

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1876.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 28, 1840, and March 16, 1842.

AUGUSTA:
SPRAGUE, OWEN & NASII, PRINTERS TO THE STATE.
1876.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1876.

approved February twenty-first, eighteen hundred and seventy-six, is hereby amended by adding thereto the following section, viz :

CHAP. 133.

‘SECT. 8. The provisions of this act shall not apply to offences committed before the same goes into effect.’

Act not to apply to prior offences.

Approved February 23, 1876.

Chapter 133.

An act to amend chapter one hundred and thirty-three of the Revised Statutes relative to Commencement of Prosecutions.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section thirteen of chapter one hundred and thirty-three of the revised statutes, is amended so as to read as follows :

Sec. 13, ch. 133, R. S., amended.

‘SECT. 13. If it appears on the whole examination that no offence has been committed, or that there is not probable cause to charge the accused, he shall be discharged ; and if the magistrate judges the complaint frivolous or malicious, he shall order the complainant to pay the cost of prosecution and issue execution accordingly. But if it appears that an offence has been committed and there is probable cause to charge the accused, and the offence is bailable, and sufficient bail is offered, it shall be taken and the accused discharged ; but if it is not bailable, or no sufficient bail is offered, the accused shall be committed to prison to await trial. If the offence is within the jurisdiction of the magistrate he shall try it and award sentence thereon.’

Malicious prosecutions, &c., accused to be discharged.

—cost, by whom paid.

Accused may be discharged on bail.

—may be committed, if offence is not bailable.

—shall be tried if within jurisdiction of magistrate.

Approved February 23, 1876.

Chapter 134.

An act to repeal section five, chapter one hundred forty-one of the Revised Statutes, in relation to Houses of Correction.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section five, chapter one hundred and forty-one of the revised statutes, is hereby repealed.

Sec. 5, ch. 141, R. S., repealed.

Approved February 23, 1876.