

# MAINE STATE LEGISLATURE

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Legislative Document

No. 25

H. P. 20

House of Representatives, January 19, 1943.

Referred to Committee on Judiciary, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Maxwell of Bangor.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-THREE

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AN ACT Relating to Probation in Criminal Cases.

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

**R. S., c. 147, § 14, amended.** Section 14 of chapter 147 of the revised statutes, as amended by chapter 87 of the public laws of 1935 and as amended by chapter 43 of the public laws of 1937, is hereby further amended so as to read as follows:

**‘Sec. 14. Court may suspend sentence and place respondent on probation; violation of terms of probation; sentence may be imposed in vacation.** The court may in its discretion, if the offense is within the jurisdiction of the court trying the cause, **continue for sentence**, suspend sentence for a definite period of time, or for an indefinite time not exceeding ~~one~~ **two** years, and such respondent may be committed to the custody and control of the probation officer.

In all cases where the respondent is committed to the custody or control of the probation officer, the court **shall fix the period of time of such probation and the terms and conditions thereof**, and shall give to each respondent a writing showing the terms of his probation and the times and places when and where such respondent is to report to such probation officer. ~~And if at any time any~~ **Whenever** such respondent violates the terms of his proba-

tion, the probation officer shall forthwith report the same to the court which finally tried the cause, and the court may thereupon decree said probation ended, and either impose the sentence, if the cause has been continued for sentence, or in all other cases order the respondent to forthwith comply with the original sentence; and in all cases where the sentence has not been imposed, the court may forthwith impose sentence. The probation officer may bring any such respondent who has violated the terms of his probation before the court which finally tried the cause, in vacation, and any justice of said court upon being satisfied of the facts, may order the respondent to forthwith comply with the original sentence. If the cause had been continued for sentence, the justice of said court may, either in term or in vacation, impose sentence, or to any justice of said court in vacation. The respondent may at any time be brought before said court or any justice thereof in vacation, and the said court or said justice thereof in vacation, cause being shown, may order said probation ended and either impose the sentence if the cause has been continued for sentence, or order the respondent forthwith to comply with the original sentence, or if it shall be made to appear to the satisfaction of said court, or to any justice thereof in vacation, as the case may be, that the ends of justice and the best interests of the public, as well as the respondent, will be subserved thereby, may order that probation be ended and that the respondent be allowed to go without day.'