

# MAINE STATE LEGISLATURE

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NEW DRAFT

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**EIGHTY-FOURTH LEGISLATURE**

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**House Document**

**No. 644**

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H. P. 1626 House of Representatives, March 8, 1929.

Reported by Mr. McCart of Eastport from Committee on  
Judiciary and laid on table to be printed under joint rules.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Foster of Ellsworth.

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**STATE OF MAINE**

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

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AN ACT in Relation to the Ellsworth Municipal Court.

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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  
3 hundred and three is hereby amended by striking out in  
4 the fourth line of said section the word "one" and sub-  
5 stituting in place thereof the word 'two,' so that said sec-  
6 tion, as 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 estab-  
7 lished place of business in said county of Hancock; or  
8 in which if such actions are not commenced by a trustee  
9 process, any defendant resides in said county, or if no  
10 defendant resides within the limits of this state, any de-  
11 fendant is served with process in said county or the goods,  
12 estate, or effects of any defendant are found within said  
13 county and attached under the original writ; but no pro-  
14 ceedings under the laws relating to divorce shall be in-  
15 cluded within the jurisdiction of said court; second, of  
16 the assaults and batteries described in section twenty-six  
17 of chapter one hundred and twenty of the revised statutes  
18 of nineteen hundred and sixteen; of all larcenies described  
19 in sections one, six, eight, ten and twelve of chapter one  
20 hundred and twenty-two of the revised statutes of nine-  
21 teen hundred and sixteen, when the value of the property  
22 is not alleged to exceed thirty dollars; of the offense  
23 described in section twenty-two of chapter one hundred  
24 and twenty-four of the revised statutes of nineteen hun-  
25 dred and sixteen; of all offenses described in sections one  
26 and four of chapter one hundred and twenty-five of the  
27 revised statutes of nineteen hundred and sixteen; of all  
28 offenses described in section seven and in sections forty-  
29 four to sixty-four inclusive of chapter one hundred and  
30 twenty-six of the revised statutes of nineteen hundred and

31 sixteen; of the offense described in section five of chapter  
32 one hundred and twenty-seven of the revised statutes of  
33 nineteen hundred and sixteen; of all offenses described  
34 in section one of chapter one hundred and twenty-eight  
35 of the revised statutes of nineteen hundred and sixteen,  
36 when the value of the property or thing alleged to have  
37 been fraudulently obtained, sold, mortgaged or pledged,  
38 is not alleged to exceed thirty dollars; and of all offenses  
39 described in sections two, seventeen, twenty-four, twenty-  
40 five and thirty-three of chapter one hundred and twenty-  
41 nine of the revised statutes of nineteen hundred and six-  
42 teen, when the value of the property destroyed or injury  
43 done is not alleged to exceed thirty dollars, and all amend-  
44 ments thereto; and may punish for either of said crimes  
45 or offenses by fine not exceeding fifty dollars, and by im-  
46 prisonment not exceeding three months, provided, that  
47 when the offenses described in section twenty-six of chap-  
48 ter one hundred and twenty, section twenty-two of chap-  
49 ter one hundred and twenty-four and sections one and  
50 four of chapter one hundred and twenty-five, are of a high  
51 and aggravated nature, the judge of said court may cause  
52 persons charged of such offenses, to recognize with suf-  
53 ficient sureties to appear before the supreme judicial court,  
54 and in default thereof commit them; third of all other  
55 crimes, offenses and misdemeanors committed in said  
56 county which are by law punishable by fine not exceed-  
57 ing fifty dollars and by imprisonment not exceeding three

58 months, and are not within the exclusive jurisdiction of  
59 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 sec-  
4 tion the following words: 'and all actions of forcible entry  
5 and detainer,' so that said section as amended shall read  
6 as follows:

'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  
5 continued or adjourned for such time or to such day as  
6 may be ordered by the judge; said court shall be consid-  
7 ered constantly in session for the transaction of criminal  
8 business, 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 court by  
3 reason of relationship, interest or other disability, or in  
4 case of his death, all the powers of the judge may be exer-  
5 cised by the recorder, whose acts and proceedings shall  
6 be as valid and effectual as if performed by the judge, and  
7 said recorder shall continue to perform the duties of said  
8 judge until his return or until such disability is removed  
9 or until his successor is appointed and qualified.'