

MAINE STATE LEGISLATURE

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SEVENTY-EIGHTH LEGISLATURE

SENATE

NO. 418

In Senate, March 29, 1917.

*Reported by Mr. Marshall from Committee on Legal Affairs,
and ordered printed under joint rules.*

W. E. LAWRY, Secretary.

Presented by Mr. Butler of Knox.

STATE OF MAINE

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

An Act to amend Section Twenty-nine of Chapter One Hundred
Thirty-six of the Revised Statutes, Relating to Copy of Pro-
ceedings in Murder Cases.

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

Section 1. Section twenty-nine of chapter one hundred
2 thirty-six of the Revised Statutes is hereby amended by
3 striking out all of said section after the word "county;" in
4 the sixth line thereof, and inserting, in place thereof, the
5 words, but this section shall not apply to cases where a mo-
6 tion for a new trial is filed and granted, as to the evidence

7 and charge in any trial but the last;' also by adding the fol-
8 lowing to said section: 'A copy of the indictment, plea, evi-
9 dence and charge of the presiding justice, certified by the
10 official stenographer, shall also be filed in the office of the
11 Secretary of State, so that it may be used in any pardon
12 hearing before the Governor and Council, and the expense
13 thereof shall be paid by the State. The State shall pay the
14 expense of having the evidence and charge transcribed by
15 the official stenographer in any murder cases heretofore
16 tried, where a pardon is sought by one serving a life sen-
17 tence in the State Prison, who is unable to pay therefor, if
18 he, or she, claims to be innocent of the crime, the transcript
19 to be filed in the office of the Secretary of State, for use as
20 above provided,'—so that said section, as amended, (omit-
21 ting the heading) shall read as follows:

'Sect. 29. Whenever any person is convicted of murder,
2 a copy of the indictment, plea, evidence and charge of the
3 presiding justice, certified by the official stenographer, shall
4 be filed with the clerk of the court where such trial is held.
5 If such stenographer is paid an annual salary, the making
6 and filing of said copy shall be without extra compensation,
7 otherwise the expense thereof shall be paid by the County;
8 but this section shall not apply to cases where a motion for
9 a new trial is filed and granted, as to the evidence and charge
10 in any trial but the last. A copy of the indictment, plea,
11 evidence and charge of the presiding justice, certified by the
12 official stenographer, shall also be filed in the office of the

13 Secretary of State, so that it may be used in any pardon
14 hearing before the Governor and Council, and the expense
15 thereof shall be paid by the State. The State shall pay the
17 expense of having the evidence and charge transcribed by
18 the official stenographer in any murder cases heretofore tried,
19 where a pardon is sought by one serving a life sentence in
20 the State prison, who is unable to pay therefor, if he, or she,
21 claims to be innocent of the crime, the transcript to be filed
22 in the office of the Secretary of State, for use as above pro-
23 vided.'