

MAINE STATE LEGISLATURE

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REVISED STATUTES

OF THE

STATE OF MAINE

1954

1961 CUMULATIVE SUPPLEMENT

ANNOTATED

IN FIVE VOLUMES

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any other facts bearing on the propriety of granting pardon or commutation. (R. S. c. 136, § 49. 1961, c. 30.)

Effect of amendment.—The 1961 amendment divided the former first sentence into two sentences, added “attorney general and the” near the beginning of the present first sentence, substituted “4” for “3” in two places in that sentence, added “or for which commutation of sentence is sought” and “the attorney general or” in the present second sentence and substituted “said county attorney” and “said county attorney’s” for “him” and “his” near the end of that sentence.

Chapter 149-A.

Uniform Interstate Compact on Juveniles.

Secs. 1, 2. Repealed by Public Laws 1957, c. 387, § 23.

Cross reference.—For present provisions as to interstate compact on juveniles, see c. 27-A, § 22.

Chapter 150.

Collection and Disposal of Fines and Costs in Criminal Cases.

Duty of Trial Justices and Judges of Municipal Courts.

Sec. 5. All fines, costs and forfeitures paid to county treasurer.
—Every clerk of a superior court, trial justice and judge or recorder of a municipal court shall render, under oath, a detailed account of all fines, costs and forfeitures upon convictions and sentences before him, on forms prescribed by the state department of audit, and shall pay them into the treasury of the county where the offense is prosecuted on or before the 15th day of the month following the collection of such fines, costs and forfeitures. The county treasurer, upon approval of the county commissioners, shall pay to the state, town, city or persons any portion of the fines, costs and forfeitures that may be due. Any person who fails to make such payments into the county treasury shall forfeit, in each instance, double the amount so neglected to be paid over, to be recovered by indictment for the persons entitled to such fines, costs and forfeitures, and in default of payment, according to the sentence of the court, such person shall be punished by imprisonment for not more than 6 months. (R. S. c. 137, § 5. 1957, c. 334, § 15.)

Effect of amendment. — The 1957 amendment deleted the former second sentence which read “A certified bill of costs for each case heard in a municipal or trial justice court shall accompany such remittance.”

Sec. 6. Magistrates to give bond for faithful performance of duties; acting without bond.—Every trial justice or judge of a municipal court, before he performs any official act as such justice or judge pertaining to any criminal process or proceeding, shall give bond to the county in such sum and with such sureties as the county commissioners of said county shall approve, conditioned that he will, during his continuance in office, faithfully perform, as the law requires, all his duties relating to the collection and payment over of all fines and forfeitures which may come into his hands by virtue of his office. Such bond shall be held by the county treasurer and enforced for the security of any and all parties entitled to such fines and forfeitures, and an action on such bond for the benefit of one party shall not bar an action thereon for the benefit of any other party. Every such justice or judge who shall perform any such official acts before giving such bond forfeits not more than \$100, to be recovered by

indictment, but a failure to give such bond shall not render invalid such official acts. (R. S. c. 137, § 6. 1961, c. 317, § 487.)

Effect of amendment.—The 1961 amendment substituted “an action” for “a suit” in two places in the second sentence of this section.

Duty of Sheriffs and Other Officers.

Sec. 8. Officers to pay over to county treasurer fines and costs collected.

If any such officer neglects to pay over such fine, forfeiture or costs for 30 days after the receipt thereof; or if he permits any person, sentenced to pay such fine, forfeiture or bill of costs and committed to his custody, to go at large without payment, unless by order of court, and does not within 30 days after such escape pay the amount thereof to the county treasurer, he forfeits to the county double the amount. The county treasurer shall give notice of such neglect to the county attorney, who shall sue therefor in a civil action in the name of such treasurer. (R. S. c. 137, § 8. 1961, c. 317, § 488.)

Effect of amendment.—The 1961 amendment divided the last paragraph of this section into two sentences and substituted “a civil action” for “an action of debt” near the end of the present second sentence of such paragraph.

As the rest of the section was not affected by the amendment, it is not set out.

Sec. 10. Sheriff to deliver securities to treasurer.—Each sheriff, as often as every 3 months, shall deliver to the treasurer of his county all securities by him taken for fines and costs, on the liberation of poor convicts from prison pursuant to law. (R. S. c. 137, § 10. 1957, c. 254, § 2.)

Effect of amendment. — The 1957 amendment deleted the words “notes or other” formerly appearing preceding the word “securities”.

Duty of County Treasurers.

Sec. 12. Treasurer to exhibit schedule of securities to county commissioners.—A schedule of all securities with the amount due on each, received by the county treasurer from the sheriff pursuant to section 10, shall be by him laid before the county commissioners at their next session, to be filed with the clerk. The county commissioners, from time to time, shall examine such securities, order the county attorney to take such measures for their collection as they judge expedient or authorize the treasurer to compound and cancel them on such terms as they direct. (R. S. c. 137, § 12. 1961, c. 395, § 52.)

Effect of amendment.—The 1961 amendment, effective on its approval, June 17, 1961, divided this section into two sentences and deleted “notes and” preceding “securities” near the beginning of the present first sentence and also near the beginning of the present second sentence.

Chapter 152.

Uniform Criminal Extradition Act.

Sec. 23. Application for issuance of requisition.

II. When the return to this state is required of a person who has been convicted of a crime in this state and has escaped from confinement or broken the terms of his bail, probation or parole, the prosecuting attorney of the county in which the offense was committed, the state probation and parole board, or the warden of the institution, or sheriff of the county from which escape was made shall present to the governor a written application for a requisition for the return of such person, in which application shall be stated the name of the person, the crime of which he was convicted, the circumstances