

MAINE STATE LEGISLATURE

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EIGHTIETH LEGISLATURE

SENATE

NO. 193

In Senate, March 31, 1921.

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

L. ERNEST THORNTON, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND TWENTY-ONE

AN ACT to Amend Sections One and Seven of Chapter One
Hundred One of the Revised Statutes, Relating to the Re-
plevin of Distraigned Beasts.

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

Section 1. Section one of chapter one hundred and one
2 of the revised statutes is hereby amended by adding at
3 the end of said section the words, 'or, if the value of the
4 beasts distraigned are more than twenty dollars, in the su-
5 preme judicial court or superior court of said county'; so
6 that said section, as amended, shall read as follows:

'Section 1. Any person, whose beasts are distraigned to
2 obtain satisfaction for damages alleged to be done by them,
3 may maintain a writ of replevin therefor against the dis-

4 trainer, before any trial justice or judge of any municipal
5 or police court in the county, in the form prescribed by law;
6 or, if the value of the beasts distrained are more than twenty
7 dollars, in the supreme judicial court or superior court of
8 said county.'

Sect. 2. Section seven of said chapter one hundred one
2 is hereby amended by inserting after the word "case" in
3 the fourth line thereof the words, 'if originally brought be-
4 fore any trial justice or judge of any municipal or police
5 court'; so that said section, as amended, shall read as fol-
6 lows:

'Sect. 7. When it appears that the sum demanded as dam-
2 ages exceeds twenty dollars, or that the property in the
3 beasts is in question, and their value exceeds twenty dol-
4 lars, or that the title to real estate is in question, at the re-
5 quest of either party, the case, if originally brought before
6 any trial justice or judge of any municipal or police court,
7 shall be transferred to the supreme judicial or superior
8 court, to be there disposed of like actions brought before
9 a trial justice, in which the title to real estate is brought in
10 question; but the party requesting such transfer shall recog-
11 nize in such reasonable sum as the justice orders, to enter
12 the action at the next term of said court, prosecute it with
13 effect, and pay all intervening damages and costs.'