

# MAINE STATE LEGISLATURE

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# Acts and Resolves

As Passed by the

## Seventy-Ninth Legislature

OF THE

# STATE OF MAINE

1919

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Published by the Secretary of State, in accordance with the Resolves of the Legislature  
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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Seventy-Ninth  
Legislature

1919

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## CHAP. 2

**Sec. 2. Emergency.** In view of the emergency cited in the preamble, this act shall take effect when approved.

Approved January 15, 1919.

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## Chapter 2.

An Act to Amend Chapter Six Hundred and Thirty-six of the Private and Special Laws of Eighteen Hundred and Seventy-one, Relating to an Act to Establish a Municipal Court in the City of Lewiston.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. P. & S. L., 1871, c. 636, § 2; relating to jurisdiction of Lewiston municipal court, amended.** Section two of chapter six hundred and thirty-six of the private and special laws of eighteen hundred and seventy-one is hereby repealed and the section following herein enacted in lieu thereof:

**Sec. 2. Concurrent jurisdiction with Androscoggin superior court.** Said municipal court shall have exclusive jurisdiction in all civil actions in which the debt or damages demanded do not exceed twenty dollars, and both parties, or one of the parties and a person summoned as trustee, reside in the city of Lewiston, and shall also have exclusive jurisdiction over all offenses committed within the limits of the same as are cognizable by trial justices; provided, that warrants may be issued upon complaints, for offenses committed in said city of Lewiston by any trial justice in said county; but all such warrants shall be returnable before said court, and no trial justice shall take cognizance over any crime or offense committed in said city or any civil action where said court has exclusive jurisdiction. Said court shall have concurrent jurisdiction with trial justices, justices of the peace, and the municipal court of the city of Auburn, over all such matters, civil or criminal, within the county of Androscoggin, as are by law within their jurisdiction, and shall also have original concurrent jurisdiction with the superior court for Androscoggin county in all civil actions where the debt or damages demanded, exclusive of costs, do not exceed one hundred dollars, and the defendant resides in the county of Androscoggin; said municipal court shall also have concurrent jurisdiction with said superior court of the offenses described in chapter one hundred and twenty-two, sections one, six, seven, eight and ten of the revised statutes, when the value of the property is not alleged to exceed fifty dollars, and may punish by fine not exceeding one hundred dollars or by imprisonment not exceeding six months; and also of the offenses described in chapter one hundred and twenty, section twenty-six, of the revised statutes, and may punish by fine not exceeding fifty dollars or by imprisonment for a term not exceeding three months; also of the offenses described in chapter one hundred and twenty-six, section seven of the revised statutes, and may punish by fine not exceeding fifty dollars

or by imprisonment for a term not exceeding sixty days; also of the offenses described in chapter one hundred and twenty-eight, sections one and five, of the revised statutes, when the value of the property is not alleged to exceed fifty dollars; provided, that said court shall have no 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 is provided in chapter eighty-eight, section three, of the revised statutes. Any action in which the debt or damages demanded exceed twenty dollars, may be removed to the aforementioned superior court, on motion of the defendant, filed at the return term, provided he shall, at the time he files his motion, also file an affidavit that he believes he has a good defense to said action, in whole or in part, and intends, in good faith, to make such defense, and shall therewith deposit with the clerk of said municipal court, the entry fee in said superior court, to be taxed in his costs, if he shall prevail. The clerk shall enter said action at the next term of said superior court, and shall file with the writ, certified copies of the affidavit and motion.'

**Sec. 2. P. & S. L., 1871, c. 636, § 9; relating to appeals, amended.** Section nine of said chapter six hundred and thirty-six is hereby amended by striking out the words "supreme judicial" occurring therein and substituting therefor the word 'superior' so that the same, when amended, shall read as follows:

**'Sec. 9. Appeal to be taken to superior court, instead of to supreme court.** Any party may appeal from any judgment or sentence of said court to the superior court, in the same manner as from a judgment or sentence of a trial justice.'

Approved February 26, 1919.

## Chapter 3.

An Act to Amend Section Two of Chapter One Hundred and Ninety-four of the Private and Special Laws of Nineteen Hundred and Fifteen, Amending the Act Establishing a Municipal Court for the City of Auburn.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. P. & S. L., 1915, c. 194, § 2; relating to jurisdiction of Auburn municipal court, repealed.** Section two of chapter one hundred and ninety-four of the private and special laws of nineteen hundred and fifteen, is hereby repealed, and the section herein following enacted in lieu thereof:

**'Sec. 2. Jurisdiction changed so as to include superior court.** Said court shall have jurisdiction as follows:

I. Exclusive jurisdiction of all offenses against the ordinances or by-laws of said city, and all such other criminal offenses committed therein