

# MAINE STATE LEGISLATURE

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# Seventy-first Legislature.

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HOUSE.

No. 294

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND THREE.

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AN ACT to regulate the taking of bail in Criminal Prosecution.

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

Section 1. Any person offering to recognize before any  
2 trial justice, judge of a police or municipal court, or bail  
3 commissioner, as surety for the appearance before any supe-  
4 rior or supreme judicial court of any respondent in a criminal  
5 prosecution, whether such respondent be an appellant from  
6 the finding of a trial justice or judge of a police or municipal  
7 court, or be ordered to recognize to await the action of the  
8 grand jury, or be arrested in vacation on *capias* issued on  
9 indictment pending in such superior or supreme judicial court,  
10 may be required to file with said trial justice, judge of a police  
11 or municipal court, or bail commissioner, a written statement  
12 signed and sworn to by said surety, describing all real estate

13 owned by said surety within this State with sufficient accuracy  
14 to identify it, and giving in detail all incumbrances thereon  
15 and the value thereof, such valuation to be based on the judg-  
16 ment of said surety. Said certificate shall remain on file with  
17 the original papers in said case and a certified copy thereof  
18 be transmitted by the magistrate taking such bail to the clerk  
19 of the court before which said respondent so recognizes for  
20 his appearance.

Sect. 2. All bail shall be responsible for the appearance of  
2 their principal at all times during the term of court at which  
3 they agree to have him, until verdict or certification of the  
4 case to the law court on demurrer or exceptions, unless said  
5 bail shall have sooner surrendered him into the custody of  
6 the sheriff or jailer of the county in which the case is pending.

Sect. 3. All acts and parts of acts inconsistent herewith are  
2 hereby repealed.

Sect. 4. This act shall take effect when approved.



**STATE OF MAINE.**

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IN HOUSE OF REPRESENTATIVES,

AUGUSTA, March 11, 1903.

Reported by Mr. DREW of Portland, from Committee on the  
Judiciary, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*