

MAINE STATE LEGISLATURE

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THE
REVISED STATUTES

OF THE

STATE OF MAINE,

PASSED APRIL 17, 1857;

TO WHICH ARE PREFIXED

THE CONSTITUTIONS

OF THE

UNITED STATES AND OF THE STATE OF MAINE:

WITH AN

APPENDIX.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE.

BANGOR:
WHEELER & LYNDE.

1857.

and transmit such schedules to the county attorneys, certifying thereon that the same appear to be due and unpaid. CHAP. 136.

DUTY OF COUNTY ATTORNEYS.

SEC. 17. The county attorneys shall examine the records and files in the offices of clerks in their counties, and the certificates and accounts in the offices of the county treasurers, relating to fines, forfeitures, and bills of costs, accruing to the state; ascertain, as far as practicable, the causes of any delinquencies in paying over the same; and move the court for all necessary orders and processes to enforce the collection thereof.

The county attorneys shall examine records, &c.
R. S., c. 152, § 33.

SEC. 18. When it appears that any sheriff or other officer is not discharged of any fine, forfeiture, or bill of costs, committed to him to collect, the county attorney shall cause him to be summoned and brought before the court that imposed it, to show a proper discharge, or the cause for not collecting and paying it over; and he shall carry into execution all lawful orders of the court relating to the collection and payment thereof, and, by all other means pertaining to his office, promote and enforce the same.

He shall summon any delinquent officer before the court, &c.
R. S., c. 152, § 34, 35.

SEC. 19. The county attorneys, when required by the governor and council, shall make out and transmit to the secretary of state a report of the result of the investigation made by them under section seventeen.

When required shall report result of his examinations.
R. S., c. 152, § 36.

CHAPTER 137.

DISPOSAL OF INSANE CRIMINALS.

- SEC. 1. When a person is committed to jail by a magistrate on a criminal charge, any justice of the court may order him to the insane hospital.
2. When a grand or trial jury omits to find against any accused by reason of insanity, court shall commit him to the hospital.
 3. How he shall be supported at the hospital.
 4. How and by whom he may be discharged therefrom.
 5. When an inmate of the state prison becomes insane, how and by whom he may be sent to the hospital.

SEC. 1. When any person is indicted for a criminal offence, or is committed to jail on a charge thereof by a justice of the peace or judge of a police or municipal court, any judge of the court before which he is to be tried, when a plea of insanity is made in court, or he is notified that it will be made, may, in vacation or term time, order such person into the care of the superintendent of the insane hospital, to be detained and observed by him till the further order of the court, that the truth or falsity of the plea may be ascertained.

When a person is committed to jail on a criminal charge, &c.
1847, c. 33, § 15.
1848, c. 79, § 3.

SEC. 2. When the grand jury omits to find an indictment against any person arrested by legal process to answer for any offence, by reason of his insanity, they shall certify that fact to

When a jury omits to find against any accused by

CHAP. 137.

reason of insanity, &c.
R. S., c. 173, § 1.
1844, c. 108.
1847, c. 33, § 14.

How supported at hospital.
R. S., c. 173, § 2.
1844, c. 108.
1856, c. 268, § 4.

How and by whom discharged.
1855, c. 124, § 1, 2, 3.

When an inmate of the state prison becomes insane, &c.
1847, c. 33, § 16.

the court; and when a traverse jury, for the same reason, acquits any person indicted, they shall state that fact to the court when they return their verdict; and the court, by a precept stating the fact of insanity, may commit him to prison or to the insane hospital, till restored to his right mind or delivered according to law; but he shall only remain in prison till provision can be made for him at the hospital, and then removed thereto.

SEC. 3. The person so committed shall be there supported at his own expense, if he has sufficient means; otherwise, at the expense of the state.

SEC. 4. Any person committed under section two may be discharged by any judge of the supreme judicial court, or by two justices of the peace and quorum of the county where he is placed, one chosen by his friends and the other by the trustees of the hospital, on satisfactory proof that if enlarged he would not be dangerous to the peace and safety of the community; or, on application of any friend of the insane, he may be committed to the custody of such friend, by his giving bond to the judge of probate for the same county, with sufficient sureties approved by said magistrates, conditioned for his safe keeping, and the payment of all damages which any person sustains by his acts.

SEC. 5. When an inmate of the state prison becomes insane, the warden shall notify the governor of the fact, and he, with advice of council, shall appoint a commission of two or more skillful physicians to investigate the case, and if such inmate is found insane by their examination, he shall be sent to the insane hospital until he becomes of sound mind; and if this takes place before the expiration of his sentence, he shall be returned to prison; but if after, he shall be discharged free. The expenses of the commission, removal, and support, shall be paid by the state.

CHAPTER 138.

PARDONS, AND FUGITIVES FROM JUSTICE.

PARDONS.

- SEC. 1. Conditional pardons may be granted to persons under sentence of death.
2. Written notice shall be given to county attorney on all petitions for pardon, and any other notice ordered by executive, and they may require the minutes of the trial.

FUGITIVES FROM JUSTICE IN THIS STATE.

3. Governor to appoint an agent to demand and receive fugitives in other states.
4. May offer rewards for apprehending persons convicted, or charged with crimes.

FUGITIVES FROM JUSTICE IN OTHER STATES.

5. May issue his warrant to surrender fugitives found in this state.
6. When the court or magistrates may issue warrants for the arrest of fugitives from justice found in this state.