

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIRST LEGISLATURE

Legislative Document

No. 1029

S. P. 363

In Senate, February 5, 1963

Referred to Committee on Judiciary. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Stitham of Somerset.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-THREE

AN ACT Relating to Request for Arraignment in Vacation.

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

Sec. 1. R. S., c. 147, § 33, amended. The last paragraph of section 33 of chapter 147 of the Revised Statutes, as enacted by chapter 187 of the public laws of 1955 and as amended, is further amended to read as follows:

‘The Superior Court shall, by rule, establish forms and petitions to waive indictment, **request arraignment in vacation**, and may, by rule, make such other regulations or procedure as justice may require.’

Sec. 2. R. S., c. 147, § 33, amended. Section 33 of chapter 147 of the Revised Statutes, as enacted by chapter 187 of the public laws of 1955 and as amended, is further amended by adding a new paragraph to read as follows:

‘Any person charged, by indictment, with an offense not punishable by life imprisonment who is not arraigned at the term at which the indictment is returned and who desires to have a prompt arraignment before the next term of court may file a petition in writing with the clerk of said court requesting prompt arraignment. After the filing of such petition, and after the accused, before any Justice of the Superior Court in vacation, has been advised of the nature of the offense and of his rights, said accused may waive in open court his right to await arraignment at the next term of court, which waiver shall be recorded. Following such waiver the indictment may then be disposed of as in the case of proceedings by information.’