

# MAINE STATE LEGISLATURE

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SEVENTY-NINTH LEGISLATURE

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SENATE

NO. 87

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In Senate, Feb. 18, 1919.

Reported by Senator Parent from Committee on Legal Affairs and laid on table to be printed under joint rules.

P. F. CRANE, Secretary.

Presented by Senator Parent of Androscoggin.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND  
NINE HUNDRED AND NINETEEN

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AN ACT to amend chapter one hundred and twenty of the  
Private and Special Laws of eighteen hundred and ninety-  
nine establishing the Livermore Falls Municipal Court.

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

Section 1. Section 2 of chapter 120 of the Private and  
2 Special Laws of 1899 is hereby repealed and the following  
3 enacted in lieu thereof:

'Sect. 2. Said court shall have jurisdiction as follows:  
2 exclusive jurisdiction of all such criminal offenses and mis-  
3 demeanors committed within said towns of Livermore, East  
4 Livermore or Leeds as are cognizable by trial justices.  
5 Exclusive original jurisdiction of all civil actions wherein

6 the debt or damages demanded do not exceed twenty dol-  
7 lars, and both parties, or any plaintiff, and a person sum-  
8 moned as trustee, reside in either of the towns of Livermore,  
9 East Livermore or Leeds, including prosecutions for penal-  
10 ties in which either of said towns are interested, and actions  
11 of forcible entry and detainer arising therein; provided, that  
12 any civil action, in which the judge is interested, but which  
13 otherwise would be within the exclusive jurisdiction of said  
14 court, may be brought in and disposed of by the municipal  
15 court of the city of Auburn or the municipal court of the  
16 city of Lewiston in the same manner and with like effect  
17 as other actions therein. Original jurisdiction concurrent  
18 with the superior court for the county of Androscoggin, of  
19 the offenses committed in Livermore, East Livermore and  
20 Leeds described in sections one, six, seven, eight and ten  
21 of chapter 122 of the revised statutes, when the alleged  
22 value of the property does not exceed fifty dollars; of the  
23 offenses described in section twenty-six of chapter one  
24 hundred and twenty of the revised statutes; of the offenses  
25 described in sections one and five of chapter one hundred  
26 and twenty-eight of the revised statutes, when the alleged  
27 value of the property fraudulently obtained, mortgaged or  
28 sold, or fraudulently removed or concealed, does not ex-  
29 ceed fifty dollars, and on conviction, may punish for either  
30 of said offenses by fine not exceeding one hundred dollars or  
31 by imprisonment in the county jail not more than six  
32 months; and also of the offense described in section seven

33 of chapter one hundred and twenty-six of the revised  
34 statutes, and on conviction may punish therefor by fine not  
35 exceeding fifty dollars or by imprisonment in the county jail  
36 for not more than thirty days. Original jurisdiction con-  
37 current with said superior court and the municipal court for  
38 the city of Auburn and the municipal court for the city of  
39 Lewiston, of all civil actions in which the debt or damage  
40 demanded, exceeds twenty dollars, but does not exceed one  
41 hundred dollars and the defendant or a party summoned as  
42 trustee resides within the towns of Livermore, East Liver-  
43 more or Leeds; provided, however, that any action wherein  
44 the debt or damage exceeds twenty dollars, brought in said  
45 court, shall be removed by order of the judge into the su-  
46 perior court, on motion of the defendant, filed at the return  
47 term, if he files therewith, at the same time an affidavit that  
48 he believes he has a good defense to said action, in whole or  
49 in part, and deposits with the judge the fee of the clerk of the  
50 court above for entering said action therein; and when such  
51 removal has been ordered, the judge shall file in said su-  
52 perior court, at its next term in the county, an attested  
53 copy of the writ in such action, and of said motion and  
54 affidavit, and pay to the clerk of said court the fee for  
55 entering the same, for which services he shall be entitled  
56 to the same fees allowed for the necessary copies in actions  
57 carried up by appeal, to be paid to him by the defendant  
58 and recovered by him with his costs, if he prevail in the  
59 suit.

Sect. 2. Section 8 of said chapter 120 of the private  
2 and special laws of 1899 is hereby amended by striking out  
3 the words "supreme judicial" occurring therein and substi-  
4 tuting therefor the word 'superior' so that, when amended,  
5 the same shall read as follows:

'Sect. 8. Any party may appeal from any judgment or  
2 sentence of said court, to the superior court, in the same  
3 manner as from a judgment or sentence of a trial justice.'