

MAINE STATE LEGISLATURE

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N I N E T Y - S I X T H L E G I S L A T U R E

Legislative Document

No. 340

S. P. 131

In Senate, February 4, 1953

CHESTER T. WINSLOW, Secretary

Presented by Senator Littlefield of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-THREE

AN ACT Relating to the Expedition of Trials in Criminal Cases.

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

R. S., c. 134, § 1, amended. Section 1 of chapter 134 of the revised statutes is hereby amended by adding at the end thereof the following paragraphs :

‘Any person who has been bound over or committed for trial in any superior court of the state, upon complaint charging a crime not punishable by life imprisonment and who desires to waive indictment, may apply in writing to the superior court for prompt arraignment upon such complaint. Upon filing of such application, the county attorney may, with the approval of the court, proceed against the defendant by complaint, and in such case he shall be held to answer and the court shall have as full jurisdiction of the complaint as if an indictment had been found. The arraignment of the defendant shall be at such time as the court may designate. Every person when so committed or bound over upon such complaint shall be notified by the court of his right to apply for waiver of indictment and prompt arraignment as aforesaid.

If the county attorney desires to charge a defendant making application hereunder with a crime or crimes not punishable by life imprisonment, other than a crime charged in the complaint upon which he has been so committed or bound over, the county attorney may, before consenting to such application, prepare a complaint or complaints charging such other

crime or crimes and serve the same upon the defendant in order that he may have an opportunity to waive indictment upon such other charges. If an application for waiver of indictment as to any other charge is subsequently filed, the court shall, before approving such application, require an affidavit of service upon the defendant as part of the record of the case. The superior court shall by rule establish forms for application to waive indictment hereunder and may by rule make such other regulations or procedure hereunder as justice may require.'