

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

## TWENTY-NINTH LEGISLATURE

OF THE

## STATE OF MAINE,

A. D. 1849.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840,  
and March, 16, 1842.

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**Augusta:**  
WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1849.

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PUBLIC LAWS

OF THE

STATE OF MAINE,

1849.

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## Chapter 128.

## CHAP. 128.

An act to establish a town court in the town of East Thomaston in the county of Lincoln.

*Be it enacted by the Senate and House of Representatives in Legislature assembled*, as follows :

SECT. 1. That there be and hereby is established a court, to be denominated a town court for the town of East Thomaston, in the county of Lincoln, to consist of one justice who shall have concurrent jurisdiction with justices of the peace in said county of Lincoln, in all matters civil and criminal, and exclusive and original jurisdiction within said town of East Thomaston 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 shall have concurrent jurisdiction with the district court holden in said county of Lincoln in all actions wherein the debt or damage sued for and claimed do not exceed one hundred dollars, when the defendant or either of the defendants in said suit resides in said East Thomaston ; and said justice shall keep records of his proceedings, and deliver copies thereof when legally required, which being duly certified shall be evidence of such records and proceedings in all other courts.

Town court for the town of E. Thomaston established.

Jurisdiction of judge as a justice of the peace, concurrent, or exclusive.

SECT. 2. Said court shall take cognizance of all larcenies, when the property alleged to have been stolen shall not exceed fifty dollars ; and said justice shall also have exclusive jurisdiction of all offenses against the by-laws of said town, and it shall also be lawful for said justice, 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 East Thomaston, or the selectmen of said town, and the county commissioners of said county.

His jurisdiction in cases of larceny, and offenses against town by laws.

SECT. 3. Any person aggrieved by any sentence or judgment awarded by said justice may appeal therefrom in the same manner as if sentence or judgment were awarded by a justice of the peace, and under such recognizance as said court may require.

Right of appeal.

SECT. 4. The fees of said justice shall be the same as those now allowed to justices of the peace, except in the cases hereinafter specified, to wit : said justice may demand and receive for every warrant issued by him the sum of one dollar, for the

Fees.

CHAP. 128.

trial of an issue in civil actions one dollar, and the same sum for the trial of each criminal case, with the addition of one dollar for each and every day occupied in said trials, over and above the first day; and for the copies of all papers which he may by law be required to return to the supreme judicial court, or the district court for said county, double the amount now by law allowed to justices of the peace for similar services.

Fees to be accounted for.

SECT. 5. All fees and penalties awarded by said justice shall be accounted for and paid over as if the same had been awarded by the sentence of any justice of the peace.

Election of judge.

SECT. 6. Said justice shall be elected to hold said office for the term of three years, by the legal voters of said town of East Thomaston, at any legal meeting of the inhabitants of said town, called for that or for any other purpose, providing an article is inserted in the warrant calling said meeting that the choice of said justice is then and there to be made; and no person shall be eligible to said office unless he be a justice of the peace and quorum duly qualified, and a citizen of said East Thomaston.

Recorder.

SECT. 7. Said justice shall have power, at his own expense, to appoint a recorder of said court, (who shall also be a justice of the peace and quorum duly qualified, and a citizen of said town,) who may make the records thereof, and in case of the sickness or necessary absence of said justice, shall have all the powers and exercise all the duties of said justice; and in case of the death of said justice shall have and exercise all the powers and duties of said justice until a successor shall be chosen.

His powers and duties in case of absence or death of judge.

Expenses of court defrayed by the town.

SECT. 8. The said town of East Thomaston shall provide and furnish a suitable court room for the purpose of holding said court therein, and shall also furnish, at the expense of said town, fuel, lights, stationery, and all other necessary articles to be used in and about said court room; and the inhabitants of said town are hereby authorized and empowered to raise by taxation and to expend moneys for the purposes aforesaid.

[Approved August 13, 1849.]