DOCUMENTS

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THE LEGISLATURE,

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1837.

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1837.
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AN ACT additional to the several Acts concerning Capital Crimes and to an Act regulating Judicial Process and Proceedings.

Section 1. Be it enacted by the Senate and House of Representatives, in Legislature assembled, That if any person 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.

Section 2. Be it further enacted, That no person upon whom sentence or judgment of
3 death shall be passed or given by the Justices
4 of the Supreme Judicial Court, shall be exe-
5 cuted in pursuance of such sentence or judgment,
6 within one year from the time the same sentence
7 or judgment was passed upon such person, nor
8 until the whole record of such proceedings or
9 case be certified by the Clerk of said Court
10 under the seal thereof, to the Supreme Execu-
11 tive Authority of the State with the copy of
12 the record thereto annexed, nor until a warrant
13 shall be issued by said Executive Authority
14 under the great seal of this State, with a copy
15 of the record thereto annexed, directed to the
16 Sheriff of the County wherein the State Prison
17 shall or may be situated, commanding the said
18 Sheriff to cause execution to be done upon the
19 person upon whom such sentence or judgment
20 has been passed as aforesaid. And the Sheriff,
21 to whom such warrant shall be directed, is
22 hereby authorized and directed to execute the
23 same in due form of law.

Sect. 3. Be it further enacted, That if
2 any person shall by due course of law be under
3 sentence of imprisonment for life in the State
4 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 person were dead, and the Judge of Probate shall grant administration accordingly on petition therefor.

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.
STATE OF MAINE.

House of Representatives, March 11, 1837.

This Bill was read once, laid on the table, and five hundred copies ordered to be printed for the use of the Legislature.

(Extract from the Journal.)

Attest, CHARLES WATERHOUSE, Clerk.