

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

HOUSE

NO. 411

House of Representatives, Mar. 4, 1913.

*Reported by Mr. Waterhouse from Committee on Judiciary,
and ordered printed under joint rules.*

W. R. ROIX, Clerk.

STATE OF MAINE

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

AN ACT to amend chapter six hundred and thirteen of the private and special laws of eighteen hundred and ninety-three, entitled "An Act to establish the Western Hancock Municipal Court."

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

Section 1. Chapter six hundred and thirteen of the private and special laws of eighteen hundred and ninety-three, as amended by chapter two hundred and seventy-eight of the private and special laws of nineteen hundred and eleven, is further amended by inserting between sections 2 and 4 of said act the following section:

‘Sect. 3. The governor, by and with the consent of the
8 council, shall appoint a recorder of said court, who shall
9 be an inhabitant of the county of Hancock, and shall hold
10 his said office for the term of four years. Said recorder
11 shall be sworn to the faithful discharge of his duties and
12 shall keep the records of said court when requested so to
13 do by said judge; and in case of absence of said judge from
14 the court room, or when the office of judge shall be vacant,
15 the said recorder shall have and exercise all the powers of
16 the judge, and perform all the duties required of said judge
17 by this act, and shall be empowered to sign and issue all
18 papers and processes in criminal cases, and to do all acts
19 relating to criminal proceedings as fully and with the same
20 effect as the judge could do if he were acting in the prem-
21 ises; and the signature of the recorder, as such, shall be
22 sufficient evidence of his right to act instead of the judge.
23 But nothing in this act shall be construed to give the re-
24 corder authority to act other than in criminal cases. Said
25 recorder shall receive as compensation for his services an
26 annual salary of one hundred dollars, to be paid quarterly
27 from the treasury of the county of Hancock together with
28 actual expenses incurred by him in the trial of criminal
29 cases in any town other than that in which said recorder
30 may reside. Said recorder shall receive for every warrant
31 issued by him one dollar which, together with all costs and
32 fines received by him, shall within sixty days after receipt

33 thereof be by him paid into the treasury of the county of
34 Hancock.'

Sect. 2. Said chapter six hundred and thirteen of the
2 private and special laws of eighteen hundred and ninety-
3 three, as amended by chapter two hundred and seventy-
4 eight of the private and special laws of nineteen hundred
5 and eleven, is further amended by inserting after the word
6 "judge" in the eleventh line of section two, the thirty-first
7 line of section eight, the second line of section ten, and in
8 the fifteenth line of section sixteen, the words 'or recorder.'

Sect. 3. Said chapter six hundred and thirteen of the
2 private and special laws of eighteen hundred and ninety-
3 three, as amended by chapter two hundred and seventy-
4 eight of the private and special laws of nineteen hundred
5 and eleven, is further amended by inserting between sec-
6 tions 20 and 22 of said act the following section :

'Sect. 21. Trial justices are hereby restricted from exer-
8 cising any jurisdiction in the towns named in section four
9 of this act over any matter or thing, civil or criminal, ex-
10 cept such as are within the jurisdiction of justices of the
11 peace and quorum, and except as provided in sections four,
12 eight and ten of this act, provided, that whenever the office
13 of judge is vacant, any trial justice shall have and exercise
14 the same jurisdiction as though this municipal court had
15 never been established; as in such any civil or criminal
16 action made returnable before a trial justice, shall be en-
17 tered before and finally disposed of by such justice.'

Sect. 4. Chapter seventy-four of the private and special
2 laws of nineteen hundred and five is hereby repealed.

Sect. 5. Section four of chapter two hundred and seventy-
2 eight of the private and special laws of nineteen hundred
3 and eleven is hereby repealed.