

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

DOCUMENTS

PRINTED BY ORDER OF

THE LEGISLATURE,

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1837.

AUGUSTA:
SMITH & ROBINSON,.....PRINTERS.

1837.

Access to this volume for scanning was
kindly provided by the Maine State Library.

SEVENTEENTH LEGISLATURE.

No. 38.

HOUSE.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND THIRTY-SEVEN.

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
2 and House of Representatives, in Legislature
3 assembled,* That if any person shall commit
4 any crime which now is by the laws of this
5 State punishable with death and shall be thereof
6 duly convicted, such person shall, immediately,
7 upon such conviction, be sentenced to solitary
8 imprisonment and hard labor in the State Prison
9 until such punishment of death shall be inflicted.

SECT. 2. *Be it further enacted,* That no
2 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

5 sentence or otherwise, and shall be actually
6 imprisoned in pursuance of such sentence, then
7 all contracts of whatever nature to which such
8 person shall be a party, shall be affected, changed,
9 or annulled as effectually, and in the same man-
10 ner, as they would be if such person were actu-
11 ally dead.—The bonds of matrimony to which
12 such person may be a party, shall be dissolved,
13 and such person shall cease to have any title to,
14 or any interest in any estate, real or personal,
15 and the same shall be treated, disposed of, and
16 descend in all respects as if the death of such
17 person had actually taken place at the time of
18 such imprisonment, and all power and authority
19 of whatsoever nature, which such person might
20 lawfully exercise over any other person or per-
21 sons, shall thenceforth cease as if such person
22 were dead, and the Judge of Probate shall
23 grant administration accordingly on petition
24 therefor.

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