

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

## THIRTIETH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1850.

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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.

1850.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1850.

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## Chapter 165.

An act concerning jurors' fees.

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

Jurors fees  
raised.

The tenth section of chapter one hundred and fifty-one of the revised statutes is hereby amended by striking out all after the word "allowed," in the sixth line, and inserting the words, "a like compensation," so that said section as amended shall read as follows: the grand jurors and the jurors for trials, attending at the supreme judicial court or district court, shall each be allowed one dollar and fifty cents per day for their attendance and six cents a mile for their travel out and home, to be paid out of the county treasury; and jurors attending before a sheriff or on any other occasion prescribed by law, shall be allowed a like compensation.

[Approved July 29, 1850.]

## Chapter 166.

An act to establish a municipal court for the town of Rockland in the county of Lincoln.

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

Municipal court  
established.

SECT. 1. There shall be and hereby is established, in and for said town of Rockland, a municipal court, which shall be a court of record with a seal, to be called a municipal court for the town of Rockland; and said court shall consist of one judge, who shall be appointed by the governor with advice of the council, and who shall be duly sworn, and hold his office for the term of seven years.

Judge, appoint-  
ment and term of  
office.

Civil and criminal  
jurisdiction.

SECT. 2. The judge of said court shall, except when interested, exercise concurrent jurisdiction with justices of the peace and quorum, over all such matters and things, civil and criminal, within said county of Lincoln, as are by law within the jurisdiction of justices of the peace and quorum in said county; and said court shall have exclusive jurisdiction, in all civil actions by law cognizable by a justice of the peace, in which either of the parties, or any person who shall appear of record as interested in any such suit, or any person who shall be named therein as trustee, are citizens of, or residents in said

town ; and exclusive jurisdiction in all cases of forcible entry and detainer in said town ; and shall have exclusive jurisdiction over all offenses committed within the limits of said town, by law cognizable by justices of the peace ; and shall have original jurisdiction concurrent with the district court over crimes, offenses and misdemeanors committed in said town, which are by law now punishable by fine not exceeding one hundred dollars, and by imprisonment in the county jail not exceeding three months : *provided however*, that any party aggrieved by a judgment or sentence of said court may appeal therefrom to the district court, in the same manner as from a sentence or a judgment of a justice of the peace.

Right of appeal.

SECT. 3. All warrants issued upon complaints for offenses committed in said town shall be issued by the judge of said court, and shall be made returnable before the municipal court of said town ; and no justice of the peace in said county of Lincoln shall take cognizance over any crime, offense or misdemeanor, committed in said town, or in any civil action where said court has exclusive jurisdiction, except in cases where the judge is a party or interested in any such suit or prosecution ; and any justice of the peace who shall violate any of the provisions of this act, shall forfeit one hundred dollars for each and every violation thereof, to be recovered on indictment ; but nothing in this act shall be constructed as prohibiting any justice of the peace from exercising at all times all the power and jurisdiction given them by any laws of the United States.

Exclusive jurisdiction, in cases of offense committed in said town.

SECT. 4. The court shall be held on Wednesday of each week, at nine of the clock in the forenoon.

Time of holding courts.

SECT. 5. It shall be the duty of the judge of said court to make and keep the records of said court, or to cause the same to be kept, and to perform all other duties required of similar tribunals ; and copies of the records of such court duly certified by the judge, shall be legal evidence in all courts.

Records to be kept by judge.

SECT. 6. The judge may appoint a clerk, who shall be a justice of the peace and of the quorum, duly qualified, and who shall be sworn, and who shall keep the records of said court when requested so to do by the judge, and in case of the absence or sickness of the judge shall have and exercise all the powers of the judge, and for all such services rendered he shall be paid therefor by said judge.

Clerk.

His powers in case of the absence or sickness of judge.

SECT. 7. When the office of judge shall be vacant, the justices of the peace and quorum residing in said town, may perform all the acts and duties appertaining to the office of

Provision when the office becomes vacant.

**CHAP. 166.** justice of the peace and quorum, during the continuance of such vacancy.

Fines to be accounted for.

SECT. 8. 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.

Fees of judge.

SECT. 9. The fees of the judge which he may demand and receive for his services, shall be as follows: for every warrant issued by him, the sum of one dollar; for the entry of criminal cases, fifty cents; for recognizing persons charged with crimes for their appearance at the district court or supreme judicial court holden in said county, with or without sureties, fifty cents; for a mittimus for the commitment of any person, fifty cents; for a summons in a civil or criminal case, fifteen cents; for the trial of an issue in criminal cases, one dollar and fifty cents; and if after the arraignment of any person, cause should exist for a continuance, the same sum shall be allowed to said judge for every day so taken in the hearing and trial of said cases; and for the hearing and trial of civil actions said judge shall receive the same sum as in criminal cases; for the entry of civil actions, thirty cents; for every writ of execution, fifteen cents; and the fees for copies of all papers to be delivered to parties, or to be returned to the district or supreme judicial court, and for all such other services as the judge by law is required to perform, not herein specified, he shall receive therefor double the fees allowed to justices of the peace; and for each blank writ, said judge shall receive two cents.

Selectmen to make provision for persons confined in the house of correction by order of judge.

SECT. 10. It shall be the duty of the selectmen of said town to make suitable provisions for the safe keeping, victualing, and lodging of all persons confined in the house of correction of said town, by order of said judge, and all reasonable and proper expenses incurred thereby, shall be allowed and paid by said county; and in all cases of commitments to said house of correction, the said county shall allow and pay the costs of prosecution, and the officers' fees for committing, and the expenses of keeping and detaining any person or persons so committed, the same as it would be liable to pay were they committed to the county jail, and it shall be the duty of said selectmen to furnish a suitable and convenient room for the use of said court, and all articles necessary and convenient for said court room, including stationery, fuel, lights, and the seal for said court, at the expense of said town; and the said town is hereby authorized and empowered to raise by taxation, a sum sufficient to pay all such expenses.

Expenses of court defrayed by the town.

SECT. 11. This act shall take effect from and after its approval by the governor; and the act approved August thirteenth, eighteen hundred and forty-nine, entitled "an act to establish a town court for the town of East Thomaston, in the county of Lincoln," and all other acts and parts of acts inconsistent with the provisions of this act, are hereby repealed.

CHAP. 167.

Inconsistent acts repealed.

[Approved July 29, 1850.]

### Chapter 167.

An act to increase the salary of the register of probate for the county of Oxford.

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

SECT. 1. The salary of the register of probate in and for the county of Oxford is hereby established at four hundred dollars per annum, instead of the salary now provided by law for said register. Salary, \$400.

SECT. 2. This act shall take effect from and after its approval by the governor.

[Approved August 3, 1850.]

### Chapter 168.

An act to increase the salary of the judge of probate for the county of Oxford.

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

SECT. 1. The salary of the judge of probate for the county of Oxford shall be two hundred and twenty-five dollars per annum, instead of the salary to which he is now entitled by the one hundred and fiftieth chapter of the revised statutes. Salary, \$225.

SECT. 2. This act shall take effect from and after the first day of July, one thousand eight hundred and fifty.

[Approved August 3, 1850.]