

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE.

1893.

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1893.

PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE.

1893.

Chapter 635.

An Act to amend Chapter two hundred and four of the Private and Special Laws of eighteen hundred and eighty-three, entitled "An Act to establish a Municipal Court in the town of Westbrook."

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

SECT. 1. Section one of chapter two hundred and four of the private and special laws of eighteen hundred and eighty-three is hereby amended by inserting after the word "town" in the fourth line thereof 'and a member of the bar of this state' so that said section as amended, shall read as follows :

Sec. 1, ch. 204,
Private Laws,
1883, amended.

'SECT. 1. A municipal court is hereby established in and for the town of Westbrook, to be denominated the municipal court of the town of Westbrook, and to consist of one justice who shall be an inhabitant of said town and a member of the bar of this state and a person of sobriety of manners. Said judge shall be appointed as provided in the constitution for the appointment of judges of municipal and police courts; and shall be, ex-officio, a justice of the peace and of the quorum for the state, and have and exercise concurrent jurisdiction with trial justices of the county of Cumberland over all matters and things within their jurisdiction additional thereto as are conferred upon him by this act.'

Westbrook
municipal
court
es
ablished.

—appointment,
qualification and
authority of
judge.

SECT. 2. Section five of said chapter is hereby amended so that said section as amended, shall read as follows :

Sec. 5, amended.

'SECT. 5. In the absence of said judge, any justice of the peace and quorum or trial justice residing in the city of Westbrook authorized thereto in writing by said judge, may preside for the purpose of entering and continuing actions and filing papers in said court, and may adjourn the same from day to day, or until the next regular term. In case said judge is prevented by any cause from attending at the time said court is to be held for civil business, and has authorized no justice to preside in his stead as aforesaid, said court may be adjourned from day to day by a constable of said city, or by any deputy sheriff residing therein, without detriment to any action then returnable or pending, until he can attend, when said action may be entered or disposed of with the same effect as if it were the first day of the term; and it may be so adjourned without day when necessary, in which event pending actions shall be considered as continued, and actions then returnable may be returned and entered at the next term

When judge is
absent, justice
of the peace or
trial justice may
preside.

—may be
adjourned.

CHAP. 635 with the same effect as if originally made returnable at said term.'

Sec. 8, amended. **SECT. 3.** Section eight of said chapter is hereby amended by striking out so much of said section as follows the word "to" in the third line and inserting in lieu thereof the following 'one dollar for a complaint and warrant in criminal actions; twenty-five cents for an entry in a civil action; two dollars for the trial of an issue, civil or criminal, and two dollars for every day after the first occupied in such trial; one dollar and fifty cents for entering a complaint in a criminal prosecution, swearing witnesses, rendering and recording judgment, allowing and taxing the costs and filing the papers; sixty cents for entering a libel; one dollar and fifty cents for trying the same and fifty cents for an order to restore or deliver; and two dollars for copies in an action appealed from said court; and all the said fees in civil actions shall be paid by the plaintiff and recovered by him as costs, if he prevail in the suit; and the fees so received by said judge shall be payment in full for his services. The county of Cumberland shall furnish all criminal blanks, dockets and record books for said court'; so that said section as amended, shall read as follows:

Fees of judge.

'SECT. 8. The judge of said court may demand and receive the same fees as are allowed to trial justices in similar cases, except that he shall be entitled to one dollar for a complaint and warrant in criminal actions; twenty-five cents for an entry in a civil action; two dollars for the trial of an issue, civil or criminal, and two dollars for every day after the first occupied in such trial; one dollar and fifty cents for entering a complaint in a criminal prosecution, swearing witnesses, rendering and recording judgment, allowing and taxing the costs and filing the papers; sixty cents for entering a libel; one dollar and fifty cents for trying the same and fifty cents for an order to restore or deliver; and two dollars for copies in an action appealed from said court; and all the said fees in said civil actions shall be paid by the plaintiff and recovered by him as costs, if he prevail in the suit; and the fees so received by the said judge shall be payment in full for his services. The county of Cumberland shall furnish all criminal blanks, dockets and record books for said court.'

—fees, shall be
in full for
services.

Ch. further
amended.

SECT. 4. Said chapter is further amended by adding thereto the following section:

‘SECT. 12. Said court shall have original concurrent jurisdiction with the superior court of the county of Cumberland of the assaults and batteries described in section twenty-eight of chapter one hundred and eighteen of the revised statutes; and of all the larcenies in sections one, six, seven and nine of chapter one hundred and twenty of the revised statutes when the value of the property is not alleged to exceed fifty dollars and may punish for either said crimes or offenses by a fine not exceeding fifty dollars or by imprisonment for a term not exceeding four months, provided that when the offenses described in section twenty-eight of chapter one hundred and eighteen, and in sections one, six, seven and nine, of chapter one hundred and twenty, are of a high and aggravated nature, the judge of said court may cause persons charged with such offenses to recognize with sufficient sureties to appear before the superior court of Cumberland county, and in default thereof commit them. Said municipal court shall also have original jurisdiction concurrent with said superior court of the offense described in section six of chapter one hundred and twenty-four of the revised statutes.’

Jurisdiction,
concurrent with
superior court.

SECT. 5. This act shall take effect when approved.

Approved March 29, 1893.

Chapter 636.

An Act to amend the Charter of the Bath Street Railway Company.

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

SECT. 1. The Bath Street Railway Company is authorized to extend its lines, or to construct, build and maintain a street railroad, to be operated by animal power or electricity, over such streets, roads, highways and bridges and tide waters, in the towns of Phippsburg and West Bath, and in the town of Brunswick from the line between Brunswick and Bath to the Maine Central Railroad depot in Brunswick, as shall from time to time be fixed and determined by the municipal officers of said towns, subject to all the restrictions, obligations and liabilities of its existing charter, with amendments thereto, heretofore or hereafter made and with all the rights, powers and privileges therein contained.

Bath Street
Railway Co.,
authorized to
locate along
highways, under
direction of
municipal
officers.