

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

SENATE

NO. 117

In Senate, Jan. 29, 1913.

Came from the House referred to the Committee on Judiciary, and on motion by Senator Hersey of Aroostook laid on the table for printing pending reference in concurrence.

W. E. LAWRY, Secretary.

STATE OF MAINE

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

AN ACT to amend Sections five and seventeen of Chapter twenty-three of the Special Laws of eighteen hundred and ninety-nine, as amended by Chapter four hundred and eighty-eight of the Special Laws of nineteen hundred and one, relating to the Municipal Court in the town of Newport.

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

Section 1. Section five of chapter twenty-three of the
2 Special Laws of eighteen hundred and ninety-nine, as amend-
3 ed by chapter four hundred and eighty-eight of the Special
4 Laws of nineteen hundred and one, is hereby further amend-
5 ed by striking out the word "Corinna" in the third and

6 eighth lines of said section, so that said section, as amended,
7 shall read as follows:

8 Sect. 5. Said judge shall have original and exclusive
9 jurisdiction of all offenses against the ordinances and laws
10 of the towns of Newport, Stetson and Plymouth, and in all
11 civil actions wherein the amount claimed in damages shall
12 not exceed twenty dollars, in which one of the parties inter-
13 ested, or the attorney of the plaintiff who made the writ,
14 or person or persons summoned as trustees in such action,
15 shall be inhabitants or be residents of Newport, Stetson and
16 Plymouth, and in all cases of forcible entry and detainer
17 arising in said towns, excepting all actions in which said
18 judge may be interested; providing, that any action, civil
19 or criminal, in which the judge is interested or related to
20 either of the parties by consanguinity or affinity within the
21 sixth degree, according to the rules of the civil law, or
22 within the degree of second cousins, inclusive, but which
23 would otherwise be within the exclusive jurisdiction of said
24 court, may be brought before and disposed of by any trial
25 justice within said county, in the same manner and with like
26 effect as other actions before said trial justices. Said court
27 shall have concurrent jurisdiction with the supreme judicial
28 court in all personal actions where the debt or damage de-
29 manded, exclusive of costs, is over twenty dollars and not
30 over one hundred dollars, and in all actions of replevin
31 under chapter ninety-six of the revised statutes, when the
32 sum demanded for the penalty, forfeiture or damages, or

33 the value of the goods or chattels replevied does not exceed
34 one hundred dollars; provided, any defendant or person or
35 corporation summoned as trustee is a resident of said coun-
36 ty of Penobscot, but this jurisdiction shall not include pro-
37 ceedings under the divorce laws or complaints under the
38 mill act, so called, nor jurisdiction over actions in which
39 the title to real estate according to the pleadings filed in the
40 case by either party is in question, except as provided in
41 chapter ninety-four, section six and seven of the revised
42 statutes.'

Sect. 2. Section seventeen of chapter twenty-three of the
2 special laws of eighteen hundred and ninety-nine, as amend-
3 ed by chapter four hundred and eighty-eight of the special
4 laws of nineteen hundred and one, is hereby further amend-
5 ed by striking out the word "Corinna" in the second line of
6 said section, so that said section, as amended, shall read as
7 follows:

Sect. 17. Trial justices are hereby restricted from exer-
9 cising any jurisdiction in the towns of Newport, Stetson
10 and Plymouth over any matter or thing, civil or criminal,
11 except such as are within the jurisdiction of justices of the
12 peace and of the quorum; provided, that said restrictions
13 shall be suspended until the judge of said court shall enter
14 upon the duties of his office.'