

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTIETH LEGISLATURE

OF THE

STATE OF MAINE

1901.

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.

1901.

CHAP. 488

—expenses,
how paid.

published in the town where said corporation is established, then it shall be published in a newspaper printed in the nearest city or town. The necessary expenses of the bank examiner while engaged in making such examination shall be paid by said corporation.

First meeting,
how called.

Section 16. Any five of the incorporators named in this act may call the first meeting of this corporation by mailing a written notice, signed by all, postage paid, to each of the other incorporators, seven days at least before the day of the meeting, naming the time, place and purpose of such meeting, and at such meeting the necessary officers may be chosen, by-laws adopted, and any other corporate business transacted.

Section 17. This act shall take effect when approved.

Approved March 22, 1901.

Chapter 488.

An Act to amend Sections five, six, seven, seventeen and eighteen of Chapter twenty-three of the Special Laws of eighteen hundred and ninety-nine, entitled "An Act to establish a municipal court in the town of Newport."

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

Section 5,
chapter 23,
special laws
1899, amended.

Section 1. Section five of chapter twenty-three of the special laws of eighteen hundred and ninety-nine is hereby amended by inserting after the word "town" in the third and ninth lines of said section the letter 's' and after the word "Newport" in the third and seventh lines of said section the words 'Corinna, Stetson and Plymouth,' so that said section, as amended, shall read as follows:

Exclusive
jurisdiction
when debt
does not
exceed \$20.00.

'Section 5. Said judge shall have original and exclusive jurisdiction of all offenses against the ordinances and laws of the towns of Newport, Corinna, Stetson and Plymouth, and in all civil actions wherein the amount claimed in damages shall not exceed twenty dollars, in which one of the parties interested, or the attorney of the plaintiff who made the writ, or person or persons summoned as trustees in such action, shall be inhabitants or be residents of Newport, Corinna, Stetson and Plymouth, and in all cases of forcible entry and detainer arising in said towns, excepting all actions in which said judge may be interested; provided, that any action, civil or criminal, in which the judge is interested or related to either of the parties by consanguinity or affinity within the sixth degree, according to the rules of the civil law, or within the degree of second cousins, inclusive, but which would otherwise be within the exclusive jurisdiction of said

court, may be brought before and disposed of by any trial justice within said county, in the same manner and with like effect, as other actions before said trial justices. Said court shall have concurrent jurisdiction with the supreme judicial court, in all personal actions where the debt or damage demanded, exclusive of costs, is over twenty dollars and not over one hundred dollars, and in all actions of replevin under chapter ninety-six of the revised statutes, when the sum demanded for the penalty, forfeiture or damages, or the value of the goods, or chattels replevied does not exceed one hundred dollars; provided, any defendant or person or corporation summoned as trustee is a resident of said county of Penobscot, but this jurisdiction shall not include proceedings under the divorce laws or complaints under the mill act, so called, nor 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 provided in chapter ninety-four, section six and seven of the revised statutes.'

--concurrent jurisdiction with supreme judicial court.

Section 2. Section six of chapter twenty-three of the special laws of eighteen hundred and ninety-nine is hereby amended by adding the letter 's' to the word "town" in the eleventh and fourteenth lines of said section, so that said section as amended shall read as follows:

Section 6, amended.

'Section 6. Said judge shall have jurisdiction in all cases of simple larceny and where the property alleged to have been stolen shall not exceed in value the sum of twenty dollars, and of all cases of cheating by false pretenses, where the property, money or other thing alleged to have been fraudulently obtained shall not exceed in value the sum of twenty dollars, and shall have power to try the same and in either of said cases, to award sentence upon conviction by fine not exceeding twenty dollars, or imprisonment in the county jail with or without labor for a term not exceeding ninety days. He shall have exclusive jurisdiction of all offenses arising in said towns, which are by any law or statute within the jurisdiction of a trial justice, and concurrent jurisdiction with trial justices of the county of Penobscot, of all such offenses arising in said county, out of said towns.'

Jurisdiction in cases of larceny.

--exclusive jurisdiction of all offenses arising in towns aforesaid.

Section 3. Section seven of said chapter twenty-three of the special laws of eighteen hundred and ninety-nine is hereby amended by striking out the words, "except the month of August," and by adding thereto after the word "town" in the fourth line the words 'of Newport,' so that said section, as amended, shall read as follows:

Section 7 amended.

'Section 7. Said court shall be held on the third Wednesday of each month, at ten o'clock in the forenoon, for the transaction of civil business at such place within said town of Newport as the judge shall determine; but the town of Newport may at any

Terms.

CHAP. 489

—town may
provide
court room.

time provide a court room, in which case the court shall be held therein, and all civil processes shall be made returnable accordingly; and it may be adjourned from time to time by the judge, at his direction, but it shall be considered in constant session for the cognizance of criminal actions.'

Section 17
amended.

Section 4. Section seventeen of said chapter twenty-three of the special laws of eighteen hundred and ninety-nine is hereby amended by adding thereto after the word "town" in the second line the letter 's' and by adding thereto after the word "Newport" in the second line the words, 'Corinna, Stetson and Plymouth,' so that said section as amended shall read as follows:

Jurisdiction
of trial jus-
tices
restricted.

'Section 17. Trial justices are hereby restricted from exercising any jurisdiction in the towns of Newport, Corinna, Stetson and Plymouth over any matter or thing, civil or criminal, except such as are within the jurisdiction of justices of the peace and of the quorum; provided, that said restrictions shall be suspended until the judge of said court shall enter upon the duties of his office.'

Section 18
amended.

Section 5. Section eighteen of said chapter twenty-three of the public laws of eighteen hundred and ninety-nine is hereby amended by adding thereto, after the word "town" in the third line the letter 's' and after the word "Newport" in the third line the words, 'Corinna, Stetson and Plymouth,' so that said section as amended shall read as follows:

Pending
actions, how
disposed of.

'Section 18. Nothing in this act shall be construed to interfere with actions already commenced before trial justices in the towns of Newport, Corinna, Stetson and Plymouth, but all such actions shall be disposed of by such trial justices the same as if this act had not passed.'

Approved March 22, 1901.

Chapter 489.

An Act to supply the town of Lubec with Pure Water.

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

Town or
trustee au-
thorized to
take water.

Section 1. The town of Lubec, or the trustee hereinafter provided for, or any corporation of which either may obtain control, as provided in section two, either directly or through ownership of stock, are authorized and empowered to take water from Marston's spring, and any other spring or springs in the town of Lubec, from East stream, in the town of Trescott, in the county of Washington, and from Orange river, in the town of Whiting,

—purposes.