

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,
February 18, 1840, and March 16, 1842.

AUGUSTA:
SPRAGUE & SON, PRINTERS TO THE STATE.
1887.

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1889.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1889.

Chapter 531.

An Act allowing Orchard Beach Railroad Company to use electric motors.

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

SECT. 1. The Orchard Beach Railroad, its lessees and assignees, are hereby authorized to use electricity as a motive power on their road.

Railroad authorized to use electricity.

SECT. 2. This act shall take effect when approved.

This act became a law on March 13, 1889, by constitutional provision, the Governor having omitted to put his official signature thereto.

Chapter 532.

An Act to amend an act entitled "An Act to establish the Old Town Municipal Court."

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

SECT. 1. The first paragraph of section six of chapter one hundred and seventy-seven of the private and special laws of the state of Maine, enacted in the year of our Lord one thousand eight hundred and eighty-seven, is hereby amended by striking out the words "no trustee being named in the writ" in the seventh line of said section, and inserting instead thereof the words, 'if such actions are not commenced by trustee process;' and also by adding at the close of said paragraph after the word "writ" in the twelfth line of said section the words, 'but no proceedings under the laws relating to divorce shall be included within the jurisdiction of said court;' so that said paragraph as amended, shall read as follows :

Sec. 6, ch 177, Special Laws of 1887, amended.

SECT. 6. Said court shall have original jurisdiction concurrent with the supreme judicial court as follows: first, of all civil actions wherein the debt or damages demanded, exclusive of costs, does not exceed one hundred dollars, in which any person summoned as trustee resides within the county of Penobscot, or, if a corporation has an established place of business in said county; or in which, if such actions are not commenced by trustee process, any defendant resides in said county, or, if no defendant resides within the limits of this state, any defendant is served with process in said county, or

Concurrent jurisdiction, with S. J. Court.

CHAP. 532

the goods, estate or effects of any defendant are found within said county and attached on the original writ; but no proceedings under the laws relating to divorce shall be included within the jurisdiction of said court.'

Sec. 19,
amended.

SECT. 2. Section nineteen of said chapter one hundred and seventy-seven, is hereby amended by striking out the word "recovered," in the third line and in the eighth line of said section, and inserting instead thereof the word, 'demanded' in each of said lines; also by striking out the words "one dollar," in the sixth line of said section, and inserting instead thereof the words, 'two dollars;' also, by adding at the close of said section the following words: 'and that the costs to be taxed for attendance shall be two dollars and fifty cents for the first term and one dollar for each subsequent term. In all actions wherein the debt or damages demanded exceed twenty dollars, costs for travel may include costs for constructive travel for not exceeding forty miles, as in the supreme judicial court. In every action the judge may at his discretion disallow any costs for travel and attendance after the second term; 'so that said section as amended, shall read as follows:

Costs and fees
to be allowed to
parties, attor-
neys, and
witnesses.

'SECT. 19. The costs and fees allowed to parties, attorneys and witnesses, in all actions in this court, in which the debt or damages demanded shall not exceed twenty dollars, and in actions of forcible entry and detainer, shall be the same as allowed in similar actions before trial justices, except that the plaintiff if he prevail, shall be allowed two dollars for his writ, and the defendant, if he prevail, shall be allowed one dollar for his pleadings; and in cases where the amount demanded shall exceed twenty dollars, the costs and fees of parties, attorneys and witnesses shall be the same as in the supreme judicial court, except that the defendant if he prevail shall be allowed two dollars for his pleadings, and that the costs to be taxed for attendance, shall be two dollars and fifty cents for the first term, and one dollar for each subsequent term. In all actions wherein the debt or damages demanded exceeds twenty dollars, costs for travel may include costs for constructive travel for not exceeding forty miles as in the supreme judicial court. In every action, the judge may at his discretion disallow any costs for travel and attendance after the second term.'

—judge may
disallow any
costs.

SECT. 3. The word Oldtown, wherever it occurs in said chapter, shall be changed to Old Town, in order to conform to the orthography of the act of incorporation of the town of Old Town.

CHAP. 533

Change in orthography of name.

SECT. 4. This act shall take effect when approved.

Approved March 8, 1889.

Chapter 533.

An Act to cede to the United States of America, jurisdiction over Clark's Ledge and Great Duck Island.

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

SECT. 1. The consent of the state is hereby given to the purchase by the government of the United States, or under its authority, of a part or all of Great Duck island, so called, lying about five miles south of Mount Desert island.

Consent of the state given to purchase of Duck Island.

SECT. 2. Jurisdiction is hereby ceded to the United States of America over the following described parcels of land, namely :

Jurisdiction, ceded to United States, on parcels of land.

I. The ledge designated as Clark's ledge on page thirty, division A of the Atlantic Coast Pilot, second edition, eighteen hundred and seventy-nine, and described as lying about three hundred and twenty-five yards above Todd's head, and about one hundred yards from shore ; the said ledge being nearly or wholly submerged at high water, and the portion exposed at low water is about two hundred feet long and seventy-five to one hundred feet wide.

Clark's ledge.

II. All that part of Great Duck island aforesaid, that the United States may acquire by purchase or under the provisions of chapter two of the Revised Statutes of this state. Provided, however, that this cession of jurisdiction is granted and made upon the express condition, that the state of Maine shall retain a concurrent jurisdiction with the United States in and over said tracts of land and every portion thereof, so far, that all processes, civil or criminal, issuing under the authority of said state, or any officers thereof, may be executed by the proper officers thereof, upon any persons amenable to the same, within the limits and extent of said

Duck Island.

—state to retain concurrent jurisdiction, so that processes may be executed.