

# MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

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HOUSE

NO. 118

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*House of Representatives, Feb. 3, 1913.*

*Tabled pending reference to a committee, by Mr. Harman of Stonington, and ordered printed.*

*W. R. ROIX, Clerk.*

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND THIRTEEN.

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AN ACT relative to the Venue of Actions by or against  
Inhabitants of Stonington, Deer Isle, Isle au Haut, Swan's  
Island, Long Island and all islands belonging thereto.

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

Section 1. The venue of any action at law or in equity  
2 in the supreme judicial court and of all libels for divorce,  
3 or for annulment of marriage, in which any person resid-  
4 ing in the towns of Stonington, Deer Isle, Isle au Haut,  
5 Swan's Island, Long Island and all islands belonging there-  
6 to, or any corporation having its established place of busi-  
7 ness in either of said towns is a party shall be the same as

8 though said person resided, or said corporation had a usual  
9 place of business in the city of Rockland in the county of  
10 Knox.

Sect. 2. Civil actions removed from trial justice courts  
2 held in said towns of Stonington, Deer Isle, Isle au Haut,  
3 Swan's Island, Long Island and all islands belonging  
4 thereto, or from the terms of the Western Hancock Municipal  
5 Court held in said Stonington, either by appeal or  
6 otherwise shall be entered at the term of supreme judicial  
7 court in the county of Knox then next ensuing, and shall  
8 there be heard and tried.

Sect. 3. If in any criminal case pending in the supreme  
2 judicial court in Hancock county, it appears by inspection  
3 that an offense is charged to have been committed in either  
4 of the towns of Stonington, Deer Isle, Isle au Haut, Swan's  
5 Island, Long Island and all islands belonging thereto, the  
6 court shall on motion of any respondent, made at the first  
7 term, transfer said case to the docket of the county of  
8 Knox where it shall be heard and tried. It shall be the  
9 duty of the attorney for the State for the county of Han-  
10 cock to appear in said cause, and he shall receive therefor  
11 his actual expenses incurred therein to be paid by the county  
12 of Hancock.

Sect. 4. When any cause either civil or criminal which  
2 except for the provisions of this act would not be cogniz-  
3 able by the courts of Knox county is entered in the supreme  
4 judicial court in the county of Knox, the justice presiding

5 at the term in which final disposition is made thereof shall  
6 determine the expense occasioned to said county of Knox  
7 solely by said trial. The amount determined shall be en-  
8 tered upon the docket in said cause, and shall be certified  
9 by the clerk of courts to the treasurer of said county of  
10 Hancock, who shall within thirty days pay the amount  
11 thereof to the treasurer of said county of Knox. In case  
12 said sum is not paid it may be recovered by an action on  
13 the case.

Sect. 5. Persons residing in Stonington, Deer Isle, Isle  
2 au Haut, Swan's Island, Long Island and all islands belong-  
3 ing thereto, shall not be cited for disclosure under the  
4 provisions of chapter 114 or amendments thereof of the  
5 Revised Statutes to any other place in the county of Han-  
6 cock. All such persons may be cited before a disclosure  
7 commissioner in the city of Rockland. Persons arrested  
8 upon execution or *capias* within said towns of Stonington,  
9 Deer Isle, Isle au Haut, Swan's Island, Long Island and  
10 all islands belonging thereto shall not be committed to the  
11 jail at Ellsworth but may be committed to the jail in Rock-  
12 land. When any person is convicted in the supreme judi-  
13 cial court for the county of Knox of an offense committed  
14 in the towns of Stonington, Deer Isle, Isle au Haut, Swan's  
15 Island, Long Island and all islands belonging thereto, pun-  
16 ishable by imprisonment in jail, the presiding justice may  
17 impose said sentence in either the jails at Rockland or  
18 Ellsworth, and the keeper of such jail shall receive and

19 detain said prisoner.

Sec. 6. Any officer qualified to serve precepts in either  
2 county may serve any precept required by this act whether  
3 such service is performed in whole or in part in one or more  
4 counties, and processes shall be issued and directed accord-  
5 ingly.

Sect. 7. The county of Hancock shall pay the county of  
2 Knox for the subsistence and detention of all prisoners sen-  
3 tenced to the jail in Rockland under the provisions of this  
4 act, to be determined in the manner provided by section 8  
5 of chapter 103 of the Revised Statutes.

Sect. 8. Any writ, libel, appeal or other action, bill in  
2 equity, entered in the supreme judicial court for the county  
3 of Knox under the provisions of this act shall, if all parties  
4 so agree by a stipulation entered on the docket at the re-  
5 turn term, be removed to the supreme judicial court of the  
6 county of Hancock, and in such case the clerk of courts  
7 in said county of Knox without special order of court, shall  
8 forward all papers filed with him to the clerk of courts of  
9 said county of Hancock. All actions at law and libels so  
10 forwarded shall be entered at the term thereof then or next  
11 in session, and all bills in equity shall be entered forthwith.  
12 The taxation of costs in causes so removed shall be the  
13 same as in other cases in which the venue is changed.

Sect. 9. Whenever any person interested so requests and  
2 shows cause therefor the terms of the Western Hancock  
3 municipal court now held at Deer Isle shall be adjourned

4 for the trial of any case to which any inhabitant of Ston-  
5 ington, Deer Isle, Isle au Haut, Swan's Island, Long Island  
6 and all islands belonging thereto, is a party to such place in  
7 the town of Stonington as the judge thereof may determine.

Sect. 10. If any action, libel or bill in equity which under  
2 the provisions of this act should have been made return-  
3 able or entered in said court in the county of Hancock, said  
4 action shall not abate therefor, but on request of the de-  
5 fendant at the return term be removed as matter of course  
6 to the supreme judicial court in said county of Knox, and  
7 costs for one term in each county shall be taxed against the  
8 plaintiff.

Sect. 11. This act shall take effect September 1, 1911.  
2 Jurisdiction over cases began or crimes committed prior to  
3 that date shall not be affected hereby.

Sect. 12. The judge of probate for Hancock county shall  
2 hold not less than four (4) terms each year in Stonington.  
3 The time for holding said courts shall be appointed by said  
4 judge, and made known by public notifications as provided  
5 in section 4 of chapter 65 of the Revised Statutes.