

MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

House Document

No. 270

H. P. 844 House of Representatives, February 6, 1929.

Referred to Committee on Judiciary and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Foster of Ellsworth.

STATE OF MAINE

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

AN ACT in Relation to the Ellsworth Municipal Court.

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

Section 1. Section three of chapter two hundred and
2 eighty-five of the private and special laws of nineteen hun-
3 dred and three is hereby amended by striking out in the
4 fourth line of said section the word "one" and substituting
5 in place thereof the word 'two,' so that said section, as
6 amended, shall read as follows:

'Sect. 3. Said court shall have original jurisdiction con-
2 current with the supreme judicial court as follows: first,
3 of all civil actions wherein the debt or damages demanded,
4 exclusive of costs, does not exceed two hundred dollars, in

5 which any person summoned as trustee resides within the
6 county of Hancock, or, if a corporation has an established
7 place of business in said county of Hancock; or in which
8 if such actions are not commenced by a trustee process, any
9 defendant resides in said county, or if no defendant re-
10 sides within the limits of this state, any defendant is served
11 with process in said county or the goods, estate, or effects
12 of any defendant are found within said county and attached
13 to the original writ; but no proceedings under the laws
14 relating to divorce shall be included within the jurisdiction
15 of said court; second, of the assaults and batteries described
16 in section twenty-eight of chapter one hundred and eighteen
17 of the revised statutes; of all larcenies described in sec-
18 tions one, six, seven, nine and eleven of chapter one hun-
19 dred and twenty of the revised statutes, when the value of
20 the property is not alleged to exceed thirty dollars; of the
21 offense described in section twenty-one of chapter one hun-
22 dred and twenty-two of the revised statutes; of all of-
23 fenses described in sections one and four of chapter one
24 hundred and twenty-three of the revised statutes; of all
25 offenses described in section six and in sections twenty-nine
26 to forty-five inclusive of chapter one hundred and twenty-
27 four of the revised statutes; of the offense described in
28 section five of chapter one hundred and twenty-five of the
29 revised statutes; of all offenses described in section one of
30 chapter one hundred and twenty-six of the revised stat-
31 utes, when the value of the property or thing alleged to

32 have been fraudulently obtained, sold, mortgaged or pledged,
33 is not alleged to exceed thirty dollars; and of all offenses
34 described in sections two, nine, sixteen, seventeen and
35 twenty-one of chapter one hundred and twenty-seven of
36 the revised statutes, when the value of the property de-
37 stroyed or injury done is not alleged to exceed thirty dol-
38 lars, and all amendments thereto; and may punish for eith-
39 er of said crimes or offenses by fine not exceeding fifty
40 dollars, and by imprisonment not exceeding three months,
41 provided, that when the offenses described in section twenty-
42 eight of chapter one hundred and eighteen, section twenty-
43 one of chapter one hundred and twenty-two, and sections
44 one and four of chapter one hundred and twenty-three, are
45 of a high and aggravated nature, the judge of said court
46 may cause persons charged of such offenses, to recognize
47 with sufficient sureties to appear before the supreme judi-
48 cial court, and in default thereof commit them; third of
49 all other crimes, offenses and misdemeanors committed in
50 said county which are by law punishable by fine not ex-
51 ceeding fifty dollars and by imprisonment not exceeding
52 three months, and are not within the exclusive jurisdiction
53 of some other municipal or police court.'

Sect. 2. Section five of said chapter two hundred and
2 eighty-five of the private and special laws of nineteen hun-
3 dred and three is hereby amended by adding to said section
4 the following words: 'and all actions of forcible entry and
5 detainer,' so that said section as amended shall read as fol-

6 lows:

'Sect. 5. Said court shall hold a term for the transaction
2 of civil business at Ellsworth on the first Tuesday of each
3 month beginning at ten o'clock in the forenoon and shall
4 remain in session for four days; but said term may be con-
5 tinued or adjourned for such time or to such day as may
6 be ordered by the judge; said court shall be considered con-
7 stantly in session for the transaction of criminal business,
8 and all actions of forcible entry and detainer.

In case of the absence of the judge from the court room
2 or of his inability to attend to the business of the court by
3 reason of relationship, interest or other disability, or in case
4 of his death, all the powers of the judge may be exercised
5 by the recorder, whose acts and proceedings shall be as
6 valid and effectual as if performed by the judge, and said
7 recorder shall continue to perform the duties of said judge
8 until his return or until such disability is removed or until
9 his successor is appointed and qualified.'