

MAINE STATE LEGISLATURE

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SEVENTY-NINTH LEGISLATURE

HOUSE

NO. 393

House of Representatives, March 12, 1919.

Reported by Mr. Murchie from Committee on Judiciary and ordered printed under joint rules.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Weatherbee of Lincoln.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND NINETEEN

AN ACT to Amend Section Forty of Chapter One Hundred
Twenty-seven of the Revised Statutes, Relating to Prosecu-
tions, How Commenced and Conducted.

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

Section forty of chapter one hundred twenty-seven of the
2 revised statutes is hereby amended by striking out the
3 word "two" in the eleventh line of said section and by in-
4 serting in place thereof the following words 'not less than
5 five'; also by striking out the word "two" in the thirteenth
6 line of said section and inserting in place thereof the word
7 'five', so that said section as amended shall read as follows:

'Sect. 40. Prosecutions, how commenced and conducted.

2 Prosecutions for manufacturing liquors in violation of law,
3 for keeping drinking houses and tippling shops, and for
4 being common sellers of intoxicating liquors shall be by
5 indictment; but in all other prosecutions under this chap-
6 ter, except when otherwise expressly provided, judges of
7 municipal and police courts and trial justices have by com-
8 plaint, jurisdiction, original and concurrent with the su-
9 preme judicial and superior courts. All prosecutions in
10 the supreme judicial and superior courts shall be by in-
11 dictment. Said magistrates, in cases not within their jur-
12 isdiction, may examine and hold to bail. And in appeals
13 from any judgment or sentence before such magistrate,
14 the penal sum in every recognizance shall be not less than
15 five hundred dollars. No recognizance before such mag-
16 istrate shall be in a sum less than five hundred dollars;
17 nor in the supreme judicial or superior court in less than
18 five hundred dollars.'