

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE

1903.

Published by the Secretary of State, agreeably to Resolves of June 28,
1820, February 18, 1840, and March 16, 1842.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1903.

CHAP. 124

Chapter 124.

An Act to amend Section thirty-five of Chapter ninety-nine of the Revised Statutes, relating to Powers and Duties of Bail Commissioners.

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

Section 35 of chapter 99, R. S., amended.

Section thirty-five of chapter ninety-nine of the revised statutes is hereby amended by adding thereto the following words: 'And such bail commissioners shall receive not exceeding the sum of five dollars in each case in which bail is so taken, the same to be paid by the person so admitted to bail; but the person admitted to bail shall not be required to pay any other fees or charges to any officer for services connected with the giving of such bail,' so that said section thirty-five, as amended, shall read as follows:

Bail commissioner may admit to bail.

'Section 35. When a person is confined in a jail for a bailable offense, or for not finding sureties on a recognizance, except when a verdict of guilty has been rendered against him for an offense punishable in the state prison, any such commissioner, on application, may inquire into the case and admit him to bail, and exercise the same power as any justice of the supreme judicial or superior court can; and may issue a writ of habeas corpus, and cause such person to be brought before him for this purpose, and may take such recognizance. And such bail commissioners shall receive not exceeding the sum of five dollars in each case in which bail is so taken, the same to be paid by the person so admitted to bail; but the person admitted to bail shall not be required to pay any other fees or charges to any officer for services connected with the giving of such bail.'

—exception.

—may issue writ of habeas corpus.

—fees of bail commissioner.

Approved March 23, 1903.

Chapter 125.

An Act to regulate the taking of Bail in Criminal Prosecution.

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

Persons offering to recognize for respondent in criminal prosecution, shall make written sworn statement, describing real estate holden by them.

Section 1. Any person offering to recognize before any trial justice, judge of a police or municipal court, or bail commissioner, as surety for the appearance before any superior or supreme judicial court of any respondent in a criminal prosecution, whether such respondent be an appellant from the finding of a trial justice or judge of a police or municipal court, or be ordered to recognize to await the action of the grand jury, or be arrested in vacation on capias issued on indictment pending in

such superior or supreme judicial court, may be required to file with said trial justice, judge of a police or municipal court, or bail commissioner, a written statement signed and sworn to by said surety, describing all real estate owned by said surety within this state with sufficient accuracy to identify it, and giving in detail all incumbrances thereon and the value thereof, such valuation to be based on the judgment of said surety. Said certificate shall remain on file with the original papers in said case and a certified copy thereof be transmitted by the magistrate taking such bail to the clerk of the court before which said respondent so recognizes for his appearance.

Section 2. All bail shall be responsible for the appearance of their principal at all times during the term of court at which they agree to have him, until verdict or certification of the case to the law court on demurrer or exceptions, unless said bail shall have sooner surrendered him into the custody of the sheriff or jailer of the county in which the case is pending.

Shall be responsible for appearance of principal.

Section 3. All acts and parts of acts inconsistent herewith, are hereby repealed.

Inconsistent acts, repealed.

Section 4. This act shall take effect when approved.

Approved March 23, 1903.

Chapter 126.

An Act in aid of the soldiers of the Aroostook War

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

Section 1. Any citizen of Maine who has served in the drafted quota of the militia in the Aroostook war, has been honorably discharged and has been unable from his own resources to obtain a livelihood for himself and those dependent upon him, shall be entitled to a pension from the state of Maine of four dollars a month. The same shall be paid in accordance with the regulations provided in sections four, five, six and seven of chapter one hundred and forty-four of the revised statutes and acts additional thereto and amendatory thereof.

Pensions to soldiers of Aroostook war.

—how paid.

Section 2. This act shall take effect when approved.

Approved March 24, 1903.