

# MAINE STATE LEGISLATURE

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DOCUMENTS

PRINTED BY ORDER OF

THE LEGISLATURE

OF THE

STATE OF MAINE.

1861.



AUGUSTA:  
STEVENS & SAYWARD, PRINTERS TO THE STATE.  
1861.

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# FORTIETH LEGISLATURE.

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HOUSE.

No. 35.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND  
SIXTY-ONE.

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AN ACT to restrict the jurisdiction of justices of the  
peace to trial justices.

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

SECTION 1. The criminal jurisdiction of justices of  
2 the peace and of justices of the peace and quorum is  
3 hereby taken from such magistrates, and shall apply  
4 to trial justices and be restricted to their jurisdiction ;  
5 reserving to any person aggrieved at a sentence of  
6 such magistrate, the right of appeal therefrom, as  
7 provided in section 15 and 16 of chapter 132 of re-

8 vised statutes, and such provisions of the laws of this  
9 State as give jurisdiction in, and cognizance of crimes,  
10 offences and misdemeanors to justices of the peace  
11 and justices of the peace and quorum, are hereby re-  
12 pealed.

SECT. 2. Trial justices shall be subject to all the  
2 provisions of section seven of chapter 136 of the re-  
3 vised statutes ; and for any neglect thereof, shall suf-  
4 the penalties therein set forth ; and it shall be the  
6 duty of trial justices to keep a true and correct docket  
7 of all examinations and trials had before them of per-  
8 sons accused of crimes, offences or misdemeanors, set-  
9 ting forth therein a true account of all fines and for-  
10 feitures by them imposed and by him received upon  
11 convictions and sentences ; and once in a year shall  
12 exhibit said docket to the county commissioners for  
13 the county in which such trial justice resides, at one  
14 of the regular sessions of said commissioners, for their  
15 inspection, whose duty it shall be to examine such  
16 trial justice together with such docket relative to his  
17 having complied with all the requirements of the sev-  
18 enth section of said chapter 136.

SECT. 3. If any trial justice who has received any  
2 such fine or forfeiture named in said seventh section,  
3 shall refuse or neglect to comply with the second sec-  
4 tion of this act, he shall forfeit and pay the sum of

5 fifty dollars to the use of the county where he resides,  
6 to be recovered in an action of debt in the name of  
7 the county treasurer of such county.

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“ A. ”

Amend by adding a new section as follows : That trial justices shall have jurisdiction over all cases not exceeding seventy-five dollars. (Pending.)

STATE OF MAINE.

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HOUSE OF REPRESENTATIVES, }  
February 21, 1861. }

Reported by Mr. KIMBALL, from Committee on Judiciary, and  
on motion of Mr. DYER of Calais, laid on the table and 350 copies  
ordered to be printed for the use of the Legislature.

CHARLES A. MILLER, *Clerk.*