

MAINE STATE LEGISLATURE

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NEW DRAFT.

Sixty-Seventh Legislature.

HOUSE.

No. 293.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND NINETY-FIVE,

AN ACT to amend chapter five hundred and six of the
Private and Special Laws of eighteen hundred and eighty-
nine, relating to the Municipal Court of the City of
Deering.

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

SECTION 1. Section twenty-two of said chapter five hun-
2 dred and six is hereby amended by striking out the first
3 three sentences, down to and including the word "judge"
4 in the tenth line; and by striking out the words "both"
5 and "and recorder" in the eleventh line; so that said sec-
6 tion as amended shall read as follows: 'In the absence of
7 the judge, any justice of the peace of the city of Deering
8 may preside for the purpose of entering and continuing

9 actions and filing papers in said court, and may adjourn
10 the same from day to day, or till the next regular term.'

SECT. 2. Section twenty-three of said chapter is hereby
2 amended, so as to read as follows: 'Said court shall have
3 exclusive original jurisdiction of all civil actions in which
4 the debt or damages demanded do not exceed twenty dol-
5 lars, and both parties, or a defendant, or a person sum-
6 moned in good faith and on probable cause as trustee,
7 reside in said city of Deering; and shall have exclusive
8 original jurisdiction of all offenses committed against the
9 ordinances and by-laws of said city, and all such criminal
10 offenses and misdemeanors committed therein as cognizable
11 by trial justices; provided that warrants may be issued
12 upon complaints for offenses committed in said city of
13 Deering, by any trial justice in said county, but all such
14 warrants shall be returnable before said court, and no
15 such trial justice shall take cognizance of any crime or
16 offense committed in said city or any civil action in which
17 said court has exclusive jurisdiction.

SECT. 3. Section twenty-four of said act is hereby
2 amended so as to read as follows: 'Said court shall have
3 original jurisdiction, concurrent with the superior court of
4 Cumberland county, of all civil actions in which the debt
5 or damages, exclusive of costs, do not exceed fifty dollars,
6 in which a defendant, or a person summoned in good faith
7 and on probable grounds as trustee, resides in the county
8 of Cumberland, or having his residence beyond the limits
9 of this state, is served with process within said county.
10 And said court shall have original jurisdiction, concurrent
11 with the superior court in said county, of offenses com-
12 mitted in the city of Deering; namely, of all larcenies

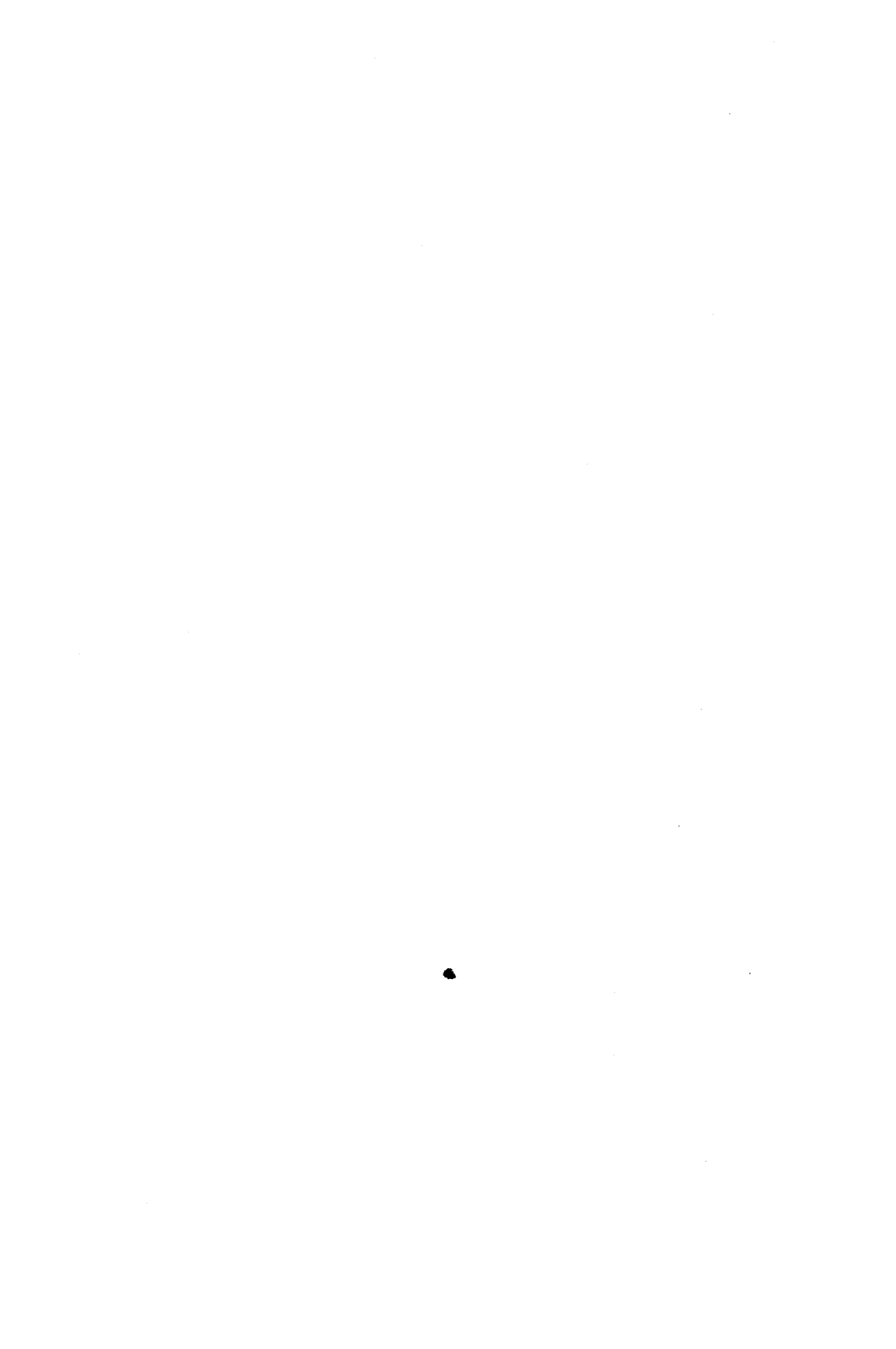
13 described in sections one, six, seven, eight and nine of
14 chapter one hundred and twenty of the Revised Statutes,
15 when the value of the property is not alleged to exceed
16 thirty dollars; of all cases of cheating by false pretenses,
17 described in section one of chapter one hundred and
18 twenty-six of the Revised Statutes, when the value of the
19 property or other thing alleged to have been fraudulently
20 obtained or sold does not exceed thirty dollars; of the
21 assaults and batteries described in section twenty-eight of
22 chapter one hundred and eighteen of the Revised Statutes,
23 and of the offense described in section six of chapter one
24 hundred and twenty-four of the Revised Statutes, and
25 may punish for either of said offenses by fine not exceed-
26 ing fifty dollars, and by imprisonment not exceeding three
27 months; provided that said court shall not try civil actions
28 in which the title to real estate, according to the pleadings
29 filed in the case by either party, is in question, except as
30 provided in chapter ninety-four, sections six and seven,
31 of the Revised Statutes.'

SECT. 4. Section twenty-five of said chapter is hereby
2 amended so as to read as follows: 'A term of said court
3 shall be held on Monday of each week, beginning at nine
4 o'clock in the forenoon, at such place in the city of Deer-
5 ing as said city shall provide for the transaction of civil
6 business, and all civil processes shall be made returnable
7 accordingly. Actions of forcible entry and detainer shall
8 be heard and determined, and judgment entered on the
9 return day of the writ, unless continued for good cause.
10 Said court may adjourn from time to time, but shall be
11 considered as in constant session for the trial of criminal
12 offenses.'

SECT. 5. Section twenty-six of said chapter is hereby
2 amended so as to read as follows: 'Writs and processes
3 issued by said court shall be in the usual form, signed by
4 the judge, and under the seal of said court. They shall
5 be served as like precepts are required to be served when
6 issued by trial justices, except original writs in civil
7 actions, which shall be served not less than seven nor
8 more than sixty days before the sitting of the court at
9 which the same are made returnable. All the provisions
10 of the statutes of the state, relative to the attachment of
11 real and personal property and the levy of executions,
12 shall be applicable to actions in this court, and executions
13 on judgments rendered therein.'

SECT. 6. Section thirty-two of said chapter is hereby
2 amended so as to read as follows: 'Fees of the judge
3 which he may demand and receive for his services shall be
4 the same as are allowed by law to trial justices and clerks
5 of the supreme judicial court for similar services, except
6 that he shall receive for every blank writ signed by him,
7 four cents; for the entry of each action, civil or criminal,
8 fifty cents; for every continuance, five cents; for every
9 execution, fifteen cents; for every warrant issued, one
10 dollar; for copies of all papers in appeal cases, two dol-
11 lars; for copies of papers transferred to the superior
12 court, one dollar and fifty cents; for copy of any single
13 paper, fifty cents; for taking recognizance, in either civil
14 or criminal cases, and making papers, fifty cents; on an
15 order of notice to complete service, for copies of all
16 papers, with attested copy of notice attached, two dollars;
17 for the trial of an issue, in civil or criminal cases, one
18 dollar; and two dollars for each day actually employed

19 after the first. All fines and penalties awarded and re-
20 ceived by said judge shall be accounted for and paid over
21 as if the same had been awarded and received by a trial
22 justice, and for neglect to do so he shall be subject to like
23 penalties with trial justices.'



[STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
March 6, 1895. }

Reported by Mr. LARRABEE of Portland, from Committee on
Judiciary, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*