

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

FORTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE.

1865.

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

AUGUSTA:
STEVENS & SAYWARD, PRINTERS TO THE STATE.
1865.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1865.

Chapter 288.

CHAP. 288.

An act to amend chapter thirty-two of the public laws of eighteen hundred and sixty-one, entitled "an act to restrict the jurisdiction of justices of the peace to trial justices."

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

SECT. 1. The second section of the thirty-second chapter of the public laws of eighteen hundred and sixty-one is amended so as to read as follows :

*Sect. 2. Trial justices shall be subject to all the provisions of section seven of chapter one hundred and thirty-six of the revised statutes, and for any neglect thereof shall suffer the penalties therein set forth; and it shall be the duty of trial justices to keep a true and correct docket of all examinations and trials had before them, of persons accused of crime, offences or misdemeanors, setting forth therein a true account of all fines and forfeitures by them imposed, or received upon convictions and sentences; and once in a year to deliver or transmit to the county commissioners of the county in which the trial justice resides, at one of the regular sessions of said commissioners, such docket, or a copy thereof, accompanied by their affidavit, that they have faithfully complied with the requirements of said seventh section; and it shall be the duty of said commissioners to examine said dockets or copies; and in any case where they deem it expedient, they may summon any trial justice to appear before them with his original docket and records, giving him not less than ten days notice by personal service, or by leaving at his last and usual place of abode before the time fixed for his appearance; and when any trial justice shall appear in obedience to such summons, he may be examined on oath relative to his official conduct, and when it is found, upon such examination, that he has faithfully observed the requirements of law, he shall be allowed reasonable compensation for his travel and expense, to be paid from the county treasury; when any trial justice so summoned shall refuse and neglect to obey the summons, the commissioners may issue a *capias*, and have him brought with his papers before them; and if he fail to show reasonable cause for his neglect he shall be held to pay the expenses of bringing him before the commissioners, and they may issue a warrant of distress for the collection of the same.*

Chap. 32, sec. 2, laws of 1861, relating to trial justices, amended.

Trial justices subject to the provisions of R. S., chap. 136, sec. 7.

Docket of all examinations and trials to be kept.

Docket or copy thereof to be delivered to co. commissioners once each year.

Co. commissioners may summon trial justices to appear before them.

Trial justices may be examined on oath in relation to official conduct.

Attendance before county commissioners may be enforced by *capias*.

SECT. 2. Section three of said chapter is hereby repealed.

Approved February 4, 1865.