

# MAINE STATE LEGISLATURE

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NINTH REVISION

REVISED STATUTES

OF THE

STATE OF MAINE

1954

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FIRST ANNOTATED REVISION

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IN FIVE VOLUMES

VOLUME 4



THE MICHIE COMPANY  
CHARLOTTESVILLE VIRGINIA

## Chapter 151.

### Uniform Act on Fresh Pursuit.

**Sec. 1. Title.**—This chapter may be cited as the “Uniform Act on Fresh Pursuit.” (R. S. c. 138, § 1.)

**Sec. 2. “Fresh pursuit” defined.**—The term “fresh pursuit” as used in this chapter shall include fresh pursuit as defined by the common law, and also the pursuit of a person who has committed a felony or who is reasonably suspected of having committed a felony. It shall also include the pursuit of a person suspected of having committed a supposed felony, though no felony has actually been committed, if there is reasonable ground for believing that a felony has been committed. Fresh pursuit as used herein shall not necessarily imply instant pursuit, but pursuit without unreasonable delay. (R. S. c. 138, § 2.)

**Sec. 3. “State” defined.** — For the purpose of this chapter the word “state” shall include the District of Columbia. (R. S. c. 138, § 3.)

**Sec. 4. Arrest; exception.**—Any member of a duly organized state, county or municipal police unit of another state of the United States who enters this state in fresh pursuit and continues within this state in such fresh pursuit of a person in order to arrest him on the ground that he is believed to have committed a felony in such other state, shall have the same authority to arrest and hold such person in custody as has any member of any duly organized state, county or municipal police unit of this state to arrest and hold in custody a person on the ground that he is believed to have committed a felony in this state; provided, however, that the provisions of this section shall not be construed so as to make unlawful any arrest in this state which would otherwise be lawful. (R. S. c. 138, § 4.)

**Sec. 5. Hearing.**—If an arrest is made in this state by an officer of another state in accordance with the provisions of section 4, he shall without unnecessary delay take the person arrested before a magistrate of the county in which the arrest was made, who shall conduct a hearing for the purpose of determining the lawfulness of the arrest. If the magistrate determines that the arrest was lawful, he shall commit the person arrested to await for a reasonable time the issuance of an extradition warrant by the governor of this state or admit him to bail for such purpose. If the magistrate determines that the arrest was unlawful, he shall discharge the person arrested. (R. S. c. 138, § 5.)