

MAINE STATE LEGISLATURE

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E I G H T Y - N I N T H L E G I S L A T U R E

Legislative Document

No. 384

H. P. 1156

House of Representatives, February 7, 1939.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Miller of Bath.

S T A T E O F M A I N E

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-NINE

AN ACT Relating to the Bath Municipal Court.

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

Sec. 1. P. & S. L., 1937, c. 64, § 2, amended. Section 2 of chapter 64 of the private and special laws of 1937 is hereby amended to read as follows:

'Sec. 2. Qualifications of judge and recorder; salary. Said judge and recorder shall be members of the bar of Sagadahoc county, and shall reside during their continuance in office in said county. The judge of said court shall receive from the county of Sagadahoc an annual salary of \$1450 to be paid to him in quarterly payments. Said recorder shall receive from the county of Sagadahoc an annual salary of ~~\$500~~ \$600 to be paid to him in quarterly payments. Both salaries shall be in full for all fees and emoluments of their respective offices. **In the case of the continued absence or the vacancy of either office of the judge or recorder for a period of more than 2 weeks, the presiding official shall receive the salary of the absent or vacant officer until such time as such officer returns or the vacancy is filled.'**

Sec. 2. P. & S. L., 1937, c. 64, § 10, amended. Section 10 of chapter 64 of the private and special laws of 1937 is hereby amended to read as follows:

'Sec. 10. Fees. The price of blank writs and summonses with the seal of the court, signed by the recorder shall be 4 cents each, and all other fees in civil cases shall be the same as are taxable by a trial justice, except as otherwise herein provided. All writs and processes in civil matters shall be in the name of the state, bear the teste of said judge, under the seal of said court and signed by the recorder **or by the judge**, be served in time and manner as in case of writs issued by trial justices, and made returnable as herein provided and as now provided by law.'

Sec. 3. P. & S. L., 1937, c. 64, § 12, amended. Section 12 of chapter 64 of the private and special laws of 1937 is hereby amended to read as follows:

'Sec. 12. Court room. Said court shall be held at such place as the city of Bath shall provide in said city, and it shall be the city's duty to raise money and provide a proper place for said court and its officers and suitably furnish, heat and light the same. All other **office** expenses of said court shall be paid quarterly by the treasurer of the county of Sagadahoc.'

Sec. 4. P. & S. L., 1937, c. 64, § 17, amended. Section 17 of chapter 64 of the private and special laws of 1937 is hereby amended to read as follows:

'Sec. 17. Duties of recorder. Said recorder shall keep the records of said court, may administer oaths, and shall have such powers and perform such duties as are possessed and performed by the recorders under the general law; and shall have the power to hear complaints in all criminal matters, accusations in bastardy, draw all complaints and sign all warrants, and make and sign all processes of commitment, but the same shall be heard and determined as now provided by law; but such complaints, accusations, warrants or processes of commitment drawn and signed by the judge of said court shall be equally valid. Whenever said judge shall be unable for any reason to hold court or the office shall be vacant, said recorder shall have and exercise the same powers and perform the same duties as said judge is authorized to perform in the transaction of criminal **and civil** business. All processes issued by said recorder in criminal matters shall bear the seal of said court and be signed by said recorder and have the same authority as if issued and signed by said judge.'

Sec. 5. P. & S. L., 1937, c. 64, § 19, amended. Section 19 of chapter 64 of the private and special laws of 1937 is hereby amended to read as follows:

'Sec. 19. All fines and fees to be paid to county. All fines and for-

feitures and fees of the judge and recorder of said court imposed and collected by said court in all criminal cases and all fees collected by said judge and recorder in civil cases shall be accounted for and paid over ~~quarterly~~ **monthly in the manner now provided by law with a record of all cases for the prior month.'**