

# MAINE STATE LEGISLATURE

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# **PUBLIC ACTS**

OF THE

## **STATE OF MAINE,**

PASSED BY THE

### **SIXTH LEGISLATURE,**

AT ITS SESSION, HELD IN JANUARY, 1826.



PUBLISHED AGREEABLY TO THE RESOLVE OF THE 28th OF JUNE, 1826.



**Portland.**

PRINTED BY THOMAS TODD.....PRINTER TO THE STATE.

1826.

for the benefit of said tribe, as said Agent or Agents may think for their interest: *Provided*, That such leases and sales, together with the terms and conditions of the same, be assented to by the Governor or Lieutenant Governor of the tribe, and approved by the Governor of this State; any thing in the Act to which this is additional, to the contrary notwithstanding; the said Agent or Agents to be sworn (or affirmed) and give bonds with surety for the faithful performance of the trust hereby reposed in them, as required by the Act to which this is additional, and to keep a true record of their proceedings and accounts; to render and adjust the same as required by said Act.

—to give bond, &c

—to pay into the Treasury the avails of the leases and sales subject to the order of the Governor and Council.

SECT. 2. *Be it further enacted*, That it shall be the duty of the Agent or Agents of the Penobscot tribe of Indians, to place in the Treasury of the State, the avails of the leases and sales, as provided for in this Act, subject to the order of the Governor and Council, whenever, in their opinion, the situation of said tribe requires its appropriation for their benefit; and all leases and sales on credit shall be at the risk of said Agents, and accounted for in money.

[*Approved by the Governor, Feb. 23, 1826.*]

## CHAPTER CCCXXIV.

AN ACT extending the jurisdiction of the Municipal Court, and of Justices of the Peace.

Municipal Court to have concurrent jurisdiction with the justices of the quorum in cases of forcible entry, &c.

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled*, That the Municipal Court, for the town of Portland, in the county of Cumberland, shall have concurrent jurisdiction with Justices of the Peace and Quorum, in all cases of forcible entry and detainer, arising in said county; and exclusive original jurisdiction in all such cases, arising in said town of Portland; and in all cases, in which said Court has now jurisdiction, and in

which both parties interested, or in which the party interested as plaintiff, and the persons summoned as trustees, shall be inhabitants of, or residents in, said town of Portland, it shall have exclusive original jurisdiction.

and exclusive in certain cases of trustees residing in Portland.

SECT. 2. *Be it further enacted*, That said Court shall have jurisdiction, notwithstanding the penalty demanded in any action, or prosecution before the same, accrues to said town of Portland: and any Justice of the Peace within this State, shall also have jurisdiction, notwithstanding the penalty demanded in any action, or prosecution, before such Justice, accrues to the town in which said Justice is an inhabitant, or liable to taxation. And in all prosecutions, on the by-laws of towns, a complaint, containing such allegations and conclusion, as would be legal and sufficient in a complaint, on a public statute, without a recitation of such statute, shall be sufficient, without the recitation of the by-law. And the same proceedings may be had against persons "keeping houses of ill fame, resorted to for the purposes of prostitution or lewdness," on a complaint made by any other person, as on a complaint made by the overseers of the poor of any town.

Jurisdiction of Municipal Court and Justices not to be affected by their town residence.

By-laws not required to be recited in complaints.

SECT. 3. *Be it further enacted*, That the several Justices of the Peace in said town of Portland, shall have and exercise, all the power, authority and jurisdiction vested in them by the laws of the United States, any thing in this Act, or the "Act to establish a Municipal Court in the town of Portland," to the contrary notwithstanding.

Justices of the Peace in Portland to have the same power as heretofore, under U. S. laws.

[*Approved by the Governor, Feb. 24, 1826.*]

## CHAPTER CCCXXV.

AN ACT additional to "An Act respecting pounds, and impounding beasts going at large, or damage feasant."

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled*, That it shall be the duty of the Selectmen