

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1887.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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1887.

PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE.

1887.

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SECT. 2. This act and the act to which it is amendatory, shall take effect and be in force on approval of this act.

Approved February 11, 1887.

Chapter 88.

An Act to increase the jurisdiction of the Municipal Court for the City of Lewiston.

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

Ch. 636, Private
Laws of 1871,
amended.

SECT. 1. Chapter six hundred and thirty-six of the private and special laws of the year eighteen hundred and seventy-one, as since amended, establishing a municipal court for the city of Lewiston, is hereby amended by striking out the word "one" in the twenty-first line of section two of said chapter, and inserting instead the word 'three;' also by adding after the word "statutes," in the last line of said section, the following: 'Any action in which the debt or damages demanded exceed twenty dollars, may be removed into the supreme judicial court on motion of the defendant filed at the return term, provided, he shall, at the time he files his motion, also file an affidavit that he believes he has a good defense to said action in whole or in part, and intends in good faith to make such defense, and shall therewith deposit with the clerk of said municipal court the entry fee in the supreme judicial court, to be taxed in his costs if he prevails. The clerk shall enter said action at the next term of the supreme judicial court in said county, and shall file with the writ, certified copies of the affidavit and motion,' so that said section as amended, shall read as follows :

Jurisdiction.

SECT. 2. Said municipal court shall have exclusive jurisdiction in all civil actions in which the debt or damages demanded do not exceed twenty dollars, and both parties or one of the parties and a person summoned as trustee, reside in the city of Lewiston, and shall also have exclusive jurisdiction over all offenses committed against the ordinances and by-laws of said city and over all such criminal offenses, committed within the limits of the same, as are cognizable by trial justices: provided, that warrants may be issued, upon complaints, for offenses committed in said city of Lewiston, by any trial justice in said county; but all such warrants shall

be made returnable before said court, and no trial justice shall take cognizance over any crime or offense committed in said city or any civil action where said court has exclusive jurisdiction. Said court shall have concurrent jurisdiction with trial justices, justices of the peace, justices of the peace and quorum, and the municipal court of the city of Anburn, over all such matters, civil and criminal, within the county of Androscoggin, as are by law within their jurisdiction, and shall also have original concurrent jurisdiction with the supreme judicial court in all civil actions where the debt or damages demanded, exclusive of costs, do not exceed three hundred dollars, and the defendant resides in the county of Androscoggin; said municipal court shall also have concurrent jurisdiction with the supreme judicial court, in the county of Androscoggin, of the offenses described in chapter one hundred and twenty, sections one, six, seven, eight and nine of the revised statutes, when the value of the property is not alleged to exceed fifty dollars, and may punish by fine not exceeding one hundred dollars or by imprisonment for a time not exceeding six months, and also of the offenses described in chapter one hundred and thirty-two, section four of the revised statutes, and may punish by fine, not exceeding fifty dollars, or by imprisonment for a term, not exceeding three months; and also of the offenses described in chapter one hundred and eighteen, section twenty-eight of the revised statutes, and may punish by fine not exceeding fifty dollars, or by imprisonment for a time not exceeding three months; also of the offenses described in chapter one hundred and twenty-four, and section six, of the revised statutes; provided, that said court shall have no jurisdiction over actions in which the title to real estate, according to the pleadings filed in the case by either party is in question, except as is provided in chapter ninety-four, sections six and seven of the revised statutes. Any action in which the debt or damages demanded, exceed twenty dollars, may be removed to the supreme judicial court on motion of the defendant, filed at the return term, provided, he shall, at the time he files his motion, also file an affidavit that he believes he has a good defense to said action, in whole or in part, and intends, in good faith, to make such defense, and shall therewith deposit with the clerk of said municipal court the entry fee in the supreme judicial court, to be taxed in his costs, if he prevail; the clerk shall enter

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said action at the next term of the supreme judicial court, in said county, and shall file with the writ, certified copies of the affidavit and motion.'

Sec. 1, amended.

SECT: 2. Section one of said chapter, as since amended, is hereby amended by striking out the words "one thousand" in the eighth line and inserting instead, the words 'twelve hundred,' so that said section as amended, shall read as follows :

Municipal court established.

'SECT. 1. A municipal court is hereby established for the city of Lewiston, which shall be a court of record, and have a seal, and shall consist of one judge, who shall be a member of the bar in Androscoggin county, who shall be appointed, elected, qualified, and hold his office as provided in the constitution, who shall reside during his continuance in office in said city of Lewiston, and who shall receive from said city, in monthly payments, an annual salary of twelve hundred dollars, which shall be in full for all fees pertaining to his office.

Shall consist of one judge.

Tenure of office.

Salary.

Inconsistent acts repealed.

SECT. 3. All acts and parts of acts inconsistent herewith, are hereby repealed.

When act shall take effect.

SECT. 4. This act shall take effect on the first day of March, eighteen hundred and eighty-seven.

Approved February 11, 1887.

Chapter 89.

An Act in relation to the New England Ship Building Company.

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

Authorized to reduce capital stock.

SECT. 1. The New England Ship Building Company is hereby authorized to reduce its capital stock in the manner provided by revised statutes, chapter forty-six, sections fifteen to eighteen, each inclusive, except that, in lieu of reducing the par value of its shares, as herein provided, said corporation may effect such reduction, by reducing the present number of its shares to such number, of the present par value, as shall be determined by the stockholders, at a meeting called as provided in said sections of chapter forty-six of the revised statutes ; subject, nevertheless, to the provision that the whole capital shall not thus be reduced to less than one hundred thou-

—par value of shares, reduced.

—conditions.