

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

FIFTEENTH LEGISLATURE,

AT ITS SESSION, HELD IN JANUARY, 1835.

Published agreeably to the Resolve of June 28, 1820.

AUGUSTA:

WILLIAM J. CONDON.....PRINTER TO THE STATE.

1835.

or persons contracted with as aforesaid or his or their legal representative, as it shall appear the said obligor, covenantor or contractor would by his bond, covenant or contract be obliged to execute in case he, she or they were of sound mind, at the time of the performance of the stipulation of the bond, covenant or contract by the contractees, upon such terms and conditions as the Court may order; which conveyance or conveyances when the instruments thereof are duly acknowledged and recorded in the Registry of Deeds for the county where such estate is situate, shall be good and valid; and the monies or consideration received by the guardian in such cases if any be paid, shall be by him accounted for in the same manner as he is by law now required to account for any property of his ward.

Conveyance to be acknowledged and recorded—

monies to be accounted for by guardian.

[Approved by the Governor, February 3, 1835.]

Chapter 146.

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

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 Hallowell in the county of Kennebec to consist of one Judge who shall have concurrent jurisdiction with Justices of the Peace in all matters civil and criminal within the said county of Kennebec, and exclusive and original jurisdiction within said town of Hallowell 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.

Municipal Court established in town of Hallowell.

To consist of one Judge.

His powers and jurisdiction.

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.

To deliver copies of his records when required.

SECT. 2. *Be it further enacted,* That said Court shall be held on Saturday of each week at nine of the clock in the forenoon for the transaction of civil business, and all civil process shall be made returnable at that time; and said town of Hallowell shall have power to raise or appropriate money for the purpose of furnishing a room and paying such expenses of said Court as they may see fit.

Court to be holden on Saturday for civil business.

Town may appropriate money for furnishing rooms, &c.

SECT. 3. *Be it further enacted,* That said Court shall also take 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 the said Judge shall also have exclusive jurisdiction of all offences against the by-laws of said town; and it shall also be lawful for said Judge, at his discretion to commit to the jail of said County or to the House of Correction of said town on such terms as may be agreed upon by said town of Hallowell, or the Selectmen of said town and the County Commissioners for said County.

Criminal jurisdiction—

Power to commit to house of correction.

SECT. 4. *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.

Right of appeal

SECT. 5. *Be it further enacted,* That said Judge shall have power at his own expense to appoint a Recorder of said Court 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

Judge may appoint Recorder.

His powers and duties.

Recorder shall have all the powers, and be liable to all the duties of said Judge, until another Judge shall be appointed and qualified.

Judge to be appointed by Governor & Council — may demand same fees as Justices of the Peace and pay over fines and penalties — not to act as Counsellor or Attorney.

SECT. 6. *Be it further enacted*, That said Judge shall be appointed by the Governor by and with the advice of Council. And said Judge may demand and receive for all processes before him the same fees as are taxable by Justices of the Peace in compensation for his services. 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.

When to take effect.

SECT. 7. *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 sixteenth day of March next.

[Approved by the Governor, February 5, 1835.]

Chapter 147.

AN ACT abating certain State Taxes.

Treasurer authorized to abate certain State taxes.

Be it enacted by the Senate and House of Representatives, in Legislature assembled, That the uncollected State Taxes, assessed prior to the year 1831, amounting to the sum of thirty five dollars and forty three cents; viz. of the year 1820, one dollar and sixty cents; of the year 1821, two dollars and forty six cents; of the year 1822, nineteen dollars and thirty eight cents; of the year 1824, eighty cents; of the year 1825, two dollars and four cents; of the year 1830, nine dollars and fifteen cents, be and the same are hereby abated; and the Treasurer of State is hereby authorized to cancel the same on the books of his Department.

[Approved by the Governor, February 6, 1835.]