

MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

HOUSE

NO. 904

House of Representatives, March 23, 1915.

Reported by Mr. Clifford from Committee on Revision of Statutes and ordered printed under joint rules.

C. C. HARVEY, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIFTEEN

AN ACT to Amend Section Thirty-five of Chapter One Hundred and One of the Revised Statutes Relating to the Authority of Bail Commissioners.

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

Section thirty-five of chapter one hundred and one of the
2 revised statutes is hereby amended by inserting after the
3 word "prison" in the fourth line, the following words: 'and
4 except when such person is committed pending decision on
5 report or exceptions as provided in section twenty-six of
6 chapter one hundred and thirty-five as amended by chapter
7 one hundred and six of the public laws of nineteen hundred
8 and five;' and by inserting after the word "recognizance"
9 in the eighth line of said section, the words: 'provided,

10 however, that during a term of the supreme judicial court
11 of superior court a bail commissioner is not authorized to
12 admit to bail any person confined in jail or held under ar-
13 rest by virtue of a precept returnable to said term; and
14 when a person is confined in jail for a bailable offense, or
15 for not finding sureties on a recognizance, and the amount
16 of his bail has been fixed by a justice of the supreme judi-
17 cial court or by a judge of a superior court, a bail commis-
18 sioner is not authorized to change the amount of such bail,
19 so that said section as amended shall read as follows:

‘Sect. 35. When a person is confined in jail for a bail-
21 able offense, or for not finding sureties on a recognizance,
22 except when a verdict of guilty has been rendered against
23 him for an offense punishable in the state prison, and ex-
24 cept when such person is committed pending decision on re-
25 port or exceptions as provided in section twenty-six of
26 chapter one hundred and thirty-five as amended by chapter
27 one hundred and six of the public laws of nineteen hun-
28 dred and five, any such commissioner, on application may
29 inquire into the case and admit him to bail, and exercise the
30 same power as any justice of the supreme judicial court or
31 superior court can: and may issue a writ of habeus corpus,
32 and cause such person to be brought before him for this
33 purpose, and may take such recognizance: provided, how-
34 ever, that during a term of the supreme judicial court or
35 superior court a bail commissioner is not authorized to ad-
36 mit to bail any person confined in jail or held under arrest

37 by virtue of a precept returnable to said term; and when a
38 person is confined in jail for a bailable offense, or for not
39 finding sureties on a recognizance, and the amount of his
40 bail has been fixed by a justice of the supreme judicial
41 court or by a judge of the superior court, a bail commis-
42 sioner is not authorized to change the amount of such bail.
43 Such bail commissioner shall receive not exceeding the sum
44 of five dollars in each case in which bail is so taken, the
45 same to be paid by the person so admitted to bail; but the
46 person admitted to bail shall not be required to pay any
47 other fees or charges to any officer for services connected
48 with the giving of such bail.'