

MAINE STATE LEGISLATURE

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NEW DRAFT.

Sixty-Ninth Legislature.

HOUSE.

No. 313

STATE OF MAINE.

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

AN ACT in relation to the Police Court of the City of Gardiner.

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

Section 1. The police court in the city of Gardiner in the
2 county of Kennebec, shall be hereafter styled the Gardiner
3 Municipal Court; and shall be a court of record, and have
4 and use a seal on all original processes; the present judge of
5 said court shall continue in office until the end of the term
6 for which he was appointed.

Sect. 2. In addition to its present jurisdiction, the said
2 court shall further have concurrent jurisdiction with the
3 superior court of Kennebec county in all personal actions

4 where the debt or damage claimed is over twenty dollars and
5 not over one hundred dollars and in all actions of replevin
6 when it appears that the sum demanded for the penalty, for-
7 feiture or damages exceeds twenty dollars, and does not ex-
8 ceed one hundred dollars, or that the property in the beasts
9 or other chattels is in question, and the value thereof exceeds
10 twenty dollars and does not exceed one hundred dollars, and
11 either the defendant or person summoned as trustee is resi-
12 dent in Kennebec county; but this jurisdiction shall not in-
13 clude proceedings under the divorce laws, nor complaints
14 under the mill act, so called.

Sect. 3. All the provisions of the statutes of this State,
2 relative to the attachment of real and personal property and
3 the levy of executions shall be applicable to actions in this
4 court, and executions on judgments rendered therein; pro-
5 vided, that property may be attached, equal in value to the
6 ad damnum, and in addition thereto, sufficient to satisfy costs
7 of suit. Actions may be referred, and judgment on the
8 referee's report may be rendered in the same manner and with
9 the same effect as in the superior court.

Sect. 4. In any action in which the plaintiff recovers not
2 over twenty dollars debt or damage, the costs to be taxed,
3 shall be the same as before a trial justice, except that the plain-
4 tiff shall recover two dollars for his writ. Where the de-
5 fendant prevails in any action in which the sum claimed in
6 the writ is not over twenty dollars, he shall recover two dol-
7 lars for his pleadings, and other costs as before trial justices.
8 In actions where the amount recovered by plaintiff, exclu-
9 sive of costs, exceeds twenty dollars, or the amount claimed

10 exceeds twenty dollars, where the defendant prevails, the
11 costs shall be the same as in the superior court, except the
12 costs to be taxed for attendance which shall be two dollars and
13 fifty cents for each term.

Sect. 5. This act shall have no effect to abate or prejudice
2 any action, suit, matter or thing now pending in or return-
3 able to said police court, but said municipal court shall have
4 jurisdiction thereof, and full power and authority to issue and
5 renew executions and other processes, and to carry into
6 effect the judgments and decrees heretofore rendered by
7 said police court, and to certify and authenticate the records
8 thereof, as effectually as if this act had not passed.

Sect. 6. All acts and parts of acts inconsistent with this
2 act are hereby repealed. This act shall take effect when
3 approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,
Augusta, March 9, 1899.

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

W. S. COTTON, *Clerk.*