

MAINE STATE LEGISLATURE

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REVISED STATUTES
OF THE
STATE OF MAINE
1954

1963 CUMULATIVE SUPPLEMENT

ANNOTATED

IN FIVE VOLUMES

VOLUME 4

Discard Previous Supplement

THE MICHIE COMPANY
CHARLOTTESVILLE, VIRGINIA
1963

the present second sentence and substituted "said county attorney" and "said county attorney's" for "him" and "his" near the end of that sentence.

Chapter 149-A.

Uniform Interstate Compact on Juveniles.

Secs. 1, 2. Repealed by Public Laws 1957, c. 387, § 23.

Cross reference.—For present provisions as to interstate compact on juveniles, see c. 27-A, § 22.

Chapter 150.

Collection and Disposal of Fines and Costs in Criminal Cases.

Section 3 to 4-A. Duty of Clerks of Court.

Costs Taxable for the State in Criminal Prosecutions.

General Provisions.

Sec. 1. Costs taxable for state in criminal prosecutions.

No attendance shall be taxed in cases of defaulted recognizances, other than is taxed in the prosecutions in which they are taken, until the commencement of a proceeding thereon. (1963, c. 414, § 143.)

Effect of amendment.—The 1963 amendment substituted "commencement of a proceeding" for "return of a writ of scire facias issued" in the fifth paragraph. As the rest of the section was not affected by the amendment, only the fifth paragraph is set out.

Duty of Clerks of Court.

Sec. 4-A. Fines, costs, and forfeitures in superior court.—Every clerk of a superior court shall render under oath a detailed account of all fines, costs and forfeitures upon convictions and sentences before him, on forms prescribed by the state department of audit, and shall pay them into the treasury of the county where the offense is prosecuted on or before the 15th day of the month following the collection of such fines, costs and forfeitures. The county treasurer, upon approval of the county commissioners, shall pay to the state, town, city or persons any portion of the fines, costs and forfeitures that may be due. Any person who fails to make such payments into the county treasury shall forfeit, in each instance, double the amount so neglected to be paid over, to be recovered by indictment for the persons entitled to such fines, costs and forfeitures, and in default of payment, according to the sentence of the court, such person shall be punished by imprisonment for not more than 6 months. (1963, c. 402, § 256.)

Duty of Trial Justices and Judges of Municipal Courts.

Secs. 5-7. Repealed by Public Laws 1963, c. 402, § 257.

Editor's note.—Present § 4-A contains provisions similar to repealed § 5, which, however, was applicable to trial justices and judges or recorders of municipal courts, as well as to clerks of superior courts. Section 5 had been amended by P. L. 1957, c. 334, § 15. Section 6 had been amended by P. L. 1961, c. 317, § 487.

Application of repealing act. — Section 280 of c. 402, P. L. 1963, provides that the

act shall apply only to the district court when established in a district and that the laws in effect prior to the effective date of the act shall apply to all municipal and trial justice courts.

Duty of Sheriffs and Other Officers.

Sec. 8. Officers to pay over to county treasurer fines and costs collected; payment to district court.

If any such officer neglects to pay over such fine, forfeiture or costs for 30 days after the receipt thereof; or if he permits any person, sentenced to pay such fine, forfeiture or bill of costs and committed to his custody, to go at large without payment, unless by order of court, and does not within 30 days after such escape pay the amount thereof to the county treasurer, he forfeits to the county double the amount. The county treasurer shall give notice of such neglect to the county attorney, who shall sue therefor in a civil action in the name of such treasurer.

All such fines imposed by the district court shall be paid over to the district court. (R. S. c. 137, § 8. 1961, c. 317, § 488. 1963, c. 402, § 257-A.)

Effect of amendments. — The 1961 amendment divided the second paragraph of this section into two sentences and substituted "a civil action" for "an action of debt" near the end of the present second sentence of such paragraph. The 1963 amendment added the last paragraph in the section. As the rest of the section was not affected by the amendments, it is not set out.

Sec. 10. Sheriff to deliver securities to treasurer; payment to district court.—Each sheriff, as often as every 3 months, shall deliver to the treasurer of his county all securities by him taken for fines and costs, on the liberation of poor convicts from prison pursuant to law.

All such securities taken for fines imposed by the district court shall be paid over to the district court. (R. S. c. 137, § 10. 1957, c. 254, § 2. 1963, c. 402, § 257-B.)

Effect of amendments. — The 1957 amendment deleted the words "notes or other" formerly appearing preceding the word "securities". The 1963 amendment added the second paragraph in the section.

Duty of County Treasurers.

Sec. 12. Treasurer to exhibit schedule of securities to county commissioners.—A schedule of all securities with the amount due on each, received by the county treasurer from the sheriff pursuant to section 10, shall be by him laid before the county commissioners at their next session, to be filed with the clerk. The county commissioners, from time to time, shall examine such securities, order the county attorney to take such measures for their collection as they judge expedient or authorize the treasurer to compound and cancel them on such terms as they direct. (R. S. c. 137, § 12. 1961, c. 395, § 52.)

Effect of amendment.—The 1961 amendment, effective on its approval, June 17, 1961, divided this section into two sentences and deleted "notes and" preceding "securities" near the beginning of the present first sentence and also near the beginning of the present second sentence.