

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-NINTH LEGISLATURE

OF THE

STATE OF MAINE

1899.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1899.

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## Chapter 187.

An Act in relation to the Police Court of the City of Gardiner.

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

Gardiner municipal court, established.

—court of record, seal.  
—present judge shall continue in office.

Concurrent jurisdiction with superior court, where debt does not exceed \$100, etc.

—does not include proceedings in divorce cases.

Law relating to attachments, made applicable to actions in this court.

—actions may be referred.

Costs, how taxed.

Section 1. The police court in the city of Gardiner in the county of Kennebec, shall be hereafter styled the Gardiner Municipal Court; and shall be a court of record, and have and use a seal on all original processes; the present judge of said court shall continue in office until the end of the term for which he was appointed.

Section 2. In addition to its present jurisdiction, the said court shall further have concurrent jurisdiction with the superior court of Kennebec county in all personal actions where the debt or damage claimed is over twenty dollars, and not over one hundred dollars and in all actions of replevin when it appears that the sum demanded for the penalty, forfeiture or damages exceeds twenty dollars, and does not exceed one hundred dollars, or that the property in the beasts or other chattels is in question, and the value thereof exceeds twenty dollars and does not exceed one hundred dollars, and either the defendant or person summoned as trustee is resident in Kennebec county; but this jurisdiction shall not include proceedings under the divorce laws, nor complaints under the mill act, so called.

Section 3. All the provisions of the statutes of this state, relative to the attachment of real and personal property and the levy of executions shall be applicable to actions in this court, and executions on judgments rendered therein; provided, that property may be attached, equal in value to the ad damnum, and in addition thereto, sufficient to satisfy costs of suit. Actions may be referred, and judgment on the referee's report may be rendered in the same manner and with the same effect as in the superior court.

Section 4. In any action in which the plaintiff recovers not over twenty dollars debt or damage, the costs to be taxed, shall be the same as before a trial justice, except that the plaintiff shall recover two dollars for his writ. Where the defendant prevails in any action in which the sum claimed in the writ is not over twenty dollars, he shall recover two dollars for his pleadings, and other costs as before trial justices. In actions where the amount recovered by plaintiff, exclusive of costs, exceeds twenty dollars, or the amount claimed exceeds twenty dollars, where the defendant prevails, the costs shall be the same as in the superior court, except the costs to be taxed for attendance which shall be two dollars and fifty cents for each term.

Section 5. This act shall have no effect to abate or prejudice any action, suit, matter or thing now pending in or returnable to said police court, but said municipal court shall have jurisdiction thereof, and full power and authority to issue and renew executions and other processes, and to carry into effect the judgments and decrees heretofore rendered by said police court, and to certify and authenticate the records thereof, as effectually as if this act had not passed.

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Act shall not prejudice any pending action.

—power to issue executions and processes.

Section 6. All acts and parts of acts, inconsistent with this act, are hereby repealed.

Inconsistent acts, repealed.

Approved March 17, 1899.

### Chapter 188.

An Act to amend Chapter one hundred and four of the Private and Special Laws of eighteen hundred and ninety-nine, relating to the taking of Herring in the town of Cutler.

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

Chapter one hundred and four of the private and special laws of eighteen hundred and ninety-nine is hereby amended by striking out of the fourth line of said act, as engrossed, the words, "the Double Head Shots," and inserting in place thereof the words 'Libby island;,' and by striking out of the fourth and fifth lines of said act, as engrossed, the words "to Little River Head, thence easterly," and inserting in place thereof, the words 'from head land to head land,' so that said act, as amended, shall read as follows:

Chapter 104, special laws 1899, amended.

'Section 1. The use of purse or drag seines or set nets in fishing for herring in the waters of the town of Cutler, northerly of a line commencing at the southern extremity of the southern island called Libby island, and running easterly from head land to head land to the eastern line of said Cutler, is hereby prohibited under a penalty of not less than five dollars nor more than twenty-five dollars, and the forfeiture of all nets; provided, that it shall be lawful for one boat only from each vessel so employed and for fishermen who use small boats only to use a net or nets, the total or combined length of which shall not be more than seventy-five yards, and not more than five yards in width, but not more than one such described net or nets shall be used at any one time.'

Use of purse or drag seines for taking of herring in Cutler, prohibited.

—penalty.

—proviso.

Approved, March 17, 1899.