

# MAINE STATE LEGISLATURE

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# PUBLIC ACTS

OF THE

## STATE OF MAINE,

PASSED BY THE

### SEVENTEENTH LEGISLATURE,

JANUARY SESSION, 1837.

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PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 23, 1820.

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AUGUSTA:  
SMITH & ROBINSON, PRINTERS TO THE STATE.

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1837.

action of assumpsit or money had and received in any Court competent to try the same.

Act to have force only in Penobscot River.

SECT. 3. *Be it further enacted*, That this Act shall apply to and have force upon the Penobscot River only.

[*Approved by the Governor March 29, 1837.*]

### Chapter 292.

AN ACT additional to the several Acts concerning Capital Crimes and to an Act regulating judicial process and proceedings.

Persons convicted of a crime which now is punishable with death to be sentenced to State Prison until punishment be inflicted.

SECTION 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled*, That if any persons shall commit any crime which now is by the laws of this State punishable with death and shall be thereof duly convicted, such person shall, immediately, upon such conviction, be sentenced to solitary imprisonment and hard labor in the State Prison until such punishment of death shall be inflicted.

Persons sentenced to death, not to be executed within one year, &c.

SECT. 2. *Be it further enacted*, That no person upon whom sentence or judgment of death shall be passed or given by the Justices of the Supreme Judicial Court, shall be executed in pursuance of such sentence or judgment, within one year from the time the same sentence or judgment was passed upon such person, nor until the whole record of such proceedings or case be certified by the Clerk of said Court under the seal thereof, to the Supreme Executive authority of this State, with a copy of the record thereto annexed, nor until a warrant shall be issued by said Executive authority under the great seal of this State with a copy of the record thereto annexed, directed to the Sheriff of the County wherein the State Prison shall or may be situated, commanding the said Sheriff to cause execution to

—nor until the whole record of the trial be certified to the Governor.

—nor until Governor shall issue a warrant for his execution, to the Sheriff in the County where the State Prison is situated.

be done upon the person upon whom such sentence or judgment has been passed as aforesaid. And the Sheriff, to whom such warrant shall be directed, is hereby authorized and directed to execute the same in due form of law.

SECT. 3. *Be it further enacted,* That if any person shall by due course of law be under sentence of imprisonment for life in the State Prison, either by commutation of a previous sentence or otherwise, and shall be actually imprisoned in pursuance of such sentence, then all contracts of whatever nature to which such person shall be a party, shall be affected, changed, or annulled as effectually, and in the same manner, as they would be if such person were actually dead. The bonds of matrimony to which such person may be a party, shall be dissolved and such person shall cease to have any title to, or any interest in any estate, real or personal, and the same shall be treated, disposed of, and descend in all respects as if the death of such person had actually taken place at the time of such imprisonment, and all power and authority of whatsoever nature, which such person might lawfully exercise over any other person or persons, shall thenceforth cease as if such persons were dead, and the Judge of Probate shall grant administration accordingly on petition therefor.

The contracts of persons sentenced to State Prison for life shall be annulled.

—bonds of matrimony to which such person may be a party shall be dissolved.

—such person shall cease to have title to any real or personal estate, but same shall descend in same manner if he were dead.

SECT. 4. *Be it further enacted,* That all Acts and parts of Acts inconsistent with the provisions of this Act be, and the same are hereby repealed.

Acts and parts of Acts inconsistent repealed.

[Approved by the Governor March 29, 1837.]