

MAINE STATE LEGISLATURE

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EIGHTY-THIRD LEGISLATURE

Senate Document

No. 32

S. P. 90

In Senate, Feb. 2, 1927.

Referred to Committee on Judiciary and 1000 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Oakes of Cumberland.

STATE OF MAINE

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

AN ACT to Amend Section Thirteen of Chapter One Hundred
Thirty-three of the Revised Statutes.

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

That section thirteen of chapter one hundred thirty-three
2 of the revised statutes be amended by adding thereto the
3 following words: 'Any complaint, indictment or other
4 criminal process for any offense, except for a capital or
5 infamous crime, may be amended in matters of substance,
6 provided the nature of the charge is not thereby changed,'
7 so that said section, as amended, shall read as follows:

'Sect. 13. No variance between any matter in writing or
2 print, produced in evidence on the trial of a criminal cause,
3 and the recital or setting forth thereof in the complaint,

4 indictment or other criminal process whereon trial is had,
5 is material, provided, that the identity of the instrument is
6 evident, and the purport thereof is sufficiently described to
7 prevent prejudice to the defendant; and any criminal process
8 may be amended, in matters of form, at any time before
9 final judgment. Any complaint, indictment or other crimi-
10 nal process for any offense, except for a capital or infamous
11 crime, may be amended in matters of substance, provided
12 the nature of the charge is not thereby changed.'