

MAINE STATE LEGISLATURE

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EIGHTY-FIRST LEGISLATURE

SENATE

NO. 56

In Senate, Feb. 7, 1923.

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

L. ERNEST THORNTON, Secretary.

Presented by Senator Clark of Lincoln.

STATE OF MAINE

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

AN ACT to Amend Section Fourteen, Chapter One Hundred
and Thirty-seven, Revised Statutes, Relating to Probation.

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

Section fourteen of chapter one hundred thirty-seven of
2 the revised statutes is hereby amended by inserting after
3 the word "officer" in the fifth line, the following: 'Provided,
4 however, that no person having a record of a previous
5 conviction of any offense under chapter one hundred
6 twenty-seven of the revised statutes within five years shall
7 be admitted to probation under this section or under sections
8 twelve or thirteen in any subsequent prosecution for a

9 violation of any provision of said chapter,' so that said
10 section as amended shall read as follows:

'Sect. 14. The court may in its discretion, if the offense
2 is within the jurisdiction of the court trying the cause,
3 suspend sentence for a definite period of time, or for an
4 indefinite time not exceeding one year, and such respondent
5 may be committed to the custody and control of the proba-
6 tion officer. Provided, however, that no person having a
7 record of a previous conviction of any offense under chapter
8 one hundred twenty-seven of the revised statutes within
9 five years shall be admitted to probation under this section
10 or under sections twelve or thirteen in any subsequent
11 prosecution for a violation of any provision of said chapter.
12 In all cases where the respondent is committed to the cus-
13 tody or control of the probation officer, the court shall give
14 to each respondent a writing showing the terms of his
15 probation and the times and places when and where such
16 respondent is to report to such probation officer. And if at
17 any time such respondent violates the terms of his proba-
18 tion, the probation officer shall forthwith report the same
19 to the court which finally tried the cause, and the court may
20 thereupon decree said probation ended, and either impose
21 the sentence, if the cause has been continued for sentence,
22 or in all other cases order the respondent to forthwith com-
23 ply with the original sentence; and in all cases where sen-
24 tence has not been imposed, the court may forthwith impose
25 sentence.