

MAINE STATE LEGISLATURE

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Sixty-Eighth Legislature.

HOUSE.

No. 5.

STATE OF MAINE.

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

AN ACT to Amend Section eleven of Chapter two hundred
and twenty-four of the Private and Special Laws of eighteen
hundred and forty-nine relating to the Augusta Municipal
Court.

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

Section 1. Section eleven of chapter two hundred and
2 twenty-four of the Private and Special Laws of eighteen
3 hundred and forty-nine is hereby amended by adding thereto
4 the following: 'Said court shall also have original juris-
5 diction, concurrent with the superior court, of all civil
6 actions at law, except complaints for flowage, real actions
7 and trespass quare clausum, in which the debt and damages

8 demand, exclusive of cost, does not exceed fifty dollars in
9 which any party defendant or a person summoned in good
10 faith and on probable grounds as trustee resides in the
11 county of Kennebec or having his residence beyond the
12 limits of this State is served with process within said county.

If any defendant his agent or attorney in any action in
14 said court, in which the debt or damages claimed in the
15 writ exceeds twenty dollars, shall appear at the first term
16 and on or before the first day of the second term file in said
17 court an affidavit that he has a good defence to said action
18 and intends in good faith to make such defence and claims a
19 jury trial, the said action shall be removed into and entered
20 at the next term of the superior court for said county. And
21 the judge of said municipal court on payment to him of the
22 entry fee in said superior court by the plaintiff shall forth-
23 with cause the original writ and all other papers in the case
24 to be filed in the clerk's office of said superior court.

Any party may appeal from any judgment or sentence of
26 said municipal court to the superior court in the same man-
27 ner as from a judgment of a trial justice. The costs and
28 fees allowed to parties and attorneys in civil actions before
29 said court in which the debt or damages recovered do not
30 exceed twenty dollars shall be the same as are allowed before
31 trial justices, except that the plaintiff, if he prevails, shall
32 be allowed two dollars for his writ, and the defendant, if he
33 prevails, shall be allowed one dollar for his pleadings. In

34 all actions in which the amount recovered exceeds twenty
35 dollars, the costs and fees of parties and attorneys shall be
36 the same as in the superior court.'

Sect. 2. This act shall take effect when approved.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, January 22, 1897.

Reported by Mr. WEEKS of Fairfield, from Committee on Judiciary
and ordered printed under House rules.

W. S. COTTON, *Clerk.*