

# MAINE STATE LEGISLATURE

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NEW DRAFT

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**EIGHTY-FOURTH LEGISLATURE**

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**House Document**

**No. 730**

H. P. 1676      House of Representatives, March 22, 1929.

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

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. McCart of Eastport.

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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 hun-  
3 dred and three is hereby amended by striking out all of  
4 said section and substituting in place thereof the following  
5 section:

'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,

5 in which any person summoned as trustee resides within  
6 the county of Hancock, or, if a corporation, has an estab-  
7 lished place of business in said county of Hancock; or in  
8 which if such actions are not commenced by a trustee  
9 process, any defendant resides in said county, or if no de-  
10 fendant resides within the limits of this state, any defend-  
11 ant 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 on the original writ; but no proceed-  
14 ings under the laws relating to divorce shall be included  
15 within the jurisdiction of said court; second, of all the  
16 assaults and batteries described in section twenty-six of  
17 chapter one hundred and twenty of the revised statutes;  
18 of all larcenies described in sections one, six, eight, ten  
19 and twelve of chapter one hundred and twenty-two of the  
20 revised statutes when the value of the property is not al-  
21 leged to exceed thirty dollars; of the offense described in  
22 section twenty-two of chapter one hundred and twenty-four  
23 of the revised statutes; of all offenses described in sections  
24 one and four of chapter one hundred and twenty-five of  
25 the revised statutes; of all offenses described in section  
26 seven and in sections forty-four to sixty-four inclusive of  
27 chapter one hundred and twenty-six of the revised statutes;  
28 of the offense described in section five of chapter one hun-  
29 dred and twenty-seven of the revised statutes; of all of-  
30 fenses described in section one of chapter one hundred and  
31 twenty-eight of the revised statutes, when the value of the

32 property or thing alleged to have been fraudulently obtained,  
33 sold, mortgaged or pledged, is not alleged to exceed thirty  
34 dollars; and of all offenses described in sections two, seven-  
35 teen, twenty-four, twenty-five and thirty-three of chapter  
36 one hundred and twenty-nine of the revised statutes, when  
37 the value of the property destroyed or injury done is not  
38 alleged to exceed thirty dollars, and all amendments there-  
39 to; and may punish for either of said crimes or offenses  
40 by fine not exceeding fifty dollars, and by imprisonment  
41 not exceeding three months, provided, that when the of-  
42 fenses described in section twenty-six of chapter one hun-  
43 dred and twenty, section twenty-two of chapter one hun-  
44 dred and twenty-four and sections one and four of chapter  
45 one hundred and twenty-five, are of a high and aggravated  
46 nature, the judge of said court may cause persons charged  
47 of such offenses, to recognize with sufficient sureties to  
48 appear before the supreme judicial court, and in default  
49 thereof commit them; third, of all other crimes, offenses  
50 and misdemeanors committed in said county which are by  
51 law punishable by fine not exceeding fifty dollars and by  
52 imprisonment not exceeding three months, and are not with-  
53 in the exclusive jurisdiction of some other municipal or  
54 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 the first  
4 paragraph of said section the following words: 'and all

5 actions of forcible entry and detainer,' so that said section  
6 as amended shall read 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  
9 case of the absence of the judge from the court room or  
10 of his inability to attend to the business of the court by  
11 reason of relationship, interest or other disability, or in  
12 case of his death, all the powers of the judge may be exer-  
13 cised by the recorder, whose acts and proceedings shall be  
14 as valid and effectual as if performed by the judge, and  
15 said recorder shall continue to perform the duties of said  
16 judge until his return, or until such disability is removed,  
17 or until his successor is appointed and qualified.'