

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1852.

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Published by the Secretary of State, agreeably to resolves of June 28, 1820, February  
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1852.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1852.

Chapter 288.

CHAP. 288.

An act to establish a municipal court in the town of Turner in the county of Oxford.

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

SECT. 1. A municipal court is hereby established in the town of Turner and county of Oxford which shall be a court of record with a seal, and said court shall consist of one judge to be appointed, qualified and hold his office according to the constitution ; and shall, except when interested, exercise concurrent jurisdiction with justices of the peace and justices of the peace and quorum, over all such matters and things, civil and criminal within said county of Oxford, as are by law within the jurisdiction of justices of the peace and justices of the peace and quorum in said county ; and said court shall have exclusive jurisdiction in all actions by law cognizable by a justice of the peace or justice of the peace and quorum 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 of Turner, and over all offenses committed within the limits of said town cognizable by justices of the peace, and shall have original jurisdiction concurrent with the supreme 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 ; and any party may appeal from any judgment or sentence of said court to the supreme court in the same manner as from a sentence or a judgment of a justice of the peace.

SECT. 2. 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 in said town ; and no justice of the peace in the county of Oxford 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 prohibit any justice of the peace from exercising at all times all the power and jurisdiction given them by any law of the United States.

Municipal court in the town of Turner.
Judge, powers and jurisdiction of.

Concurrent jurisdiction with supreme court over criminal offenses, &c.

Appeals.

Warrants to issue from said judge.

Offenses or civil actions, not cognizable by justices of the peace.
Exceptions.

Penalty for violating this act.

Authorized to exercise powers granted by laws of U. S.

CHAP. 288.

Time of holding court.
Duty of judge to keep records.

SECT. 3. The court shall be held on the first and third Mondays of each month at nine o'clock in the forenoon.

SECT. 4. It shall be the duty of the judge of said court, to make and keep the records of said court, or 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.

Recorder, qualifications and duties of.

SECT. 5. The judge shall appoint a recorder who shall be a justice of the peace and of the quorum, duly qualified, 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 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.

May act as judge in certain cases.

SECT. 6. When the office of judge shall be vacant, the recorder may perform all the acts and duties appertaining to the office of judge, during the continuance of such vacancy.

In case of vacancy, recorder may act as judge.

Fines, &c., disposition of.

SECT. 7. All fines and penalties awarded by said judge, shall be accounted for and paid over, as if the same had been awarded by any justice of the peace.

Fees of judge.

SECT. 8. 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 entry in all cases, fifty cents; for recognizance fifty cents; for a mittimus fifty cents; for a summons fifteen cents; for the trial of an issue, one dollar and fifty cents, and the same sum for every day occupied in the hearing of a case; for writ of execution fifteen cents, and for all fees not herein specified he shall receive therefor double the fees allowed to justices of the peace.

Judge shall appoint a place for holding said court.

SECT. 9. The judge shall appoint a place for the holding of said court, where the records of the same shall be kept; and all actions and cases before said court shall be heard and tried at the place so appointed.

SECT. 10. This act shall take effect and be in force from and after its acceptance by the inhabitants of said town of Turner, at any legal meeting of the same.

[Approved April 24, 1852.]