

MAINE STATE LEGISLATURE

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Sixty-Second Legislature.

HOUSE.

No. 76.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
EIGHTY-FIVE.

AN ACT to amend chapter one hundred and eighty,
Private and Special Laws of Eighteen Hundred and
Seventy-nine, establishing the Police Court of the
City of Belfast.

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

SECTION 1. Section one of chapter one hundred
2 and eighty of the Private and Special Laws of
3 eighteen hundred and seventy-nine is hereby
4 amended so that it shall read as follows.

5 'SECT. 1. A police court shall be and hereby is
6 established in and for the city of Belfast, in the
7 county of Waldo, to be denominated the police
8 court of the city of Belfast, which shall be a court

9 of record, and have a seal, and consist of one
10 judge, who shall reside in said Belfast, and be ap-
11 pointed and commissioned in the manner provided
12 in the constitution, who shall have original and ex-
13 clusive jurisdiction in all civil actions wherein the
14 debt or damages do not exceed twenty dollars,
15 except cases in which he is interested, in which
16 both parties interested, or in which the party plain-
17 tiff and the person or persons summoned as trus-
18 tees, shall be inhabitants of said Belfast, including
19 prosecutions for penalties in which said city is in-
20 terested, and actions of forcible entry and detainer
21 and all violations of the by-laws of said city and
22 concurrent jurisdiction with trial justices within
23 said county, in all other civil matters which are by
24 law within the jurisdiction of trial justices in said
25 county, and exclusive jurisdiction over all criminal
26 offences within said city, and concurrent jurisdic-
27 tion with trial justices within said county, for all other
28 criminal matters which are by law within the juris-
29 diction of trial justices in said county, and original
30 concurrent jurisdiction with the supreme judicial
31 court in all personal actions in which the debt or
32 damages do not exceed fifty dollars and are over
33 twenty dollars and the defendant or defendants
34 are residents in said county of Waldo, but this

35 jurisdiction shall not include proceedings under
36 the divorce laws, complaints under the mill act, or
37 proceedings under the divorce act, and any person
38 aggrieved by any judgment rendered by said judge
39 may appeal therefrom to the supreme judicial
40 court for said county, in like manner as from
41 judgment of trial justices.'

SECT. 2. Section four of said chapter is hereby
2 amended so that it shall read as follows :
3 'SECT. 4. In case said judge shall be unable, by
4 reason of sickness, absence from said city, or other
5 disability, to attend at the time and place provided
6 in the preceding section for transaction of civil
7 business, said court shall stand adjourned until the
8 next term, and so from term to term, without costs
9 to either party, until the said judge is able to
10 attend, and during the continuance of any such
11 absence or disability of said judge trial justices in
12 said county shall have authority to exercise in all
13 criminal matters the powers conferred by this act
14 upon said judge.'

SECT. 3. Section five of said chapter is hereby
2 amended by adding thereto the following words :
3 "*Provided, however,* that the city council of said
4 city of Belfast may by an ordinance establish a
5 salary for said judge not exceeding one thousand

6 dollars nor less than six hundred dollars per annum,
7 to be paid by said city in quarter-yearly payments,
8 in which case said judge shall account for and pay
9 into the treasury of said city, all fees received by
10 him in all criminal matters, except for copies.”

SECT. 4. Said chapter is hereby further amended
2 by adding thereto the following sections :

3 ‘SECT. 11. Trial justices are hereby restricted
4 from exercising any jurisdiction, within said city
5 of Belfast, over any criminal matter, except as
6 provided in this act.’

7 ‘SECT. 12. When the office of judge of said
8 court shall be vacant by death, resignation or re-
9 moval of the residence of said judge from said
10 city, trial justices of said county of Waldo may
11 perform within said city all acts and duties apper-
12 taining to the office of trial justice ; and all pro-
13 ceedings commenced during such vacancy shall be
14 finally determined by the trial justice before whom
15 the same were commenced, or by some other trial
16 justice within said county ; and in case of such
17 vacancy all proceedings pending in said court shall
18 stand continued to the term of said court next
19 holden, after such vacancy is filled.’

SECT. 5. This act shall take effect on the first
2 day of April, A. D. eighteen hundred and eighty-
3 five.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
February 11, 1885. }

Reported from Committee on Legal Affairs by Mr. SPEAR, and ordered
printed.

NICHOLAS FESSENDEN, *Clerk.*