

# MAINE STATE LEGISLATURE

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# PUBLIC ACTS

OF THE

## STATE OF MAINE,

PASSED BY THE

### SEVENTEENTH LEGISLATURE,

JANUARY SESSION, 1837.

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PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 23, 1820.

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AUGUSTA:  
SMITH & ROBINSON, PRINTERS TO THE STATE.

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1837.

Monday of September, in the year of our Lord one thousand eight hundred and thirty seven, the following article, to wit: shall the town accept the Act entitled an Act to establish a Municipal Court in the town of Augusta? And at said meeting said Selectmen shall open a Poll, and shall receive the votes of the legal voters of said Augusta upon said question. And said voters shall vote by ballot. Those in favor of said Act shall deposit a ballot with the word "yea" thereupon. And those opposed to said Act shall deposit a ballot with the word "nay" thereupon. And said votes shall be counted and declared in open town meeting, and duplicate records thereof made, one of which shall be forwarded to the office of the Secretary of State, in the same manner as the votes for Governor are returned, and the other preserved with the records of the town.

Votes how to be taken, declared and certified.

SECT. 3. *Be it further enacted*, That if a majority of the votes cast as aforesaid be in favor of accepting said Act entitled "An Act to establish a Municipal Court in the town of Augusta" said Act so entitled shall take effect in ninety days from and after said annual town meeting and not otherwise.

—If majority of votes are in favor of acceptance, the Act to take effect in ninety days.

SECT. 4. *Be it further enacted*, That all Acts and parts of Acts inconsistent with the provisions of this Act be and the same are hereby repealed.

[Approved by the Governor March 15, 1837.]

### Chapter 268.

AN ACT providing for the repeal of an Act entitled "An Act to establish a Municipal Court in the town of Hallowell."

SECTION 1. *Be it enacted by the Senate and House of Representatives in Legislature assembled*, That it shall be and hereby is made the duty

Respecting a repeal of the law establishing the Municipal Court in Hallowell.

Duties of Selectmen of Hallowell.

Votes how to be given.

—to be certified by town Clerk to the Secretary of State and to Judge of said Court within five days after given.

—if a majority of votes are against the Court the Act creating it to be void after said five days.

Act to continue in force two years as to unfinished business.

of the Selectmen of the town of Hallowell to insert in the warrant calling the annual September meeting in said town for the current year an article requiring the inhabitants of said town legally qualified to vote at said meeting to give in their votes on the following question, to wit; shall the Act entitled an Act to establish a Municipal Court in the town of Hallowell be repealed? And it shall be the duty of the officers presiding at said meeting to call on the voters qualified as aforesaid, to give in their votes on said question. All those voting in the affirmative to give in their ballots with the words *against the Court* written or printed thereon—and all those voting in the negative to give in their ballots with the words *for the Court* written or printed thereon. And said presiding officers shall receive, sort and count said votes and declare the same in open town meeting—and the Town Clerk shall make a true copy of the votes so given in and declared and within five days thereafter shall transmit an attested copy of such record to the office of the Secretary of State and also a copy to the office of the Judge of said Court.

SECT. 2. *Be it further enacted*, That if a majority of the votes so given in and declared shall be against the Court, then and in such case and on the expiration of said five days the Act aforesaid shall be repealed—*Provided however* said Act shall continue in full force for the term of two years thereafter as to all actions and suits which shall then be commenced or pending; and all processes of a criminal nature which shall then be instituted or issued—*And provided further* that the Judge of said Court shall during said term of two years have power to issue and renew executions on all judgments which may have been rendered in said Court.

SECT. 3. *Be it further enacted*, That it shall be and hereby is made the duty of the Judge of

said Court on the expiration of the term of two years aforesaid to deliver to the Clerk of the Judicial Courts for the County of Kennebec all books and papers then in the office of said Judge. And it shall thereafter be the duty of said Clerk to make all copies which may be required of such papers and certify the same. And copies so made and certified by the Clerk aforesaid, shall be received as evidence in all cases where such copies made and certified by the Judge of said Court may now be received as evidence.

Judge of said Court at the end of two years to deliver over his records and papers to Clerk of the Courts for the County of Kennebec.

—said Clerk to make out and certify copies, which shall be received as evidence.

SECT. 4. *Be it further enacted*, That if any officer or officers of said town shall neglect to perform the duties devolved on him or them by the provisions of this Act, he or they so offending shall be liable to the penalties mentioned in the second section of an Act entitled an additional Act regulating elections passed March fourth one thousand eight hundred and thirty-three.

Penalty upon town officers for not performing their duties under this Act.

SECT. 5. *Be it further enacted*, That, this Act shall take effect from and after the passage of the same.

Act to take effect after its passage.

[Approved by the Governor March 18, 1837.]

## Chapter 269.

AN ACT constituting the Records of Towns, Plantation and School District Clerks, evidence in certain cases.

SECTION 1. *Be it enacted by the Senate and House of Representatives in Legislature assembled*, That the certificate of town, plantation and school district Clerks, duly entered upon the records of their respective town, plantation and school district records, that they have been duly elected into office and have taken the oaths prescribed by law, shall be deemed and taken to be sufficient evi-

Records of town, plantation and school district Clerks made evidence.