

MAINE STATE LEGISLATURE

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Sixty-Second Legislature.

SENATE.

No. 5.

[NEW DRAFT.]

STATE OF MAINE.

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

AN ACT to amend section sixteen of chapter one
hundred and thirty-two of the Revised Statutes,
relating to Appeals from Magistrates.

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

Section sixteen of chapter one hundred and
2 thirty-two of the Revised Statutes is hereby
3 amended by adding thereto the following words:
4 'The appellant may, at any time before such copy
5 has been sent to the appellate court, come person-
6 ally before such magistrate, who may permit him
7 on motion to withdraw his appeal and abide by
8 the sentence appealed from; whereupon he shall
9 be ordered to comply with said sentence and

10 the sureties taken upon the recognizance upon
11 such appeal shall be discharged. If the appellant
12 is detained in jail for want of sureties to pros-
13 ecute his appeal, he may give notice in writing to
14 the jailer of his desire to withdraw his appeal and
15 abide by the sentence appealed from; whereupon,
16 such jailer shall cause him to be taken before
17 such magistrate who shall order him to comply
18 with the sentence appealed from as heretofore
19 provided; and in such case, the jailer, or officer
20 taking the appellant before the magistrate by his
21 direction, shall be entitled to the same fees, to be
22 taxed and paid as a part of the costs of prosecu-
23 tion, as are allowed to an officer for serving a
24 mittimus.'

STATE OF MAINE.

IN SENATE CHAMBER, }
January 22, 1885. }

Reported by Mr. RAY from Committee on Judiciary, and laid on table
to be printed under joint rules.

C. W. TILDEN, *Secretary.*