

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

## FORTY-THIRD LEGISLATURE

OF THE

## STATE OF MAINE.

1864.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
February 26, 1840, and March 16, 1842.

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AUGUSTA:  
STEVENS & SAYWARD, PRINTERS TO THE STATE.  
1864.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1864.

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**Chapter 246.**

An act in addition to chapter fifty-one of the revised statutes, in relation to railroads.

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

County commissioners shall prescribe terms, conditions, &c., in awarding damages for property taken by railroad companies.

—shall set forth facts, stipulations, &c.

Jury, in case of appeal.

The county commissioners in awarding damages for lands or other property, taken by any railroad company, shall prescribe such terms and conditions for the protection of the property of any person or corporation and impose such duties, liabilities and obligations upon the railroad company taking the property of individuals or corporations, as will secure to said company, the proper use of so much property as may be required for the proper working of its line, and the best accommodation of individual owners and corporations owning the lands and property so taken ; and they shall in their awards set forth all such facts, stipulations and regulations, as may be required to make their estimation of damages clear and distinct, defining the respective rights of each party and the duties imposed on each party respectively. In case of appeal to a jury by either party for the increase or diminution of damages, the only question in issue before such jury, shall be the amount or measure of damages on the facts set forth in the award of the county commissioners.

Approved March 22, 1864.

**Chapter 247.**

An act relating to proceedings in criminal cases in court.

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

Jurors, how drawn in capital cases.

—challenges, &c., how determined.

SECT. 1. When a person indicted for an offence punishable with death, is put upon his trial, the clerk under the direction of the court, shall place the names of all the jurors summoned and in attendance, separately upon tickets in a box, and the names shall be drawn from the box by the clerk, after the same shall have been mixed, one at a time for the purpose of constituting a jury ; all peremptory or other challenges and objections to the juror drawn, shall be made and determined and the juror sworn or set aside before another name is drawn, and so on until the panel is completed.

SECT. 2. This act shall take effect when approved by the governor.

Approved March 22, 1864.