

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE.

1865.

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1865.

FORTY-FOURTH LEGISLATURE.

HOUSE.

No. 10.

STATE OF MAINE.

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

AN ACT to amend chapter thirty-two of the public laws of eighteen hundred and sixty-one, entitled an act to restrict the jurisdiction of justices of the peace to trial justices.

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

SECTION 1. The second section of the thirty-second chapter of the public laws of eighteen hundred and sixty-one is amended so as to read as follows :

“SECT. 2. Trial justices shall be subject to all the provisions of section seven of chapter one hundred and thirty-six of the revised statutes, and for any neglect thereof, shall suffer the penalties therein set forth, and it shall be the duty of trial justices to keep

9 a true and correct docket of all examinations and
10 trials had before them, of persons accused of crime,
11 offences or misdemeanors, setting forth therein a true
12 account of all fines and forfeitures by them imposed,
13 or received upon convictions and sentences ; and once
14 in a year to deliver or transmit to the county commis-
15 sioners, of the county in which the trial justice re-
16 sides, at one of the regular sessions of said commis-
17 sioners, such docket, or a copy thereof, accompanied
18 by their affidavit that they have faithfully complied
19 with the requirements of said seventh section ; and it
20 shall be the duty of said commissioners to examine
21 said dockets or copies ; and in any case where they
22 deem it expedient, they may summon any trial justice
23 to appear before them, with his original docket and
24 records, giving him not less than ten days' notice, by
25 personal service or by leaving at his last and usual
26 place of abode, before the time fixed for his appear-
27 ance ; and when any trial justice shall appear in obe-
28 dience to such summons, he may be examined on oath
29 relative to his official conduct, and when it is found,
30 upon such examination, that he has faithfully observed
31 the requirements of law, he shall be allowed reason-
32 able compensation for his travel and expense, to be
33 paid from the county treasury ; when any trial justice

34 so summoned shall refuse and neglect to obey the
35 summons, the commissioners may issue a capias,
36 and have him brought with his papers before them ;
37 and if he fail to show reasonable cause for his neglect,
38 he shall be held to pay the expenses of bringing him
39 before the commissioners, and they may issue a war-
40 rant of distress for the collection of the same.”

SECT. 2. Section three of said chapter is hereby
2 repealed.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
January 26, 1865. }

Reported by Mr. WEBB, from the Committee on the Judiciary.

HORACE STILSON, *Clerk.*