

MAINE STATE LEGISLATURE

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L A W S

OF THE

STATE OF MAINE;

TO WHICH ARE PREFIXED

THE

CONSTITUTION OF THE U. STATES

AND OF SAID STATE,

IN TWO VOLUMES,

WITH AN APPENDIX.

.....
VOL. I.
.....

Published according to a resolve of the State, passed
March 8, 1821.

BRUNSWICK.

Printed by J. Griffin, for the State.

.....
1821.

L A W S

OF THE

STATE OF MAINE.

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CHAPTER I.

An Act against Treason and Misprision of Treason.

SEC. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That every person whether male or female, who shall commit the crime of treason against this State, and be thereof duly convicted in the Supreme Judicial Court, shall suffer the pains of death, by being hanged by the neck until they are dead. Punishment of Treason.

SEC. 2. *Be it further enacted,* That concealment or keeping secret of any treason, be deemed and taken only misprision of treason; and the offender therein shall forfeit to the use of this State, all his goods and chattels and the profits of his lands during his life, and shall and may be imprisoned for a term not less than two years, nor exceeding five years, at the discretion of the Court before whom he shall be convicted. Concealment of Treason—only misprision of Treason.

SEC. 3. *Be it further enacted,* That any person who shall know of any Treason to be committed (and is no party or consentor to it) and shall not, within a reasonable time, give information thereof, upon oath, to one of the Justices of the Supreme Judicial Court, or some Justice of the Peace within this State, to the end the offender or offenders therein may be apprehended and be amenable to Justice, shall be taken and deemed to be guilty of misprision of treason or concealment of treason. Crime and punishment of misprision of Treason.

SEC. 4. *Be it further enacted,* That all and every person and persons whatsoever, that shall be accused and indicted for Person indicted to have

copy of indictment two days before arraignment.

treason, or for misprision of treason, shall have a true copy of the whole indictment delivered unto them, or any of them, two full days at least, before he or they shall be arraigned for the same, whereby to enable them, and any of them, respectively, to advise with, counsel thereupon, to plead and make their defence, and in case any person or persons, so accused and indicted, shall desire counsel, the Court before whom such person or persons shall be tried, or some Judge of that Court, shall, and is hereby authorized and required, immediately upon his or their request, to assign to such person or persons, such and so many counsel not exceeding two, as the person or persons shall desire to whom such counsel shall have free access at all reasonable hours.

Counsel to be assigned them.

Oaths of two witnesses necessary in case of misprision of Treason—unless, &c.

SEC. 5. *Be it further enacted,* That no person or persons whatsoever shall be indicted, tried or convicted of misprision of treason, but by and upon the oaths and testimony of two lawful witnesses, either both of them to the same overt act, or one of them to one, and the other of them to another overt act of the same species of treason, unless the party indicted and arraigned, or tried, shall willingly without violence, in open Court confess the same.

Prisoners to have copy of panel of jurors two days before trial: may have compulsory process for their witnesses.

SEC. 6. *Be it further enacted,* That all and every person and persons who shall be accused, indicted and tried for treason, as aforesaid, or for misprision of treason, shall have copies of the panel of the Jurors who are to try them, delivered unto them and every of them so accused and indicted respectively, two days at least before he or they shall be tried for the same: and that all persons so accused and indicted for any treason, as aforesaid, or for misprision of treason, shall have the like process of the court where they shall be tried, to compel their witnesses to appear for them at any such trial or trials, as is usually granted to compel witness to appear against them.

No persons to be indicted after three years next following the offence.

SEC. 7. *Be it further enacted,* That no person or persons whatsoever shall be indicted, tried or prosecuted for any treason, or for misprision of treason, that shall be committed or done in violation of this Act, unless the indictment for the same be found within three years next after the treason done or committed.

[Approved March 19, 1821.]