county embracing the division in which the judgment was rendered within 5 days after judgment, Sunday not included. The appellant shall within 5 days after judgment, Sunday not included, pay to the clerk the required fees for such appeal, including the entry fee in and cost of forwarding such appeal to the appellate court, and in that case no execution shall issue, and the clerk shall enter the appeal in the appellate court where it shall be determined as a new entry.'

Sec. 150. R. S., c. 108-A, § 8-A, additional. Chapter 108-A of the Revised Statutes, as enacted by section 1 of chapter 386 of the public laws of 1961, is amended by adding a new section 8-A, to read as follows:

'Sec. 8-A. Appeal without trial. In actions in a District Court, either party, after appearing and filing his pleadings, may waive a trial and give the adverse party judgment, and then appeal as if there had been an actual trial.'

Sec. 151. R. S., c. 108-A, § 8-B, additional. Chapter 108-A of the Revised Statutes, as enacted by section 1 of chapter 386 of the public laws of 1961, is amended by adding a new section 8-B, to read as follows:

'Sec. 8-B. Appellant's recognizance. If so requested by the adverse party, the appellant shall within one week after notice of such request, or within such further time as may be allowed by the court, recognize to such adverse party in a reasonable sum, with condition to prosecute his appeal with effect and pay all costs arising after the appeal.'

Sec. 152. R. S., c. 108-A, § 8-C, additional. Chapter 108-A of the Revised Statutes, as enacted by section 1 of chapter 386 of the public laws of 1961, is amended by adding a new section 8-C, to read as follows:

'Sec. 8-C. On appeal copies and papers produced. When such appeal is completed, the clerk shall file in the appellate court the originals of all depositions and other written evidence or documents and a copy of the record and all papers filed in the cause.'

Sec. 153. R. S., c. 108-A, § 8-D, additional. Chapter 108-A of the Revised Statutes, as enacted by section 1 of chapter 386 of the public laws of 1961, is amended by adding a new section 8-D, to read as follows:

'Sec. 8-D. Executions directed into other counties. When a debtor removes or is out of the county in which judgment is rendered against him by a Judge of a District Court, such judge may issue execution against him, directed to the proper officers in the county where he is supposed to be, and it has the same force as if issued by a court in the latter county.'

Sec. 154. R. S., c. 108-A, § 8-E, additional. Chapter 108-A of the Revised Statutes, as enacted by section 1 of chapter 386 of the public laws of 1961, is amended by adding a new section 8-E, to read as follows:

'Sec. 8-E. Actions and executions, when directed into other counties. In actions against bail, indorsers for costs, and proceedings after judgment against executors or administrators, and in all actions against 2 or more defendants before a Judge of a District Court, where the defendant or trustee resides out of the county where the proceedings are had, the judge may direct the summons, writ or execution to any proper officer of the county where such defendant or trustee resides, who shall charge fees of travel from the place of his residence to the place of service only, and postage paid by him.'

Sec. 155. R. S., c. 108-A, § 9-A, additional. Chapter 108-A of the Revised Statutes, as enacted by section 1 of chapter 386 of the public laws of 1961, is amended by adding a new section 9-A, to read as follows:

'Sec. 9-A. Ex officio, justice of the peace; may administer oaths. Judges of the District Court are, ex officio, justices of the peace, and all their official acts, attested by them in either capacity, except those pertaining to the exclusive jurisdiction of Judges of District Courts, are of equal effect. Judges of the District Court may administer all oaths required by law, unless another officer is specially required to do it.'

Sec. 156. R. S., c. 108-A, § 10-A, additional. Chapter 108-A of the Revised Statutes, as enacted by section 1 of chapter 386 of the public laws of 1961, is amended by adding a new section 10-A, to read as follows:

‘Sec. 10-A. Clerks, taking of bail authorized. Clerks of the District Court, during the hours when the clerk’s office is open for business, as provided by the rules of the District Court, may, subject to the control of the District Judge of such clerk’s district, fix and take bail for the appearance of a respondent at a day and hour not more than 14 days from the day of taking bail.

The clerk may in his or her discretion accept the recognizance without sureties of an accused charged with an offense for which the maximum penalty does not exceed a fine of \$100 or imprisonment for 90 days, or both.’

Sec. 157. R. S., c. 108-A, § 12, amended. Section 12 of chapter 108-A of the Revised Statutes, as enacted by section 1 of chapter 386 of the public laws of 1961, is amended by adding at the end a new paragraph, as follows:

‘If the Chief Judge is unable to negotiate the leases, contracts and other arrangements as provided in the preceding paragraph, he may, with the advice and approval of the Bureau of Public Improvements, negotiate on behalf of the State, the leases, contracts and other arrangements he considers necessary, within the limits of the budget and funds available under section 13, subsection III, to provide suitable quarters, adequately furnished and equipped for the District Court in privately owned buildings.’

Sec. 158. R. S., c. 109, § 2, amended. Section 2 of chapter 109 of the Revised Statutes is amended to read as follows:

‘Sec. 2. Procedure. There is established a simple, speedy and informal procedure which a plaintiff or his authorized attorney may pursue in an action commenced before a Judge of a ~~municipal District~~ Court for the determination of a small claim. Such procedure shall be alternative and not exclusive.’

Sec. 159. R. S., c. 109, § 3, amended. Section 3 of chapter 109 of the Revised Statutes, as amended by section 1 of chapter 198 of the public laws of 1957, is further amended to read as follows:

‘Sec. 3. Process. A plaintiff or his authorized attorney shall state the substance of his claim to the ~~Judge, recorder or clerk of the municipal court~~ **clerk of the District Court** having jurisdiction thereof who shall briefly record the notice of the claim and set a date for a hearing. The plaintiff or his authorized attorney shall at the same time pay an entry fee of \$3, ~~to be retained by the court at costs.’~~

Sec. 160. R. S., c. 109, § 4, repealed. Section 4 of chapter 109 of the Revised Statutes, as repealed and replaced by section 86 of chapter 429 of the public laws of 1957, is repealed, as follows:

‘Sec. 4. Fees. ~~Of the amount of the entry fee, the judge shall receive \$1. Of the \$2 remaining a sufficient sum shall be applied directly on the registered or certified postage mentioned in section 6 and the balance shall be retained by the clerk or recorder, or in towns where there is no clerk or recorder, by the judge in addition to the \$1 fee mentioned above’~~

Sec. 161. R. S., c. 110, §§ 1 - 21, repealed. Sections 1 to 21 of chapter 110 of the Revised Statutes, as amended, are repealed.

Sec. 162. R. S., c. 110, § 23, repealed. Section 23 of chapter 110 of the Revised Statutes is repealed.

Sec. 163. R. S., c. 110, §§ 33 - 35, additional. Chapter 110 of the Revised Statutes is amended by adding 3 new sections, to be numbered 33 to 35, to read as follows:

'Fees of Public Officers.

Sec. 33. Number of words to a written page. Two hundred and forty words constitute a written "page", if the writing contains that number, and, where no other rule is provided, public officers shall be allowed for copies which they are required by law to furnish, 12c a page; for affixing an official seal to the same, when necessary, 25c more.

Sec. 34. Fees not provided for. In cases not expressly provided for, the fees of all public officers for any official service shall be at the same rate as are prescribed by law for like services.

Sec. 35. Account of items in writing may be required. Every officer or other person upon receiving any fees provided for by law, if required by the person paying them, shall make a particular account thereof in writing specifying for what they accrued or he forfeits to such person treble the sum paid, to be recovered in a civil action.'

Sec. 164. R. S., c. 111, repealed. Chapter 111 of the Revised Statutes, as amended, is repealed.

Sec. 165. R. S., c. 112, § 2, amended. Section 2 of chapter 112 of the Revised Statutes, as amended by section 116 of chapter 317 of the public laws of 1959, is further amended to read as follows:

'Sec. 2. Writs sold only to attorneys. Clerks of judicial courts judges and registers of the probate courts, ~~recorders of the municipal courts and trial justices of the state~~ **Judges and clerks of the District Court** shall not sell or deliver any blank writs or precepts bearing the seal of said courts and the signature of said judges ~~recorders and registers and trial justices~~ to any person except one who has been admitted as an attorney and counselor at law and solicitor and counselor in chancery in accordance with the laws of this State ~~and said.~~ **Said** judges and registers of said probate courts shall not receive any paper, petition or other instrument pertaining to the practice of law before said probate courts unless it bears the indorsement of an attorney or counselor at law duly authorized to practice before said courts ~~except that the.~~ **The** above provisions shall not apply to a party in interest in the subject matter in said courts.'

Sec. 166. R. S., c. 112, § 9, amended. The last sentence of section 9 of chapter 112 of the Revised Statutes, as amended by section 120 of chapter 317 of the public laws of 1959, is further amended to read as follows:

'Actions by the assignee of a nonnegotiable chose in action, when brought in the Superior Court or in ~~a municipal~~ **the District Court**, shall be commenced in the county ~~or division when brought in the District Court~~, in which the original creditor might have maintained his action; ~~and when brought before a trial~~

justice, the summons shall be made returnable before a magistrate who would have had jurisdiction had the chose in action not been assigned.'

Sec. 167. R. S., c. 112, § 16, amended. Section 16 of chapter 112 of the Revised Statutes, as amended by section 123 of chapter 317 of the public laws of 1959, is further amended to read as follows:

'**Sec. 16. Justice actions, service.** An action against 2 or more defendants residing in different ~~counties~~ **divisions**, to be tried before ~~a trial justice or municipal~~ **the District Court**, may be brought in the ~~county~~ **division** where either resides. The process shall be served and the execution levied by the proper officers in each of such ~~counties~~ **divisions**. If there is only one defendant, such action shall be commenced in the ~~county~~ **division** where he resides.'

Sec. 168. R. S., c. 112, § 24, amended. The last sentence of section 24 of chapter 112 of the Revised Statutes is amended to read as follows:

'Such personal property may be attached on writs issued by ~~a trial justice or Judge of a municipal~~ **the District Court** in any ~~county~~ **division**, when directed to the proper officer.'

Sec. 169. R. S., c. 112, § 61, amended. Section 61 of chapter 112 of the Revised Statutes, as last amended by section 348 of chapter 319 of the public laws of 1961, is further amended to read as follows:

'**Sec. 61. Real estate attached on writs of attachment from certain District Courts.** If a ~~municipal~~ **District Court** has a regular seal and has jurisdiction in any action ~~where the amount of damage claimed exceeds \$20~~, real estate and interests in real estate attachable on writs of attachment from the Superior Court may be attached on writs of attachment or taken on executions from such court ~~where the amount of the debt or damage, exclusive of costs, exceeds \$20.~~

Sec. 170. R. S., c. 112, § 90, amended. Section 90 of chapter 112 of the Revised Statutes, as repealed and replaced by section 143 of chapter 317 of the public laws of 1959, is amended to read as follows:

'**Sec. 90. General limitation of 6 years.** All civil actions shall be commenced within 6 years after the cause of action accrues and not afterwards, except actions on a judgment or decree of any court of record of the United States, or of any state, or of a ~~municipal court, trial justice or~~ justice of the peace in this State, and except as otherwise specially provided.'

Sec. 171. R. S., c. 112, § 109, amended. Section 109 of chapter 112 of the Revised Statutes, as amended by section 154 of chapter 317 of the public laws of 1959, is further amended to read as follows:

'**Sec. 109. Presumption of payment after 20 years.** Every judgment and decree of any court of record of the United States, or of any state, ~~or of a municipal court, trial justice or~~ justice of the peace in this State shall be presumed to be paid and satisfied at the end of 20 years after any duty or obligations accrued by virtue of such judgment or decree.'

Sec. 172. R. S., c. 113, § 7, amended. Section 7 of chapter 113 of the Revised

Statutes, as amended by section 159 of chapter 317 of the public laws of 1959, is further amended to read as follows:

‘Sec. 7. Executions issued upon judgment on default, without deposit of bond, valid after one year. Whenever through accident, inadvertence or mistake an execution has been issued by the clerk ~~or judge or recorder~~ of any court in any county upon a judgment rendered on default of an absent defendant in a personal action, within one year after the rendition of such judgment, without deposit of the bond specified in sections 5 and 6, all proceedings upon or by virtue of such execution or judgment shall, after one year from the rendition of such judgment, have the same effect and validity as if the bond had been duly given, deposited and approved unless relief from the judgment has been sought within said year. If such relief from the judgment is denied, all such proceedings shall be valid as aforesaid after such dismissal.’

Sec. 173. R. S., c. 113, § 10, amended. Section 10 of chapter 113 of the Revised Statutes, as amended by section 358 of chapter 317 of the public laws of 1961, is further amended to read as follows:

‘Sec. 10. On appeals, original papers sent up; exceptions. In cases carried from a ~~trial justice or municipal~~ District Court to a higher court, all depositions and original papers, except the process by which the action was commenced, the return of service thereon and the pleadings shall be certified by the proper officer and carried up without leaving copies unless otherwise ordered by the court having original cognizance.’

Sec. 174. R. S., c. 113, § 25, amended. Section 25 of chapter 113 of the Revised Statutes is amended to read as follows:

‘Sec. 25. Minors excluded from courtroom. Any court ~~or trial justice~~ may exclude minors as spectators from the courtroom during the trial of any cause, civil or criminal, when their presence is not necessary as witnesses or parties.’

Sec. 175. R. S., c. 113, § 112, amended. Section 112 of chapter 113 of the Revised Statutes is amended to read as follows:

‘Sec. 112. Subpoenas for witnesses. The clerk of the several courts ~~trial justices~~ and justices of the peace may issue subpoenas for witnesses to attend before any court or before persons authorized to examine witnesses, to give evidence concerning any pending matter.’

Sec. 176. R. S., c. 113, § 128, amended. The first sentence of section 128 of chapter 113 of the Revised Statutes, as last amended by section 375 of chapter 317 of the public laws of 1961, is further amended to read as follows:

‘Witnesses in the Supreme Judicial Court ~~or~~, the Superior Court, the District Court or in the probate courts ~~and before a trial justice or a municipal court~~ shall receive \$5, and before referees, auditors or commissioners specially appointed to take testimony or special commissioners on disputed claims appointed by probate courts, \$5, or before the county commissioners, \$5 for each day’s attendance and 8c a mile for each mile’s travel going and returning home.’

Sec. 177. R. S., c. 113, § 156, amended. The first paragraph of section 156 of chapter 113 of the Revised Statutes is amended to read as follows:

'Costs allowed to parties and attorneys in civil actions shall be as follows: ~~to parties recovering costs before a trial justice, 53c for each day's attendance and the same for every 10 miles' travel;~~ To parties recovering costs in the Supreme Judicial or Superior Courts, 33c for every 10 miles' travel and \$3.50 for attendance at each term until the action is disposed of, unless the court otherwise directs.'

Sec. 178. R. S., c. 113, § 156, amended. The last sentence of the 2nd paragraph of section 156 of chapter 113 of the Revised Statutes is amended to read as follows:

'No costs of travel shall be allowed for more than 10 miles' distance from any ~~justice or municipal~~ District Court nor more than 40 miles' distance from any other court, unless the plaintiff prevailing actually travels a greater distance or the adverse party, if he recovers costs, by himself, his agent or attorney in fact travels a greater distance for the special purpose of attending court in such cause.'

Sec. 179. R. S., c. 113, § 156, amended. The 6th paragraph of section 156 of chapter 113 of the Revised Statutes is amended to read as follows:

'In all ~~municipal~~ District Courts the amount of costs allowed in civil actions shall depend upon the amount recovered and not upon the ad damnum in the writ; ~~and the~~. The allowance for travel and attendance to parties recovering costs in ~~municipal courts or before any trial justice~~ District Courts shall be limited to 2 terms, except that the court may, for good and sufficient cause, order such allowance for additional terms.'

Sec. 180. R. S., c. 113, § 158, amended. Section 158 of chapter 113 of the Revised Statutes is amended to read as follows:

'**Sec. 158. If plaintiff appeals from judgment in his favor.** When a plaintiff appeals from a judgment of a ~~municipal court or a trial justice~~ District Court in his favor and does not recover in the appellate court a greater sum as damages, he recovers only a quarter of the sum last recovered for costs.'

Sec. 181. R. S., c. 113, § 160, amended. Section 160 of chapter 113 of the Revised Statutes is amended to read as follows:

'**Sec. 160. If improperly sued in Superior Court, ¼ costs; on report of referees, full costs allowed.** In actions commenced in the Superior Court, except those by or against towns for the support of paupers, if it appears on the rendition of judgment that the action should have been commenced before a ~~municipal court or a trial justice~~ District Court, including actions of replevin where the value of the property does not exceed \$20, the plaintiff recovers for costs only ¼ part of his debt or damages. On reports of referees, full costs may be allowed unless the report otherwise provides.'

Sec. 182. R. S., c. 113, § 195, amended. The 2nd sentence of section 195 of chapter 113 of the Revised Statutes is amended to read as follows:

'Said council shall be composed of the Attorney General; 2 Justices of the Superior Court; 2 Judges of the ~~municipal courts of the State~~ District Court; one judge of a probate court of this State; one clerk of the judicial courts of

this State; 2 members of the bar; and 3 laymen, all to be appointed by the Governor with the advice and consent of the Executive Council.

Sec. 183. R. S., c. 114, § 1, amended. Section 1 of chapter 114 of the Revised Statutes, as repealed and replaced by section 207 of chapter 317 of the public laws of 1959, is amended to read as follows:

'Sec. 1. Actions in which trustee process used. In connection with the commencement of any personal action except actions only for specific reovery of goods and chattels, for malicious prosecution, for slander by writing or speaking, or for assault and battery, trustee process may be used in the Superior Court, or ~~before a municipal court or a trial justice in the District Court.~~'

Sec. 184. R. S., c. 114, § 80, amended. Section 80 of chapter 114 of the Revised Statutes, as amended by section 239 of chapter 317 of the public laws of 1959, is further amended to read as follows:

'Sec. 80. Form and service of trustee summons. When a trustee process is issued by a ~~municipal court or a trial justice~~ **District Court**, the summons shall be substantially in the form used in the Superior Court, and be served 7 days before the return day in the same manner as in the Superior Court; and shall be brought in the ~~county~~ **division** where either of the supposed trustees resides. If not so brought, it shall be dismissed and the trustees shall recover their costs.'

Sec. 185. R. S., c. 114, § 82, amended. Section 82 of chapter 114 of the Revised Statutes, as amended by section 241 of chapter 317 of the public laws of 1959, is further amended to read as follows:

'Sec. 82. Subsequent proceedings; discharge of trustee if judgment is less than \$5, save in counterclaim. All subsequent proceedings in such actions shall be the same as in the Superior Court, varying the forms as circumstances require. When, in a trustee action before such ~~municipal court or trial justice~~ **District Court**, the debt recovered against the principal is less than \$5, the trustee shall be discharged unless the judgment is so reduced by means of a counterclaim.'

Sec. 186. R. S., c. 114, § 83, amended. Section 83 of chapter 114 of the Revised Statutes is amended to read as follows:

'Sec. 83. How execution shall issue, if principal or trustee removes. If, after a judgment is rendered in such trustee process, the principal defendant or trustee removes from the county in which it was rendered, such court ~~or justice~~ may issue execution against either, directed to the proper officer of any other county where he is supposed to reside.'

Sec. 187. R. S., c. 114, § 85, amended. Section 85 of chapter 114 of the Revised Statutes, as amended by section 243 of chapter 317 of the public laws of 1959, is further amended to read as follows:

'Sec. 85. Trustee process on judgment dismissed; costs. When trustee process is used in connection with an action on a judgment on which execution might legally issue and it appears to the court ~~or justice~~ that, at the time of bringing it,

the defendant openly had visible property liable to attachment sufficient to satisfy such judgment, or that it was brought for the purpose of vexation or to accumulate costs, it shall at any time on motion be dismissed, with costs to the defendant.'

Sec. 188. R. S., c. 115, § 5, amended. Section 5 of chapter 115 of the Revised Statutes is amended to read as follows:

'**Sec. 5. Names of bail entered on execution.** If judgment is rendered against the principal in the action in which the bail is taken, the clerk of the court ~~or trial justice~~ issuing the execution on the judgment shall insert, on the margin thereof, the names of the bail, their addition and places of abode, if inserted in the bail bond; ~~and if.~~ If the debtor is committed to jail, the clerk ~~or justice~~ shall note in like manner the jail to which he is committed.'

Sec. 189. R. S., c. 115, §§ 12, 13, 14, 15, repealed. Sections 12, 13, 14 and 15 of chapter 115 of the Revised Statutes, as amended, are repealed.

Sec. 190. R. S., c. 120, § 11, amended. Section 11 of chapter 120 of the Revised Statutes, as amended by section 421 of chapter 317 of the public laws of 1961, is further amended to read as follows:

'**Sec. 11. Lien on personal estate preserved.** If personal estate liable to attachment is disclosed, and the plaintiff states that he is apprehensive that it may be removed or concealed so that it cannot be taken on execution, the court ~~or the trial justice before whom in which~~ the action is pending may issue an order signed and sealed, directing any officer authorized to serve processes in the action to take such property into his custody and hold it as if originally attached; and he shall execute the order accordingly.'

Sec. 191. R. S., c. 120, § 23, amended. Section 23 of chapter 120 of the Revised Statutes is amended to read as follows:

'**Sec. 23. Application for subpoena to debtor to make disclosure.** The owner of any judgment described in ~~the preceding~~ section 22, or his attorney, may make application in writing to a **Judge of the District Court in the division or to a disclosure commissioner, judge of probate, register of probate in the Judge of a municipal court in the county** in which the judgment debtor resides, or, if the judgment debtor is a nonresident of this State, in the county ~~or division~~ in which he is commorant, or in case of a corporation, in which said corporation has an established place of business or in which any officer of the corporation, on whom the subpoena is served, resides, stating the amount of the debt and of the costs for which said judgment was rendered, the court and term at which it was rendered, the names of the original parties, the title of the petitioner, and praying for subpoena to issue to the debtor or to an officer of a debtor corporation to appear and make disclosure.'

Sec. 192. R. S., c. 120, § 24, amended. The 2nd sentence of section 24 of chapter 120 of the Revised Statutes is amended to read as follows:

'A Judge of any ~~municipal~~ District Court may hold disclosure court upon a subpoena returnable as aforesaid in any town in which the regular terms of the court of which he is judge are held.'

Sec. 193. R. S., c. 120, § 37, amended. The last sentence of section 37 of chapter 120 of the Revised Statutes is amended to read as follows:

'Depositions may be used in such disclosures, and the magistrate may, at the request of either party, issue subpoenas to witnesses, who are entitled to the his costs and said fees, as in actions ~~before a trial justice in the District Court.~~'

Sec. 194. R. S., c. 120, § 42, amended. The 5th sentence of section 42 of chapter 120 of the Revised Statutes is amended to read as follows:

'In case said oath is not administered to the debtor, the petitioner shall recover his costs and said fees, as in actions ~~before a trial justice in the District.~~'

Sec. 195. R. S., c. 120, § 69, amended. Section 69 of chapter 120 of the Revised Statutes is amended to read as follows:

'**Sec. 69. District Court Judges.** The Judge of a ~~municipal~~ District Court has the same powers, duties and obligations under ~~the provisions of~~ this chapter as a justice of the peace in his county.'

Sec. 196. R. S., c. 120, § 71, amended. Section 71 of chapter 120 of the Revised Statutes is amended to read as follows:

'**Sec. 71. Costs for creditor, if debtor not discharged.** If a debtor fails in an application for a discharge from arrest or imprisonment, the creditor shall recover his costs as in actions before a ~~trial justice~~ District Court, and the ~~justices~~ judges shall issue execution therefor; but no such failure shall prevent his obtaining a discharge at any future examination, except as provided in sections 64 and 77.'

Sec. 197. R. S., c. 122, § 3, repealed and replaced. Section 3 of chapter 122 of the Revised Statutes, as amended by chapter 301 of the public laws of 1955, is repealed and the following enacted in place thereof:

'**Sec. 3. Jurisdiction.** The District Court shall have jurisdiction of cases of forcible entry and detainer.'

Sec. 198. R. S., c. 124, § 14, amended. Section 14 of chapter 124 of the Revised Statutes is amended to read as follows:

'**Sec. 14. Damages and penalties.** Actions to recover any of the sums or penalties named in ~~the e~~ preceding sections 12 and 13 may be brought in the Superior Court, or any ~~municipal court, or before a trial justice in the county in which such island is situated or in any county adjacent thereto, or in the county in which either the plaintiff or defendant resides~~ the District Court.'

Sec. 199. R. S., c. 125, § 1, amended. Section 1 of chapter 125 of the Revised Statutes is amended to read as follows:

'**Sec. 1. Owners of beasts distrained may replevy.** Any person, whose beasts are distrained to obtain satisfaction for damages alleged to be done by them, may maintain a writ of replevin therefor against the distrainer before any ~~trial justice or judge of any municipal court~~ District Court in the county, in the form prescribed by law or, if the value of the beasts distrained is more than \$20, in the Superior Court.'

Sec. 200. R. S., c. 125, § 2, amended. Section 2 of chapter 125 of the Revised Statutes is amended to read as follows:

'Sec. 2. Writ, service and return. The writ shall be sued out, served and returned and the cause heard and determined like other civil actions before ~~a trial justice or municipal~~ the District Court, except as otherwise prescribed.'

Sec. 201. R. S., c. 125, § 4, amended. Section 4 of chapter 125 of the Revised Statutes, as amended by section 445 of chapter 317 of the public laws of 1961, is further amended to read as follows:

'Sec. 4. Judgment, if beasts are lawfully distrained. If it appears that the beasts were lawfully taken or distrained, the defendant shall have judgment for the sum found due from the plaintiff for the damages for which the beasts were distrained, with legal fees, costs and expenses occasioned by the distress and costs of the replevin action; or, instead thereof, the ~~justice or~~ court may enter judgment for a return of the beasts to the defendant, to be held by him for the original purpose, irrepleviable by the plaintiff, and for the defendant's damages and costs in the replevin action.'

Sec. 202. R. S., c. 125, § 7, repealed. Section 7 of chapter 125 of the Revised Statutes, as amended by section 276 of chapter 317 of the public laws of 1959, is repealed.

Sec. 203. R. S., c. 125, § 9, amended. Section 9 of chapter 125 of the Revised Statutes is amended to read as follows:

'Sec. 9. Jurisdiction. Actions of replevin of goods shall be brought in the ~~county division~~ where they are detained. The action may be brought before ~~any municipal court or trial justice in said county~~ the District Court, if the value of the goods does not exceed the amount to which the civil jurisdiction of such court ~~or justice~~ is limited; ~~otherwise.~~ **Otherwise** the action shall be brought before the Superior Court.'

Sec. 204. R. S., c. 126, § 34, amended. The last sentence of section 34 of chapter 126 of the Revised Statutes is repealed as follows:

~~'No judge, clerk or recorder of any municipal court or any trial justice, who is also a bail commissioner, shall act in his capacity as bail commissioner in any case wherein the process is made returnable to his court.'~~

Sec. 205. R. S., c. 126, § 35, amended. The first sentence of section 35 of chapter 126 of the Revised Statutes is amended to read as follows:

'When a person is confined in a jail for aailable 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, **section 29**, 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.~~ **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.~~ **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~~ **the District Court**, a bail commissioner is not authorized to change the amount of such bail.'

Sec. 206. R. S., c. 129, § 12, amended. The last sentence of section 12 of chapter 129 of the Revised Statutes is amended to read as follows:

'If the judgment in the criminal case was rendered by a Judge of ~~a municipal court or trial justice as aforesaid~~ **the District Court**, the certified copy of the record of the judgment rendered upon the writ of error issued upon such judgment shall be transmitted to and recorded by the ~~Judge or recorder clerk~~ of such ~~municipal District Court or trial justice~~ in the manner aforesaid.'

Sec. 207. R. S., c. 131, § 19, amended. The last sentence of section 19 of chapter 131 of the Revised Statutes is repealed, as follows:

'~~Trial justices have jurisdiction of offenses described in this section when the property destroyed or injury done is not alleged to exceed \$20.~~

Sec. 208. R. S., c. 131, § 42, amended. Section 42 of chapter 131 of the Revised Statutes is amended to read as follows:

'**Sec. 42. Limitations of prosecutions.** Prosecutions for offenses described in sections 13 to 41, except those set forth in sections 15, 16, 19, 29, 31, 35 and 36, must be commenced within 4 years after the commission thereof; ~~and trial justices shall have jurisdiction when the property destroyed or injury done is not alleged to exceed \$10 in value, in which case the punishment shall be by a fine of not more than \$10 and by imprisonment for not more than 30 days, unless otherwise specially provided.~~

Sec. 209. R. S., c. 132, § 13, amended. Section 13 of chapter 132 of the Revised Statutes is amended to read as follows:

'**Sec. 13. Compensation to prosecutor and officer.** The court, other than ~~a municipal court or trial justice~~ **the District Court**, upon conviction before it of burglary, robbery or larceny, and when there is no conviction by reason of the death of the offender or of his escape without their fault, may allow to the prosecutor and to the officer who has secured or kept the property a fair compensation for their actual expenses, time and trouble in arresting the offender and securing the property stolen.'

Sec. 210. R. S., c. 133, § 18, amended. The last sentence of section 18 of chapter 133 of the Revised Statutes is amended to read as follows:

'~~Trial justices~~ **District Courts** shall have original jurisdiction ~~with municipal courts~~ in all cases arising under ~~the provisions of~~ this section.'

Sec. 211. R. S., c. 113, § 34, amended. The last sentence of section 34 of chapter 133 of the Revised Statutes is amended to read as follows:

~~'Trial justices District Courts shall have original jurisdiction with municipal courts in all cases arising under this section.'~~

Sec. 212. R. S., c. 134, § 25, repealed. Section 25 of chapter 134 of the Revised Statutes is repealed.

Sec. 213. R. S., c. 134, § 27, amended. The last sentence of section 27 of chapter 134 of the Revised Statutes is repealed and the following enacted in place thereof:

'The District Court and the Superior Court shall have, by complaint, original and concurrent jurisdiction of the offenses mentioned in this section.'

Sec. 214. R. S., c. 134, § 42, amended. The last sentence of section 42 of chapter 134 of the Revised Statutes is repealed, as follows:

~~'Trial justices shall have jurisdiction of all offenses under this section.'~~

Sec. 215. R. S., c. 135, § 21, amended. The last sentence of section 21 of chapter 135 of the Revised Statutes, as amended by chapter 241 of the public laws of 1961, is further amended to read as follows:

~~'In offenses under this section, not of an aggravated nature, trial justices may try and punish by a fine of not more than \$50 or by imprisonment for not more than 60 days, and municipal the District Courts Court may punish by a fine of not more than \$100 or by imprisonment for not more than 90 days.'~~

Sec. 216. R. S., c. 136, § 14, amended. Section 14 of chapter 136 of the Revised Statutes, as amended by section 466 of chapter 317 of the public laws of 1961, is further amended to read as follows:

'Sec. 14. Complaint, warrant and proceedings to prevent and to punish such offense. If any person competent to testify in civil actions makes complaint on oath before ~~any Judge of a municipal court or trial justice~~ **the proper officer of the District Court** that an offense specified in section 12 is about to be committed, setting forth in such complaint the grounds of his belief, such magistrate may issue his warrant directed to any competent officer, therein reciting the name and residence of the complainant and the substance of his complaint, and directing such officer to prevent the violation of said section by arresting any persons whom he finds willfully violating the same and by bringing the respondents before ~~such magistrate the court~~ **the court** for trial.'

Sec. 217. R. S., c. 136, § 16, amended. The last sentence of section 16 of chapter 136 of the Revised Statutes is repealed, as follows:

~~'Trial justices shall have jurisdiction of all prosecutions for misdemeanors under the provisions of this section and they may try and punish by a fine of not more than \$50 or by imprisonment for not more than 2 months, or by both such fine and imprisonment'~~

Sec. 218. R. S., c. 137, § 11, amended. The last sentence of section 11 of chapter 137 of the Revised Statutes is amended to read as follows:

~~'Trial justices~~ **The District Court** shall have original jurisdiction, concurrent with ~~municipal courts~~ and the Superior Court, of the above offenses.'

Sec. 219. R. S., c. 137, § 13, amended. The last sentence of section 13 of chapter 137 of the Revised Statutes is amended to read as follows:

~~Trial justices~~ **The District Court** shall have original jurisdiction, concurrent with ~~municipal courts and~~ the Superior Court, of prosecutions for offenses under ~~the provisions of~~ this section.'

Sec. 220. R. S., c. 137, § 33, amended. The last sentence of section 33 of chapter 137 of the Revised Statutes is amended to read as follows:

~~Trial justices~~ **The District Court** shall have original jurisdiction, concurrent with ~~municipal courts and~~ the Superior Court, of all offenses arising under ~~the provisions of~~ this section.'

Sec. 221. R. S., c. 137, § 41, amended. Section 41 of chapter 137 of the Revised Statutes is amended to read as follows:

Sec. 41. Rogues, vagabonds, idle persons, etc., commitment. All rogues, vagabonds and idle persons going about in any town in the county begging; persons using any subtle craft, jugglery or unlawful games or plays, or for the sake of gain pretending to have knowledge in physiognomy, palmistry, to tell destinies or fortunes, or to discover lost or stolen goods; common pipers, fiddlers, runaways, drunkards, nightwalkers, railers, brawlers and pilferers; persons wanton or lascivious in speech or behavior, or neglecting their callings or employments, misspending what they earn and not providing for the support of themselves and their families; all idle and disorderly persons having no visible means of support, neglecting all lawful calling or employment; and all idle and disorderly persons who neglect all lawful calling or employment and misspend their time by frequenting disorderly houses, houses of ill fame or gaming houses may, on complaint under oath before ~~a municipal court or trial justice~~ **the District Court** in ~~his county~~ **the division where he is a resident**, be committed to jail or to the house of correction in the town where the person belongs or is found, for a term of not more than 90 days.'

Sec. 222. R. S., c. 137, § 49, amended. The last sentence of section 49 of chapter 137 of the Revised Statutes is amended to read as follows:

'Whoever knowingly, maliciously or wantonly by any means unreasonably disturbs the reception of radio waves used for radiotelephony, between 200 meters wave length and 550 meters wave length, shall be punished by a fine of not less than \$10 nor more than \$50, to be recovered by complaint in ~~any municipal court or before any trial justice~~ **the District Court**.'

Sec. 223. R. S., c. 138, § 15, amended. Section 15 of chapter 138 of the Revised Statutes is amended to read as follows:

Sec. 15. Jurisdiction. In all prosecutions for misdemeanors under ~~the provisions of~~ this chapter, ~~trial justices within their respective counties~~ **the District Court** shall have original and concurrent jurisdiction with ~~municipal courts and~~ the Superior Court.'

Sec. 224. R. S., c. 139, § 2, amended. The last sentence of section 2 of chapter 139 of the Revised Statutes is amended to read as follows:

~~'Trial justices~~ **The District Court** shall have original jurisdiction, concurrent with ~~municipal courts and~~ the Superior Court, in all prosecutions for violations of this section.'

Sec. 225. R. S., c. 139, § 11, amended. The last sentence of section 11 of chapter 139 of the Revised Statutes is amended to read as follows:

~~'Trial justices~~ **The District Court** shall have original jurisdiction, concurrent with ~~municipal courts and~~ the Superior Court, in all prosecutions for violation of this section.'

Sec. 226. R. S., c. 139, § 12, amended. The first sentence of section 12 of chapter 139 of the Revised Statutes is amended to read as follows:

'When a person makes oath before a ~~trial justice or~~ **judge proper officer** of ~~a the municipal~~ **District Court** that he has reason to suspect and does suspect that any tenement or other place is unlawfully used as and for a common gambling house, for the purpose of gambling for money or other property, or is kept, used or occupied for promoting a lottery or for the sale of lottery tickets, or for promoting the game known as policy lottery or policy, or for buying or selling of pools or registering of bets upon any race, game, contest, act or event, and that persons resort to the same for any such purpose, or that implements, apparatus or materials intended to be used in any form of gambling are there kept or deposited, such magistrate, whether the names of the persons last mentioned are known to the complainant or not, shall issue a warrant commanding the sheriff or any of his deputies or any constable or police officer to enter such tenement or other place and to arrest the keepers thereof, all persons in any way assisting in keeping the same, whether as janitor, doorkeeper, watchman or otherwise, all persons who are there found participating in any form of gambling and all persons present whether so participating or not, if any lottery, policy or pool tickets, slips, checks, manifold books or sheets, memoranda of any bet or other implements, apparatus or materials of any form of gambling are found in said place, and to take into their custody all the implements, apparatus or materials of gambling, ~~as aforesaid~~ and all the personal property, prizes, furniture and fixtures, so that they may be forthcoming before some court or magistrate, to be dealt with according to law.'

Sec. 227. R. S., c. 140, § 5, amended. Section 5 of chapter 140 of the Revised Statutes, as amended by section 470 of chapter 317 of the public laws of 1961, is further amended to read as follows:

'Sec. 5. Complaint, warrant and proceedings to prevent and to punish. If any person competent to testify in civil actions makes complaint on oath before ~~any judge of a municipal~~ **the proper officer of the District Court or trial justice** that an offense specified in section 4 is about to be committed, setting forth in such complaint the grounds of his belief, such magistrate may issue his warrant directed to any competent officer, therein reciting the name and residence of the complainant and the substance of his complaint, and directing such officer to prevent the violation of said section by arresting any persons whom he finds willfully violating the same, and by bringing the respondents before such magistrate for trial.'

Sec. 228. R. S., c. 140, § 17, amended. The first sentence of section 17 of chapter 140 of the Revised Statutes, as amended by chapter 222 of the public laws of 1955, is further amended to read as follows:

'Any sheriff, deputy sheriff, constable, police officer or agent for any society for the prevention of cruelty to animals or any person authorized to make arrests may apply to ~~any municipal~~ the District Court ~~or trial justice~~ for process to permit the applicant to take possession of any old, maimed, disabled, diseased or injured animal or any animal whose owner has cruelly abandoned or cruelly fails to take care of or provide for, or for process to cause the same to be destroyed or turned over to the applicant or some other suitable person.'

Sec. 229. R. S., c. 140, § 25, repealed. Section 25 of chapter 140 of the Revised Statutes is repealed.

Sec. 230. R. S., c. 140, § 29, amended. The last sentence of section 29 of chapter 140 of the Revised Statutes is repealed, as follows:

~~'Trial justices shall have jurisdiction of all offenses under this section'~~

Sec. 231. R. S., c. 141, § 19, amended. The last paragraph of section 19 of chapter 141 of the Revised Statutes is repealed as follows:

~~'When the conviction is upon an action before a trial justice and no appeal is made, the justice, after estimating the sum necessary to defray the expense of removing or abating the nuisance, may issue a like warrant, making corresponding alterations in its form'~~

Sec. 232. R. S., c. 141, § 20, amended. Section 20 of chapter 141 of the Revised Statutes, as amended by section 284 of chapter 317 of the public laws of 1959, is further amended to read as follows:

'Sec. 20. Warrant stayed, if defendant gives security to discontinue nuisance. Instead of issuing the warrant required by section 19, the court ~~or trial justice~~ may order it to be stayed on motion of the defendant, and on his entering into recognizance in such sum and with such surety as the court ~~or justice~~ directs, in case of an indictment, to the State, or in case of a complaint or action, to the plaintiff, conditioned that the defendant will either discontinue said nuisance, or that within a time limited by the court and not exceeding 6 months, he will cause it to be abated and removed, as may be directed by the court. On failing to perform such condition, the recognizance shall be deemed forfeited, and the court ~~or said trial justice~~ on being satisfied of such default, may forthwith issue the warrant and entertain an action to enforce the recognizance.'

Sec. 233. R. S., c. 144, § 1, amended. Section 1 of chapter 144 of the Revised Statutes is amended to read as follows:

'Sec. 1. Power of courts to keep the peace; security required. The Justices of the Superior Court and Judges of ~~municipal the District Courts~~ Court, in term time or in vacation, ~~and trial justices in their counties~~ have power to cause all laws for the preservation of the public peace to be kept; and in the execution thereof may require persons to give security to keep the peace and be of good behavior, as ~~hereinafter~~ provided.'

Sec. 234. R. S., c. 144, § 2, amended. Section 2 of chapter 144 of the Revised Statutes is amended to read as follows :

'Sec. 2. Complaint that offense threatened. Any magistrate described in section 1, on complaint that any person threatens to commit an offense against the person or property of another, shall examine, on oath, the complainant and any other witnesses produced, reduce the complaint to writing and cause the complainant to sign it ~~and, if~~. If on examination of the facts he thinks that there is just cause to fear the commission of such offense, he shall issue a warrant reciting the substance of the complaint, and commanding the officer, to whom it is directed, forthwith to arrest the accused and bring him before such magistrate or court ~~subject to the provisions of section 9 of chapter 146.~~'

Sec. 235. R. S., c. 145, § 5, amended. Section 5 of chapter 145 of the Revised Statutes, as amended by section 15 of chapter 342 of the public laws of 1959, is further amended to read as follows :

'Sec. 5. Jurisdiction. The Superior Court shall have original jurisdiction, exclusive of concurrent, of all offenses except those of which the original exclusive jurisdiction is conferred by law on ~~municipal the District Courts Court, municipal the District Courts Court~~ acting as a juvenile ~~courts, and trial justices court~~ and appellate jurisdiction of these, except that the appellate jurisdiction of the Superior Court regarding offenses of which the original exclusive jurisdiction is conferred upon ~~municipal the District Courts Court~~ acting as a juvenile ~~courts court~~ shall be as provided in chapter 152-A.'

Sec. 236. R. S., c. 146, § 1, amended. Section 1 of chapter 146 of the Revised Statutes is amended to read as follows :

'Sec. 1. Terms. ~~All municipal~~ **The District Courts Court** shall have terms for the transaction of criminal business, which terms shall commence on the return days of the civil terms ~~as set forth in their respective charters~~ and shall continue to and include the days prior to the next civil return days.'

Sec. 237. R. S., c. 146, § 2, amended. The first sentence of section 2 of chapter 146 of the Revised Statutes, as amended by section 3 of chapter 75 of the public laws of 1959, is further amended to read as follows :

'Each ~~municipal~~ The District Court shall have jurisdiction, and concurrent jurisdiction with the Superior Court ~~and with all other municipal Courts in the counties where they are located~~, of all crimes and offenses including violations of any statute or by-law of a town, village corporation or local health officer, or breaches of the peace, not punishable by imprisonment in the State Prison, and complaints for desertion and non-support or non-support of dependents where either the spouse, dependent or the respondent resides and may for such crimes and offenses impose any of the fines or sentences provided by law to be imposed therefor.'

Sec. 238. R. S., c. 146, § 2-A, amended. Section 2-A of chapter 146 of the Revised Statutes, as enacted by section 10 of chapter 334 of the public laws of 1957 and as amended, is further amended to read as follows :

'Sec. 2-A. Costs and fees in the District Court. The following provisions

shall apply to ~~all trial justice courts and municipal courts~~ the District Court:

I. Definitions and limitations. This section applies only to costs and fees arising from the criminal proceedings in ~~trial justice courts and municipal courts~~ the District Court. When any criminal case is appealed from such court to the Superior Court, the latter may tax and impose costs from its proceeding which may not include any fees or costs arising from the proceedings or arrest in the lower court.

Nothing in this section shall be interpreted to prohibit a court from filing a case upon payment of costs without a conviction.

Nothing in this section shall be interpreted to deprive a law enforcement officer of compensation for his services and expenses, but this section may shift the responsibility for providing such compensation.

The term "law enforcement officer" shall include a state police officer, game warden, state liquor inspector, sheriff, deputy sheriff, municipal police officer, constable and any person whose duty it is to enforce any criminal law of this State by making arrests.

II. Respondent not to be sentenced to pay costs of court as such. ~~A municipal court or trial justice~~ The District Court may not, in any criminal proceeding, sentence any respondent to pay costs of court as such, but may take the costs into consideration and include in any fine imposed a sum adequate to cover all or any part of them without reference to such costs and without taxing them, provided the maximum fine for the particular offense is not exceeded.

III. Reports and records of costs and fees. Such ~~courts~~ court need not tax total costs in a criminal proceeding, but shall tax and itemize witness fees which are payable by the county ~~or the State~~ as provided in this section. A law enforcement officer when acting as the arresting officer, shall itemize his fees on the warrant return.

The court shall at the end of each month file with the monthly report to the ~~county commissioner~~ Treasurer of State an itemized statement of all witness fees and to whom they are payable. ~~The monthly report shall also indicate any other fees due from the county and the amount of any fines imposed and to whom they are payable.~~ All such fines and fees shall be examined and corrected by the ~~county commissioners~~ Treasurer of State and they shall ~~order them paid by the county treasurer~~ be paid according to law.

The court shall within ~~to~~ 15 days after the end of each month file either a copy of the monthly report to the ~~county commissioners~~ Treasurer of State, or a separate report, the form for which shall be prescribed by the State Auditor, with each state department having fees or fines due from such court. The court need not file a bill of costs in any case for any reason. ~~The county commissioners may provide the courts within their county with loose leaf dockets, and require such courts to submit to them each month one carbon copy of each criminal docket entry~~

IV. Distribution of fees and fines. All fines collected by the court shall be paid to the ~~county~~ Treasurer of State monthly. ~~All fines collected, unless the~~

law governing the particular offense provides otherwise, shall accrue to the county where the court is located

A deputy sheriff shall be paid by the county the fees as are provided under section 150 of chapter 89, section 150, unless such deputy is paid a salary in lieu of such fees.

Municipalities shall be reimbursed by the county for all reasonable expenses incurred by police officers and constables for travel within the State between their employing municipality and any other place within the State when such travel is as a consequence of an arrest, or for the purpose of making an arrest on a criminal warrant or to commit and transport a person to any jail or institution within the State.

The county shall pay the municipality for reasonable expenses incurred by the latter's law enforcement officers for out of state travel involving a crime for which the law provides for extradition of the offender. The ~~county~~ **Treasurer of State**, except in the case of a municipal ordinance violation, shall pay the municipality \$4 each time one of the latter's law enforcement officers duly signs, as arresting officer, the return of a criminal warrant, issued by a ~~trial justice or municipal~~ **the District Court which is located within that county.** Such \$4 fee shall be paid within a reasonable time after the county commissioners have met, examined and corrected the monthly report of the ~~court~~ **Such fees shall be paid regardless of only upon** final disposition of the case and **only in those cases in which the sentence imposed, or a portion thereof, includes the imposition of a fine. In the event of an appeal from the decision of the District Court no such fees are to be paid except when such appeal is withdrawn and the original sentence is imposed by the District Court.** Neither the county nor the ~~court~~ **Treasurer of State** shall be required to pay any fee for the services or expense of any municipal law enforcement officer before such a court in any criminal proceeding as an aid, as a witness or in any other capacity.

The ~~county~~ **Treasurer of State**, except in a case where any part of any fine collected shall accrue to the State Highway Commission, shall pay the latter \$4 each time a state police officer duly signs, as arresting officer, the return of a criminal warrant issued by a ~~trial justice or municipal~~ **the District Court which is located within the county.** Such \$4 fee shall be paid within a reasonable time after the county commissioners have met, examined and corrected the monthly report of the ~~court~~ **Such fee fees shall be paid regardless of the only upon** final disposition of the case and **only in those cases in which the sentence imposed, or a portion thereof, includes the imposition of a fine. In the event of an appeal from the decision of the district court no such fees are to be paid except when such appeal is withdrawn and the original sentence is imposed by the District Court.** Neither the county nor the ~~court~~ **Treasurer of State** shall be required to pay any fee for the services or expense of any state police officer, as an aid, a witness or in any other capacity.

The **Treasurer of State**, except in the case of a county ordinance violation, shall pay the county \$4 each time the latter's law enforcement officers duly sign as arresting officer, the return of a criminal warrant issued by the District

Court. Such fees shall be paid only upon final disposition of the case and only in those cases in which the sentence imposed, or a portion thereof, includes the imposition of a fine. In the event of an appeal from the decision of the District Court no such fees are to be paid except when such appeal is withdrawn and the original sentence is imposed by the District Court.

In cases involving criminal liability for non-support of dependent children who are wards of the State and of dependent children who are recipients of aid from the State as such dependent children, expense incurred for travel shall be borne between the county and the State, **but shall not be a charge against the District Court Fund**, in the proportion that the expense of public aid involved is borne between the municipality concerned and the State. Neither the court nor the ~~county~~ **Treasurer of State** shall be required to pay any fee for the services or expense of any other law enforcement officer before such courts in any criminal proceeding as arresting officer, as an aid, as a witness or in any other capacity.'

Sec. 239. R. S., c. 146, § 3, amended. Section 3 of chapter 146 of the Revised Statutes is amended to read as follows:

'**Sec. 3. Bail.** All recognizances or bail given in ~~any municipal~~ **the District Court**, in compliance with any provision of law to secure the appearance of a respondent in a criminal prosecution, shall continue in force until the case pending against such respondent is finally disposed of, either by sentence or the finding of probable cause, and need not be renewed, and the sureties on such recognizances or bail shall be responsible on their original recognizance or bail for the appearance of the principal at any and all times to which the case in which said recognizance or bail was given is continued; ~~provided, however, that this.~~ **This** provision shall not apply to bail or recognizances given before bail commissioners.'

Sec. 240. R. S., c. 146, § 3-A, amended. Section 3-A of chapter 146 of the Revised Statutes, as enacted by chapter 246 of the public laws of 1961, is amended to read as follows:

'**Sec. 3-A. Examination of insane criminals.** A ~~municipal~~ **Judge of the District Court** may order a person, who is accused of an offense, to be examined by a physician on the same day as the order, to determine whether or not such person is insane. The cost of such examination shall be paid from the treasury of the county in which the ~~municipal court is located~~ **action is pending.**'

Sec. 241. R. S., c. 146, §§ 8 - 10, repealed. Section 8, as amended by section 11 of chapter 334 of the public laws of 1957, and sections 9 and 10 of chapter 146 of the Revised Statutes are repealed.

Sec. 242. R. S., c. 146, § 11, amended. Section 11 of chapter 146 of the Revised Statutes is amended to read as follows:

'**Sec. 11. Administer oaths.** Judges of ~~municipal courts, trial justices~~ **the District Court** and justices of the peace may administer all oaths required by law, unless another officer is specially required to do it.'

Sec. 243. R. S., c. 146, § 12, amended. Section 12 of chapter 146 of the Revised Statutes is amended to read as follows:

'Sec. 12. Require aid upon view. Upon view of an affray, riot, assault or battery, ~~within their county, such judges and justices~~ **Judges of the District Court** may, without warrant, command the assistance of any sheriff, deputy sheriff, constable or person present to repress the same and to arrest all concerned therein.'

Sec. 244. R. S., c. 146, § 13, amended. The first paragraph of section 13 of chapter 146 of the Revised Statutes is amended to read as follows:

'When complaint is made to ~~any municipal judge or trial justice~~ **the proper officer of the District Court** charging a person with the commission of an offense, he shall carefully examine, on oath, the complainant, the witnesses by him produced and the circumstances and, when satisfied that the accused committed the offense, shall, on any day, Sundays and holidays not excepted, issue a warrant for his arrest, stating therein the substance of the charge.'

Sec. 245. R. S., c. 146, § 14, repealed and replaced. Section 14 of chapter 146 of the Revised Statutes is repealed and the following enacted in place thereof:

'Sec. 14. Clerks of District Court, continuances. Whenever a District Judge is unable to attend court, any clerk of the District Court may continue any case in such court for a period of not more than 14 days.'

Sec. 246. R. S., c. 146, § 15, amended. Section 15 of chapter 146 of the Revised Statutes is amended to read as follows:

'Sec. 15. Violation of municipal ordinance. In any prosecution before ~~a municipal the District Court or trial justice~~ for violation of an ordinance or by-law of a city or town, or of any by-law of a village corporation or local health officer, it shall not be necessary to recite such ordinance or by-law in the complaint, or to allege the offense more particularly than in prosecutions under a general statute.'

Sec. 247. R. S., c. 146, § 20, amended. The first sentence of section 20 of chapter 146 of the Revised Statutes is amended to read as follows:

'Any judge ~~or justice~~ named in section 11, when a warrant is issued by him, may cause such witnesses only as he is satisfied can testify to material facts to be summoned to attend the trial, by inserting their names in the warrant or otherwise; ~~and when.~~ **When** the case is appealed or the person is required to appear before a higher tribunal, he may order such witnesses only to recognize for their appearance where the case is to be tried or examined.'

Sec. 248. R. S., c. 146, § 25, amended. Section 25 of chapter 146 of the Revised Statutes is amended to read as follows:

'Sec. 25. Respondent may appeal without trial. In all prosecutions before ~~municipal the District Courts or trial justices~~ **Court**, the respondent may plead not guilty and waive a hearing, whereupon the same proceedings shall be had as to sentence and appeal as if there had been a full hearing.'

Sec. 249. R. S., c. 147, § 1, sub-§ II, amended. Subsection II of section 1 of chapter 147 of the Revised Statutes, as amended by section 19 of chapter 342 of the public laws of 1959, is further amended to read as follows:

II. District Courts and courts martial. In proceedings before ~~municipal the District Courts Court, municipal the District Courts Court~~ acting as a juvenile courts, trial justices court and courts martial.'

Sec. 250. R. S., c. 147, § 2, amended. Section 2 of chapter 147 of the Revised Statutes is amended to read as follows :

'Sec. 2. Justices and magistrates may issue processes. The Justices of the Supreme Judicial Court and of the Superior Court and Judges of ~~municipal courts and trial justices in their counties~~ the District Court, in the manner provided in chapter 146, in vacation or term time, may issue processes for the arrest of persons charged with offenses.'

Sec. 251. R. S., c. 147, § 14, amended. The first sentence of section 14 of chapter 147 of the Revised Statutes is amended to read as follows :

'Any person offering to recognize before any ~~trial justice~~ Judge of a ~~municipal the District Court~~ or bail commissioner, as surety for the appearance before the Superior Court of any respondent in a criminal prosecution, whether such respondent be an appellant from the finding of a ~~trial justice or~~ Judge of a ~~municipal the District Court~~, or to be ordered to recognize to await the action of the grand jury, or be arrested in vacation on capias issued on an indictment pending in such Superior Court, may be required to file with said ~~trial justice~~ judge or bail commissioner a written statement signed and sworn to by said surety, describing all real estate owned by him within the State with sufficient accuracy to identify it, and giving in detail all incumbrances thereon and the value thereof, such valuation to be based on the judgment of said surety.'

Sec. 252. R. S., c. 149, § 1, amended. The last sentence of the first paragraph of section 1 of chapter 149 of the Revised Statutes, as amended by section 14 of chapter 334 of the public laws of 1957, is further amended to read as follows :

'In all cases where a fine is imposed he may be sentenced to pay the costs of prosecution, except before a ~~municipal or trial justice~~ the District Court in which ~~courts court~~ he may be sentenced to pay a fine sufficient to cover said costs as provided by section ~~2-A of chapter 146~~ in chapter 146, section 2-A; and except before ~~trial justice and municipal courts~~ a District Court, for violations of the provisions of sections 66, 68, ~~84 and 89~~ of chapter 61, sections 66, 68, 84 and 89, and ~~of sections 145 to 152~~ of chapter 100, sections 145 to 152, he shall be sentenced to pay such costs.'

Sec. 253. R. S., c. 149, § 7, amended. The first sentence of section 7 of chapter 149 of the Revised Statutes is amended to read as follows :

'The Superior Court and ~~any municipal court or trial justice~~ the District Court, in the county where a work-jail is situated or in any county where there is no work-jail may, subject to the provisions of the following section 8, sentence any person convicted of an offense punishable by imprisonment to any of the work-jails nearest or most convenient to the county where the offense is committed, and all sentences of imprisonment shall include labor.'

Sec. 254. R. S., c. 149, § 8, amended. Section 8 of chapter 149 of the Revised Statutes is amended to read as follows:

'Sec. 8. Commitment in county where convicted. Any person sentenced by ~~any trial justice or Judge of any municipal~~ the District Court to a term of imprisonment in a jail, not exceeding 4 months, shall be committed to the jail in the county in which such person is convicted, provided such county has a suitable jail, otherwise such commitment may be to any jail in the State.'

Sec. 255. R. S., c. 149, § 40, amended. Section 40 of chapter 149 of the Revised Statutes is amended to read as follows:

'Sec. 40. Sentence in default of payment of fine and costs. Whoever is convicted in any court ~~or by a trial justice~~ of a crime which is punishable by a fine only, without imprisonment, and is liable to imprisonment in a county jail for the nonpayment of said fine, may be sentenced to pay said fine and the costs of prosecution, and in default of payment thereof to be imprisoned in accordance with law, but the payment of said fine and costs at any time before the expiration of the imprisonment shall be a full performance of the sentence.'

Sec. 256. R. S., c. 150, § 4-A, additional. Chapter 150 of the Revised Statutes is amended by adding a new section 4-A, to read as follows:

'Sec. 4-A. Fines, costs and forfeitures in Superior Court. Every clerk of a Superior Court shall render under oath a detailed account of all fines, costs and forfeitures upon convictions and sentences before him, on forms prescribed by the State Department of Audit, and shall pay them into the treasury of the county where the offense is prosecuted on or before the 15th day of the month following the collection of such fines, costs and forfeitures. The county treasurer, upon approval of the county commissioners, shall pay to the State, town, city or persons any portion of the fines, costs and forfeitures that may be due. Any person who fails to make such payments into the county treasury shall forfeit, in each instance, double the amount so neglected to be paid over, to be recovered by indictment for the persons entitled to such fines, costs and forfeitures, and in default of payment, according to the sentence of the court, such person shall be punished by imprisonment for not more than 6 months.'

Sec. 257. R. S., c. 150, §§ 5, 6 and 7, repealed. Section 5, as amended by section 15 of chapter 334 of the public laws of 1957, section 6, as amended by section 487 of chapter 317 of the public laws of 1961, and section 7 of chapter 150 of the Revised Statutes are repealed.

Sec. 257-A. R. S., c. 150, § 8, amended. Section 8 of chapter 150 of the Revised Statutes, as amended by section 488 of chapter 317 of the public laws of 1961, is further amended by adding at the end, a new paragraph, as follows:

'All such fines imposed by the District Court shall be paid over to the District Court.'

Sec. 257-B. R. S., c. 150, § 10, amended. Section 10 of chapter 150 of the Revised Statutes, as amended by section 2 of chapter 254 of the public laws of 1957, is further amended by adding at the end, a new paragraph, as follows:

'All such securities taken for fines imposed by the District Court shall be paid over to the District Court.'

Sec. 258. R. S., c. 152-A, § 2, amended. The 4th paragraph of section 2 of chapter 152-A of the Revised Statutes, as enacted by section 1 of chapter 342 of the public laws of 1959, is amended to read as follows:

'"Juvenile court" shall be the designation for the ~~municipal~~ District Court when it is exercising jurisdiction over juveniles in regard to any of the matters comprehended in this chapter. Reference in any section of any other chapter of any of the laws of Maine to "~~municipal~~ District Courts" shall not be interpreted as referring to juvenile courts, except that chapter ~~108~~ 108-A insofar as relevant, shall apply to ~~municipal~~ District Courts as juvenile courts.'

Sec. 259. R. S., c. 152-A, § 3, amended. Section 3 of chapter 152-A of the Revised Statutes, as enacted by section 1 of chapter 342 of the public laws of 1959, is amended to read as follows:

'Sec. 3. District Court as juvenile court. ~~Municipal~~ The District Courts Court shall have exclusive, original jurisdiction over all juveniles in relation to acts and offenses within the scope of this chapter committed within the respective territorial jurisdictions of said ~~courts~~ court by such juveniles. When so exercising said jurisdiction, ~~municipal the District Courts~~ Court shall be known as the juvenile courts court.'

Sec. 260. R. S., c. 152-A, § 12, amended. The 2nd sentence of section 12 of chapter 152-A of the Revised Statutes, as enacted by section 1 of chapter 342 of the public laws of 1959, is amended to read as follows:

'It shall be separate from any ~~municipal~~ District Court records and it shall contain a brief outline and description of juvenile court proceedings, including the disposition of each case.'

Sec. 261. R. S., c. 152-A, § 15, amended. The first paragraph of section 15 of chapter 152-A of the Revised Statutes, as enacted by section 1 of chapter 342 of the public laws of 1959, is amended to read as follows:

'There shall be no terms of ~~a~~ the juvenile court, but the court may assign matters for hearing at its discretion. Juvenile court hearings shall not be criminal in nature and shall be conducted separately from any criminal proceeding. The hearings shall be held in a room other than the ~~municipal~~ district courtroom wherever feasible and shall be private, except that juvenile court hearings regarding motor vehicle violations by juveniles shall be public and may be heard in the ~~municipal~~ district courtroom. The judge ~~associate judge or recorder~~ may administer all oaths required by law. The juvenile may be represented by any person who is interested or by counsel.'

Sec. 262. R. S., c. 152-A, § 17, sub-§ III, amended. The last paragraph of subsection III of section 17 of chapter 152-A of the Revised Statutes, as enacted by section 1 of chapter 342 of the public laws of 1959, is amended to read as follows:

'Upon a finding by the juvenile court of probable cause to hold for the grand jury, all subsequent proceedings in the juvenile court shall be the same as in a criminal proceeding before the ~~municipal~~ District Court upon a finding of probable cause.'

Sec. 263. R. S., c. 152-A, § 19, sub-§ II, amended. The last sentence of subsection II of section 19 of chapter 152-A of the Revised Statutes, as enacted by section 1 of chapter 342 of the public laws of 1959, is amended to read as follows:

'Said appeal shall be taken to the same term of the Superior Court to which an appeal from ~~a municipal~~ the District Court adjudication in a criminal proceeding would be taken.'

Sec. 264. R. S., c. 152-A, § 20, amended. Section 20 of chapter 152-A of the Revised Statutes, as enacted by section 1 of chapter 342 of the public laws of 1959, is amended to read as follows:

'**Sec. 20. Record.** When notice is given of an appeal from ~~a the~~ juvenile court's adjudication that a juvenile has committed a juvenile offense, the juvenile court shall deliver the record of proceedings in the juvenile court to the Superior Court in the same manner and form as in appeals from ~~municipal the District Courts~~ Court in criminal cases.'

Sec. 265. R. S., c. 157, § 16, amended. Section 16 of chapter 157 of the Revised Statutes is amended to read as follows:

'**Sec. 16. Proceedings in action and judgment.** The creditor, before service, must annex to his writ a schedule of his claims, stating the nature of them or file it with the clerk of the court where the writ is returnable, 14 days before its return day ~~or 7 days before the return day, when the action is brought before~~ ~~a trial justice~~. At such time as the court directs, the administrator shall file an abstract of all demands of the deceased against the claimant and judgment shall be rendered for either party for the balance ascertained at the trial.'

Sec. 266. R. S., c. 165, § 24, amended. The first sentence of section 24 of chapter 165 of the Revised Statutes, as amended by section 541 of chapter 317 of the public laws of 1961, is further amended to read as follows:

'When a judgment creditor dies before the first execution issues or before an execution issued in his lifetime is fully satisfied, such execution may be issued ~~or renewed by order of the court rendering such judgment, or by like order of~~ ~~a municipal the District Court~~ ~~or trial justice~~ rendering such judgment, upon application in writing of the executor or general or special administrator of the deceased creditor.'

Sec. 267. R. S., c. 166, § 4, amended. The first sentence of the 2nd paragraph of section 4 of chapter 166 of the Revised Statutes is amended to read as follows:

'Upon application by both of the parties to an intended marriage, when both parties are residents of this State or both parties are nonresidents, or upon application of the party residing within the State when one of the parties is a resident and the other a nonresident, a judge of probate or ~~the~~ a Judge of ~~a municipal~~ the District Court ~~or trial justice~~ may, after hearing such evidence as is

presented, grant a certificate stating that in his opinion it is expedient that the intended marriage be solemnized without delay.'

Sec. 268. R. S., c. 166, § 43, amended. The first sentence of section 43 of chapter 166 of the Revised Statutes, as repealed and replaced by section 74 of chapter 378 of the public laws of 1959 and as amended by section 552 of chapter 317 of the public laws of 1961, is further amended to read as follows:

'Whenever a man, having a wife, a minor child or children, residing in this State and being of sufficient ability or being able to labor and provide for them, willfully and without reasonable cause, refuses or neglects to provide suitable maintenance for them, the Superior Court, the probate court and ~~any municipal~~ **the District** Court in the county where the wife or such minor child or children reside, or in the county where the husband or father may be found on petition of the wife for herself and for such child or children, or of such child or children by their guardian or by the municipality that is providing suitable maintenance, after such notice to the husband or father as it may order, and hearing, may order him to contribute to the support of his wife and such minor child or children or either of them such sums payable weekly, monthly or quarterly as are deemed reasonable and just, and may enforce obedience by appropriate decrees.'

Sec. 269. R. S., c. 166, § 43, amended. The 4th sentence of section 43 of chapter 166 of the Revised Statutes, as amended by section 552 of chapter 317 of the public laws of 1961, is further amended to read as follows:

'Any party aggrieved by any order or decree authorized by this section and made by a probate court or ~~municipal~~ **the District** Court may appeal from said order or decree in the same manner as provided for appeals from such court in other causes, and appeal may be taken from the Superior Court to the law court.'

Sec. 270. R. S., c. 166, § 50-A, additional. Chapter 166 of the Revised Statutes is amended by adding a new section 50-A, to read as follows:

'Sec. 50-A. Jurisdiction. The District Court shall possess original jurisdiction, concurrent with the probate court, of actions for judicial separation under sections 44 to 50.'

Sec. 271. R. S., c. 166, § 54-A, additional. Chapter 166 of the Revised Statutes is amended by adding a new section 54-A, to read as follows:

'Sec. 54-A. Jurisdiction. The District Court shall possess original jurisdiction, concurrent with the Superior Court, of actions for annulment of marriage under sections 51 to 54.'

Sec. 272. R. S., c. 166, § 70-B, additional. Chapter 166 of the Revised Statutes is amended by adding a new section 70-B, to read as follows:

'Sec. 70-B. Jurisdiction. The District Court shall possess original jurisdiction, concurrent with the Superior Court, of actions for divorce under sections 55 to 70-A.'

Sec. 273. R. S., c. 167, § 2, amended. The 2nd paragraph of section 2 of chapter 167 of the Revised Statutes is amended to read as follows:

“Court” means the Superior Court or the District Court of this State and when the context requires means the court of any other state as defined in a substantially similar reciprocal law.’

Sec. 274. R. S., c. 167, § 9, amended. The first paragraph of section 9 of chapter 167 of the Revised Statutes is amended to read as follows:

‘All duties of support are enforceable by petition irrespective of relationship between the obligor and obligee. Jurisdiction of all proceedings hereunder shall be vested in the Superior Court or the District Court. All proceedings may be commenced and acted upon by the Superior Court in vacation before a single justice as well as in term time or by the District Court.’

Sec. 275. R. S., c. 167-A, § 5, amended. Section 5 of chapter 167-A of the Revised Statutes, as enacted by chapter 328 of the public laws of 1955, is amended to read as follows:

‘**Sec. 5. Jurisdiction.** The Superior Court and the District Court shall have jurisdiction of all proceedings brought under this chapter.’

Sec. 276. R. S., c. 178, §§ 84 - 85, repealed. Sections 84 and 85 of chapter 178 of the Revised Statutes are repealed.

Sec. 277. R. S., c. 179, § 8, repealed. Section 8 of chapter 179 of the Revised Statutes, as amended by section 614 of chapter 317 and by section 185 of chapter 417, both of the public laws of 1961, is repealed.

Sec. 278. P. L., 1961, c. 386, § 4, amended. Section 4 of chapter 386 of the public laws of 1961 is amended to read as follows:

‘**Sec. 4. Appropriation.** Upon the establishment of the District Court Fund created by the Revised Statutes, chapter 108-A, section 13, enacted by section 1 of this act, there is appropriated to such District Court Fund, from the Unappropriated Surplus of the General Fund, the sum of \$50,000 to carry out the purposes of this act. On June 30, ~~1964~~ 1974 there shall be returned to the General Fund the sum of \$50,000.’

Sec. 279. Fees and costs. All fees and costs payable in and to municipal courts and trial justice courts prior to September 16, 1961 shall thereafter be payable in and to the District Court in those cases initiated in a District Court after such date.

Sec. 280. Application. This act shall not apply to any municipal or trial justice court or to any judge, associate judge or recorder of any municipal court or to any trial justice. It shall apply only to the District Court when established in a district. It is the intent of the Legislature that the laws in effect prior to the effective date of this act shall apply to all municipal and trial justice courts. It is also the intent of the Legislature that any new laws enacted by the 101st Legislature which contain the words “District Court” shall apply to municipal and trial justice courts so long as they are in existence.