

MAINE STATE LEGISLATURE

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NINETY-FOURTH LEGISLATURE

Legislative Document

No. 787

S. P. 433

In Senate, February 17, 1949

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

CHESTER T. WINSLOW, Secretary

Presented by Senator Barnes of Aroostook.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

AN ACT Relating to Terms of Court in Aroostook County.

Emergency preamble. Whereas, no term of the superior court in Aroostook county for criminal business is now held between the 1st Tuesday of April and the 2nd Tuesday of November; and

Whereas, this results in great delay for respondents entitled to speedy trial and produces a heavily congested criminal docket at the November term, which congestion is increasing from year to year and requires immediate relief for the proper administration of justice; and

Whereas, an amendment not effective until 90 days after adjournment of the legislature could not relieve the situation until the year 1950; and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of the constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

R. S., c. 94, § 11, sub-§ II, amended. Subsection II of section 11 of chapter 94 of the revised statutes, as amended by chapter 1 of the public laws of 1945, is hereby further amended to read as follows:

'II. Aroostook: At Houlton on the 1st Tuesday of April and the 2nd Tuesday of November for civil and criminal business, ~~and~~ at Caribou on the 1st Tuesday of February ~~and~~ for civil business, and at Houlton on the 2nd Tuesday of September for ~~civil~~ criminal business ~~only~~ and by adjournment at Caribou for civil business, provided that the grand jury shall only attend at the April and November terms unless specially summoned by order of a justice of said court. All recognizances for appearance to abide action by the grand jury shall be for appearance at the term at which the next regular session of the grand jury is held, but appeals in criminal matters shall be to the next regular term except the February term; and all writs and precepts made returnable to the superior court to be holden in and for said county of Aroostook on the 2nd Tuesday of September, 1949, whether reciting said term to be begun and holden at Houlton or at Caribou, shall be returnable to and cognizable at the September term, 1949, as herein provided.'

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.