

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

FIFTH LEGISLATURE

AT ITS SESSION, HELD IN JANUARY, 1825.

PUBLISHED AGREEABLY TO THE RESOLVE OF THE 28TH OF JUNE, 1820.

Portland :

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1825.

CHAPTER CCXCIV.

AN ACT to establish a Municipal Court in the town of Portland.

SECT. 1. *BE it enacted by the Senate and House of Representatives in Legislature assembled,* That there be, and hereby is established a Court, to be denominated the Municipal Court for the town of Portland, in the county of Cumberland, to consist of one Judge, who shall take cognizance of, and exercise jurisdiction over, all such matters and things, within said county, as Justices of the Peace, may by law, take cognizance of, and exercise jurisdiction over, and under like restrictions and limitations, and in like manner, as they may exercise the same : And that said Judge shall keep fair records of his proceedings, and deliver fair copies thereof, when thereto required ; which being duly certified, shall be evidence of such records in any other Court.

One Judge.

Of what matters he shall take cognizance ; his duties, &c.

Justices of the Peace in Portland, not to exercise jurisdiction where said Judge is not a party.

SECT. 2. *Be it further enacted,* That if any Justice of the Peace, within the town of Portland, aforesaid, shall, in any manner, take cognizance of, or exercise jurisdiction over, any crime or offence, or in any civil action wherein the said Judge is not a party or interested, and shall accept or receive any fee or reward therefor, he shall forfeit and pay to the use of said county, for each and every such offence, the sum of twenty dollars, to be recovered by indictment or information, in any Court proper to try the same.

SECT. 3. *Be it further enacted,* That said Court shall take cognizance of simple larcenies, wherein the property alleged to have been stolen, shall not exceed in value the sum of twenty dollars ; and shall have power to try the same, and to award such sentence, on conviction, as is by law provided for such offences, and of all offences against the by-laws of said town : and that any person aggrieved, at any sentence awarded by said Judge, may appeal therefrom, to the Court of Common Pleas, in like manner, as if the same had been awarded by any Justice of the Peace.

Court may take cognizance of simple larcenies and offences against the by-laws of said town.

SECT. 4. *Be it further enacted,* That the said Judge shall be appointed by the Governor, by and

Judge how appointed.

with the advice of the Council, and shall receive in full compensation for his services, eight hundred and fifty dollars per annum, to be paid quarter yearly, at the treasury of the county of Cumberland. And in all processes, whether of a civil or criminal nature, which may be brought before him, and for all copies of his records or papers, remaining in any case, on his files, it shall be the duty of said Judge, to tax, claim, and receive, all such fees, as would accrue to any Justice of the Peace, for similar services; and to account therefor, quarter yearly, on oath, to the treasurer of said county, towards his said salary; and the balance, if any there be, over and above the salary of the said Judge, for any such quarter, shall be paid into the treasury of said county. And the said Judge shall not, in any case, act as counsellor or attorney in any Court.

Compensation for services.

Judge to receive and to account for fees.

Not to act as counsellor or attorney.

SECT. 5. *Be it further enacted*, That all fines and penalties, which may be awarded by said Judge, shall be accounted for, and paid over, as if the same had been awarded by the sentence of any Justice of the Peace.

Fines and penalties to be accounted for.

SECT. 6. *Be it further enacted*, That this act shall be in force, and take effect, from and after the first day of June next.

When in force

[*This Act passed February 22, 1825.*]

CHAPTER CCXCV.

AN ACT additional to "An Act to secure to owners their property in logs, masts, spars, and other timber, in certain cases," and to "An Act in addition to an Act to secure to owners their property in logs, masts, spars, and other timber, in certain cases."

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled*, That, from and after the passing of this Act, if any person or persons, shall take and carry away, or convert to his or their own use, any logs, masts, spars, or other timber, the same being in or upon the Androscoggin or Saco rivers, or any of their tributary

Persons taking and carrying away logs, &c. shall not defend on the ground that they were prize logs.