

MAINE STATE LEGISLATURE

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PRIVATE
AND
SPECIAL ACTS
OF THE
STATE OF MAINE,
PASSED BY THE
NINETEENTH LEGISLATURE,

JANUARY SESSION, 1839.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

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1839.

Chapter 566.

AN ACT to abolish the Municipal Court in the City of Bangor and establish a Police Court for said City.

Approved March 23, 1839.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That there be and hereby is established in and for the city of Bangor, a Police Court, to be denominated the Police Court for the city of Bangor, to consist of one Judge, who shall be appointed and commissioned, in manner provided by the Constitution, who shall have concurrent jurisdiction with Justices of the Peace in all matters civil and criminal, under twenty dollars, within the County of Penobscot; and original and exclusive jurisdiction in all civil actions, in which both parties interested, or in which the party plaintiff and the person or persons summoned as trustee, shall be inhabitants of, or residents in said city of Bangor; excepting all actions in which said Judge may be interested, and said Court shall also have concurrent jurisdiction with Justices of the Peace and Quorum in all cases of forcible entry and detainer, arising in said County, and original and exclusive jurisdiction in all such cases arising in said city; and shall also have original and exclusive jurisdiction of all offences against the by-laws of said city. And any person agrieved by any jurisdiction awarded by said Court, may appeal therefrom to the District Court in like manner as if the same had been awarded by any Justice of the Peace, or Justice of the Peace and Quorum.

SEC. 2. *Be it further enacted,* That it shall be the duty of said Court to make and keep its records, and perform all the duties, which are now imposed by law upon the Recorder of the Municipal Court for the city of Bangor, except so far as the same relates to the record of civil actions when judgments shall be rendered upon default, and in these cases the same record shall be made as is legal in the records of Justices of the Peace; *Provided,* That the price of blank writs signed by said Police

Police Court, to consist of one Judge.

To have exclusive jurisdiction in certain actions.

Right of appeal.

Court to perform duty of Recorder.

ees for write,

Judge shall be four cents each and no more. And copies of the records of said Court, duly certified, shall be evidence in the other Courts of this State.

Court to be hold-
en on Monday of
each week.

Fees, same as
Justices of the
Peace.

How to be ac-
counted for.

SEC. 3. *Be it further enacted*, That said Court shall be holden, on Monday of each week, at nine of the clock in the forenoon, at such place as the said city shall provide for that purpose, for the transaction of civil business, and all civil process shall be made returnable accordingly ; and the fees in all cases, civil and criminal, shall be the same, as are now taxable by Justices of the Peace. And all fines, penalties and costs, which may be awarded by said Court in the administration of its criminal jurisdiction, shall be accounted for and paid over, by said Judge, in the same manner, as if the same had been awarded by the sentence of a Justice of the Peace.

In case of sick-
ness of Judge,
Court to stand
adjourned.

Justices of Pence
to perform duties
of Court in cer-
tain cases.

SEC. 4. *Be it further enacted*, That in case of the death, or sickness, or other disability of the said Judge, to attend at the time and place mentioned in the preceding section for the transaction of civil business, the said Court shall stand adjourned to the Monday of the succeeding week and so, from week to week, until the Judge is able to attend. And in case of disability as aforesaid to perform the other duties of his office, the criminal jurisdiction of said Court, shall devolve upon the Justices of the Peace for the County of Penobscot, during the continuance of said disability, and until such proceedings as are instituted during the continuance of said disability shall have received the final adjudication of said Justices.

City of Bangor
shall have power
to raise money,
&c. for the ex-
penses.

SEC. 5. *Be it further enacted*, That the city of Bangor shall have the power, and it shall be the duty of the city, to raise money for defraying the expenses of said Police Court, and for providing a suitable room in which to hold the same ; and the said Judge shall receive in full for his services seven hundred dollars per annum, to be paid quarterly, from the city treasury. And the Judge so appointed, as aforesaid, shall not act, as counsel or attorney, in any case within the jurisdiction of said Court, nor in any suit, matter or thing which may depend on, or have

relation to any case, matter or thing depending or cognizable in said Court.

SEC. 6. *Be it further enacted*, That the thirteenth, fourteenth, fifteenth, sixteenth and seventeenth sections of an Act approved February the twelfth, one thousand eight hundred and thirty-four, entitled "an act to incorporate the city of Bangor," and all other acts, and parts of acts, inconsistent with the provisions of this act be and the same are hereby repealed. Repeal of certain acts.

SEC. 7. *Be it further enacted*, That all actions, suits, matters and things which may be pending in the Municipal Court, and all writs, executions, warrants, recognizances, and processes, returnable to, and which would have had day therein, had not this act been passed, shall after this act shall take effect, be returnable to, have day in and be fully acted upon, by the Police Court. And said Police Court, shall have full power and authority to grant any execution to carry into effect any judgment rendered by the Municipal Court in the same manner, as said Municipal Court might have done had not this act been passed. Actions pending before Municipal Court.

SEC. 8. *Be it further enacted*, That it shall be the duty of the Mayor, and Aldermen of the city of Bangor, within fifteen days after the passage of this act, to call a general meeting of the citizens, qualified to vote in city affairs, to see if they will accept the provisions this act—the vote to be taken by written ballot; and if a majority of the citizens assembled at said meeting shall vote to accept the same, this act shall take effect, and be in force from and after its acceptance by the city. Duty of Mayor and Aldermen of City of Bangor.

Chapter 567.

AN ACT to incorporate the Kennebec Stage Company.

Approved March 23, 1839.

SEC. 1. *Be it enacted by the Senate and House of Representatives in Legislature assembled*, That Lucius Allen Cyrus Bryant, their associates, successors and Corporators.