

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

FOURTEENTH LEGISLATURE,

At its Session, held in January, 1834.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 23, 1820.

AUGUSTA :

I. BERRY & CO., PRINTERS TO THE STATE.

1834.

Chapter 134.

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

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 Bath, in the County of Lincoln, to consist of one Judge who shall take cognizance of and exercise jurisdiction over all such matters and things as Justices of the Peace for said county 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 of the action of forcible entry and detainer in like manner, with Justices of the Peace and Quorum. And said Judge shall keep records of his proceedings, and deliver copies thereof, when thereto legally required, which being duly certified, shall be evidence of such records and proceedings in all other Courts.

Municipal court established in town of Bath.

Jurisdiction.

Judge to deliver copies.

No justice of the peace to exercise civil or criminal jurisdiction.

Penalty and how recovered.

Town of Bath to furnish room and pay expenses of said court.

Criminal jurisdiction.

SECT. 2. *Be it further enacted,* That no Justice of the Peace within said town of Bath shall exercise any civil or criminal jurisdiction except under authority of the United States, in any civil or criminal process, wherein said Judge is not a party or interested, and accept or receive any fee therefor, under penalty of twenty dollars for every offence, to the use of said county, to be recovered by indictment in any court proper to try the same.

SECT. 3. *Be it further enacted,* That said Court shall be held at such time and place in said Bath, as said Judge shall direct; and said town of Bath shall have power to raise money for the purpose of furnishing a room and paying such expenses of said Court as they may see fit.

SECT. 4. *Be it further enacted,* That said Court shall also have cognizance of simple larcenies, when the property alleged to be stolen, shall not exceed

twenty dollars in value, and shall have power to try the same and to sentence and convict therefor, as in cases of such larcenies of property under five dollars; and it shall also be lawful for said Judge, at his discretion to commit to the house of correction or jail of said county, on such terms as may be agreed upon by said town of Bath, or the Overseers of their house of correction, and the County Commissioners for said County.

SECT. 5. *Be it further enacted*, That any person aggrieved by any sentence awarded by said Judge, may appeal therefrom in the same manner as if said sentence were awarded by a Justice of the Peace and under the same recognizance.

Persons ag-
grieved may
appeal.

SECT. 6. *Be it further enacted*, That said Judge shall have power at his own expense, to appoint a recorder of said Court during his pleasure, who may make the records thereof, and in case of the sickness or necessary absence of said Judge, shall have all the powers of said Judge, except the trial of issues in civil actions; and in case of the death of said Judge, such recorder shall have all the powers, be liable to all the duties, and entitled to the salary of said Judge, until a Judge shall be commissioned and qualified, and a copy of the appointment or removal of any such recorder shall be entered on the records of said Court, before the same shall have any validity.

Judge author-
ized to appoint a
Recorder;

—his powers
and duties.

SECT. 7. *Be it further enacted*, That said Judge shall be appointed by the Governor by and with the advice of Council, and shall receive for his services the sum of two hundred and fifty dollars per annum to be paid quarterly at the treasury of said County. And said Judge shall demand and receive for all processes before him the same fees as are taxable by Justices of the Peace, and account therefor on oath, quarterly to the treasurer of said County towards his salary and the balance if any over said salary for any quarter he shall pay into said

Judge, how
appointed.

Salary.

To account for
all fees, fines
and penalties.

treasury. And all fines and penalties 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. And said Judge shall not act as counsellor or attorney in any case liable to come before said Court.

Not to act as counsellor.

SECT. 8. *Be it further enacted*, That this Act shall not be in force and take effect except for the purpose of appointing said Judge, which may be made forthwith, until the first day of June.

Act to take effect in June.

[Approved by the Governor, March 12, 1834.]

Chapter 135.

AN ACT defining the time from which Public Statutes shall take effect.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled*, That all Public Statutes shall take effect, and have force, in thirty days, from the recess of the Legislature, passing the same, unless the provisions of any law shall otherwise order.

Public statutes to take effect 30 days after recess of Legislature, unless, &c.

SECT. 2. *Be it further enacted*, That the act entitled "An Act defining the time from which Public Statutes shall take effect," passed this session of the Legislature, be and the same is hereby repealed.

Former act repealed.

[Approved by the Governor, March 12, 1834.]

Chapter 136.

AN ACT additional regulating the selection, empanneling and service of Jurors.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled*, That the Selectmen, Treasurer and Clerk of the several towns in this State shall constitute a

Selectmen, Treasurer, and