

CHAPTER 1

JURISDICTION AND VENUE

§1. Superior Court; criminal jurisdiction

1. Jurisdiction. The Superior Court has original jurisdiction, exclusive or concurrent, of all crimes.

[PL 1999, c. 731, Pt. ZZZ, §9 (NEW); PL 1999, c. 731, Pt. ZZZ, §42 (AFF).]

2. Appellate and review jurisdiction.

[PL 2015, c. 431, §3 (RP).]

3. Location of post-arraignment proceedings. The Supreme Judicial Court may by rule provide that, with the consent of the defendant, post-arraignment proceedings in criminal cases may be conducted at locations other than those provided by statute. The Supreme Judicial Court may by rule provide that, without the consent of the defendant, post-arraignment proceedings in criminal cases may be conducted at locations other than those provided by statute, provided that the location is in an adjoining county and that it is in the vicinity of where the offense was committed.

[PL 1999, c. 731, Pt. ZZZ, §9 (NEW); PL 1999, c. 731, Pt. ZZZ, §42 (AFF).]

4. No jurisdiction, powers, duties or authority of Law Court. The Superior Court does not have and may not exercise the jurisdiction, powers, duties or authority of the Supreme Judicial Court sitting as the Law Court.

[PL 1999, c. 731, Pt. ZZZ, §9 (NEW); PL 1999, c. 731, Pt. ZZZ, §42 (AFF).]

SECTION HISTORY

PL 1975, c. 337, §3 (AMD). PL 1979, c. 127, §114 (AMD). PL 1985, c. 179 (AMD). PL 1999, c. 731, §ZZZ9 (RPR). PL 1999, c. 731, §ZZZ42 (AFF). PL 2005, c. 64, §1 (AMD). PL 2015, c. 100, §1 (AMD). PL 2015, c. 431, §3 (AMD).

§2. Death and injury separated by state line

(REPEALED)

SECTION HISTORY

PL 1975, c. 499, §2 (RP).

§3. Offenses near county line or in 2 counties

When an offense is committed on the boundary between 2 counties or within 100 rods thereof; or a mortal wound or other violence or injury is inflicted or poison is administered in one county, whereby death ensues in another, the offense may be alleged in the complaint or indictment as committed, and may be tried in either.

§4. County lines terminating at or near tidewaters; course

The lines of the several counties of the State which terminate at or in tidewaters shall run by the principal channel in such directions as to include, within the counties to which they belong, the several islands in said waters, and after so including such islands shall run in the shortest and most direct line to the extreme limit of the waters under the jurisdiction of this State, and all waters between such lines off the shores of the respective counties shall be a part of, and held to be within, such counties, respectively.

§5. Warrants for offenses at or near tidewaters; authority of officers

Any official authorized to issue warrants within any county may issue warrants for offenses committed in or upon the waters so made a part of such county or the waters of any adjoining county. Said warrant shall be returnable in the county where issued and the courts in such county shall have jurisdiction of the offense. Officers have the same authority upon all such waters as they have upon land within the county where the warrant is issued.

§6. Acquittal in part; conviction in part

When a person indicted for an offense is acquitted of a part by verdict of the jury and found guilty of the residue thereof, the verdict may be received and recorded by the court. The person may be considered as convicted of the offense, if any, that is substantially charged by the residue and be punished accordingly, although the offense would not otherwise be within the jurisdiction of the court. [RR 2023, c. 2, Pt. D, §1 (COR).]

SECTION HISTORY

RR 2023, c. 2, Pt. D, §1 (COR).

§7. Removal of persons charged with crime in 2 counties

When a person is imprisoned or held under arrest in one county, a judge of the District Court or a Justice of the Superior Court, whichever court has jurisdiction over the matter to be heard, may order the person's removal into another county, when complaint has been made and warrant issued or an indictment has been found, charging the person so arrested or imprisoned with the commission of a crime in the other county, for examination or trial under the complaint or indictment; but, before issuing the order, the judge or justice must be satisfied that the administration of speedy and impartial justice requires it. [RR 2023, c. 2, Pt. D, §2 (COR).]

SECTION HISTORY

PL 1977, c. 49 (AMD). RR 2023, c. 2, Pt. D, §2 (COR).

§8. Duties of officer holding prisoner or holding court's order of removal

The officer holding the person described in the court order shall deliver the person to the officer presenting the order, upon receiving an attested copy of the order and of the complaint and warrant or indictment on which the order is founded. The officer receiving the accused person shall bring the accused person before the proper court or judge in the county to which the accused person is removed, for examination and trial, and make due return of the accused person's proceedings. [RR 2023, c. 2, Pt. D, §3 (COR).]

SECTION HISTORY

RR 2023, c. 2, Pt. D, §3 (COR).

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