

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE

1903.

Published by the Secretary of State, agreeably to Resolves of June 28,
1820, February 18, 1840, and March 16, 1842.

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1903

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1903.

Chapter 329.

An Act additional to the act creating the Rumford Falls Municipal Court.

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

Section 1. Actions pending in the Rumford Falls Municipal court may be referred to one referee in the same manner as in the supreme judicial court, and on report of the referee to said municipal court, judgment may be rendered in the same manner and with like effect as in the supreme judicial court.

Pending actions may be referred, as in supreme court.

This section shall not apply to actions within the jurisdiction of trial justices, fees of the referee to be approved by the the judge, certified and paid as in the supreme judicial court.

Section 2. Exceptions may be alleged and cases certified on an agreed statement of facts, or upon evidence reported by the judge in all civil actions as in the supreme judicial court, and the same shall be entered, heard and determined at the law term thereof as if the same had originated in the supreme judicial court for the county of Oxford; and decisions of the law court in all such cases, shall be certified to the judge of said municipal court for final disposition with the same effect as in cases originating in said judicial court.

Exceptions may be alleged, etc., as in supreme court.

Section 3. The governor, by and with the consent of the council, shall appoint a recorder of said court, who shall be an attorney at law and duly sworn, hold his office for a term of four years, and shall reside in the town of Rumford or Mexico. Said recorder shall keep the records of said court, when requested so to do by the judge; and in the absence or inability of the judge the recorder shall have and exercise all the powers of the judge, and perform all the duties required of said judge by law, and shall be empowered to sign and issue all processes and papers, and all acts as fully and with the same effect as the judge could do were he acting in the premises; and the signature of the recorder as such, shall be sufficient evidence of his right to act instead of the judge. When the office of the judge is vacant, or the judge is absent or unable to act, the recorder shall be entitled to the fees; in all other cases he shall be paid by the judge.

Recorder, appointment and qualifications of.

—duties.

Section 4. In addition to such jurisdiction as said court now has by law the Rumford Falls Municipal Court shall have original jurisdiction concurrent with the supreme judicial court, in all civil actions wherein the debt or damage demanded does not exceed three hundred dollars, in which any defendant or person summoned as trustee shall reside, or have a place of business in said county of Oxford, or, if not an inhabitant of the state, shall be commorant in the county of Oxford.

Original concurrent with supreme judicial court.

CHAP. 329

Attachable
property,
jurisdiction
over.

Section 5. When any defendant has any attachable property within the county of Oxford and the same has been attached, said court shall have the same jurisdiction over said defendant and his property that the supreme judicial court has in similar cases and said municipal court shall order such service or notice as said supreme judicial court might order in like cases.

Proceedings
when
defendant
demands
jury trial.

Section 6. If any defendant, or his attorney, in any civil action in this court in which the debt or damage demanded or claimed in the writ exceeds twenty dollars, shall, on or before the first day of the first regular monthly term of said court held after the entry of said action, file in said court a motion setting forth therein that he has a good defense to said action, and intends in good faith to make such defense and claims a jury trial, and shall at the same time deposit with the judge or recorder of said court, one dollar and sixty-five cents for copies and entry in the supreme judicial court, to be taxed in his costs if he prevails, the said action shall forthwith be removed into the supreme judicial court, for said county of Oxford and shall be entered at the next ensuing term of the supreme judicial court after such removal; and the judge or recorder of said municipal court shall forthwith cause certified copies of the writ, return of the officer and all other papers in the case to be filed in the clerk's office of said supreme judicial court.

Shall not
have
jurisdiction
in towns
partly on
west side of
G. T. R., R.

Section 7. The Rumford Falls Municipal Court shall not have or exercise jurisdiction in any criminal matter where the offense complained of is alleged to have been committed in any town in Oxford county situated in part or in whole on the westerly side of the Grand Trunk Railroad.

Section 8. All acts and parts of acts inconsistent with this act are hereby repealed.

Approved March 26, 1903.