

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 671**

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S. P. 248

In Senate, February 12, 1953.

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

CHESTER T. WINSLOW, Secretary.

Presented by Senator Weeks of Cumberland.

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**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-THREE

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**AN ACT Relating to Application for Writ of Habeas Corpus.**

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

**R. S., c. 113, § 6, repealed and replaced.** Section 6 of chapter 113 of the revised statutes is hereby repealed and the following enacted in place thereof:

**'Sec. 6. Application. Application for such writ by any person shall be made to any justice of the supreme judicial court or superior court, in any county in the state, regardless where the restraint may exist, and regardless whether or not the supreme judicial court or superior court is in session. It shall be made returnable before such justice to whom application is made, and a hearing shall be held by such justice within 48 hours of the time of filing such application, and judgment shall be rendered within 24 hours after hearing thereon. If the writ is denied and an appeal taken to the law court, the person restrained may be admitted to bail within the discretion of the justice rendering judgment thereon, pending such appeal.'**