

MAINE STATE LEGISLATURE

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NINETY - THIRD LEGISLATURE

Legislative Document

No. 459

H. P. 662

House of Representatives, February 4, 1947.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Fowler of Augusta.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-SEVEN

AN ACT to Amend the Law Relating to Prior Convictions in Offenses Against the Liquor Law.

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

R. S., c. 57, § 72, amended. Section 72 of chapter 57 of the revised statutes is hereby amended to read as follows:

'Sec. 72. Indictments not to be dismissed, but by order of court. ~~Every judge, recorder, and clerk of a municipal court and every trial justice and county attorney, having knowledge of a previous conviction of any person accused of violating any of the provisions of this chapter, in preparing complaints, warrants, or indictments, shall allege such previous conviction therein; and after such an indictment for a violation of any of the provisions of this chapter is entered in court, no county attorney shall dismiss or fail to prosecute it except by special order of court. If any judge, recorder, or clerk of a municipal court, or any trial justice or county attorney neglects or refuses to allege such previous conviction, or if any county attorney fails so to prosecute, he forfeits \$100 in each case, to be recovered in an action of debt, to be brought by the attorney-general in behalf of the state.~~