

# MAINE STATE LEGISLATURE

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# DOCUMENTS

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# THE LEGISLATURE

OF THE

STATE OF MAINE.

1867.

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1867.

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# FORTY-SIXTH LEGISLATURE.

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SENATE.

No. 69.

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The Committee on Capital Punishment, who were directed by an order of the Legislature to take into consideration that portion of the Governor's message relating to capital punishment, also to whom was referred the petition of R. Cram and others on the same subject, have had the same under consideration, and ask leave to report a bill, which is herewith submitted.

Per order.

JOSIAH CROSBY, *Chairman.*

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The undersigned, being a minority of the Joint Select Committee who were directed by an order of the Legislature to take into consideration that portion of the Governor's message which refers to capital punishment, and to report by bill or otherwise, also to whom was referred the petition of R. Cram and others, praying for an act to make capital punishment the sure penalty for the crime of murder, have had the same under consideration, and ask leave to report that in their opinion the present law needs no amendment; that the custom which has grown up under it of imprisonment for life is more consistent with the present advanced civilization of the age than a more stringent execution of the law would be, while some extreme case like that of the murder of the Warden of the State Prison in Gov. Cony's administration, may require the extreme penalty of the law. They therefore report that in their judgment legislation on the subject is inexpedient.

JOSIAH CROSBY,  
J. G. HAMBLIN,  
WM. B. LAPHAM,  
JAMES PERRY,  
J. C. LEIGHTON,  
THOMAS PENNELL,  
ISAIAH STETSON.

## STATE OF MAINE.

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

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AN ACT to amend section seven of chapter one hundred and thirty-five of the revised statutes, relating to capital punishment.

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

SECTION 1. The seventh section of chapter one hundred and thirty-five of the revised statutes of this state is hereby amended by adding the following words :  
“ and it shall be the duty of said executive authority to issue such warrant within thirty days after the expiration of one year from the day the sentence of death was passed ; *provided however*, that nothing herein contained shall be so construed as to take away or otherwise limit the power of the governor to grant a pardon or commutation of sentence as provided in sections one and two of chapter one hundred and thirty-eight of the revised statutes of this state ” ; and it shall be

13 the imperative duty of the clerk to certify the record  
14 as aforesaid within the year aforesaid.

SECT. 2. This act shall take effect on its approval.

STATE OF MAINE.

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IN SENATE, February 16, 1867.

On motion of Mr. CROSBY, laid on the table and ordered to be printed, together with the minority report accompanying.

THOMAS P. CLEAVES, *Secretary.*