

MAINE STATE LEGISLATURE

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FIFTY-SECOND LEGISLATURE.

HOUSE.

No. 65.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SEVENTY-THREE.

AN ACT relating to recognizances and testimony.

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

SECTION 1. The supreme judicial court in session in 2 each county shall appoint from the number of justices 3 of the peace for that county, one or more commission- 4 ers whose duties and powers shall be as prescribed in 5 the following section, and who shall hold office at the 6 pleasure of the court.

SECT. 2. When a person is confined in a jail for a 2 bailable offence or for not finding sureties on a recog- 3 nizance, any commissioner appointed under this act on 4 application may inquire into the case and admit any 5 such person to bail, and exercise the same power as 6 any justice of the supreme judicial court can, and may

7 issue a writ of habeas corpus and cause such person to
8 be brought before them for this purpose, and may take
9 such recognizance.

SECT. 3. Section thirty-four of chapter ninety-nine
2 of the revised statutes is hereby repealed, but such
3 repeal shall not take effect in any county until a com-
4 missioner or commissioners have been appointed under
5 this act.

SECT. 4. Section eighty-two, chapter eighty-two of
2 the revised statutes is hereby amended by striking out
3 all after the word "witness" in the sixth line, so that
4 the last clause of said section as amended shall read,
5 "and the husband or wife of either party may be a
6 witness."

SECT. 5. Section nineteen, chapter one hundred and
2 thirty-four of the revised statutes is hereby amended
3 by striking out all after the word "witness" in the
4 twelfth line, so that the last sentence of said section
5 shall read, "the husband or wife of the accused shall
6 be a competent witness."

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
February 20, 1873. . . }

Reported from the Committee on the Judiciary, by Mr. Knowlton, and laid aside to be printed under the Joint Rule.

S. J. CHADBOURNE, *Clerk.*