

# MAINE STATE LEGISLATURE

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# SIXTY-FIRST LEGISLATURE.

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HOUSE.

No. 120.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND  
EIGHTY-THREE.

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AN ACT to provide for the granting of conditional  
pardons.

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

SECTION 1. In any case in which the governor is  
2 authorized by the constitution to grant a pardon,  
3 he may, by and with the advice of the council, and  
4 upon the petition of the person convicted, grant it  
5 upon such conditions, with such restrictions, and  
6 under such limitations, as he deems proper, and he  
7 may issue his warrant to all proper officers to carry  
8 such pardon into effect; which warrant shall be  
9 obeyed and executed instead of the sentence orig-  
10 inally awarded.

SECT. 2. When a convict is pardoned on conditions to be observed and performed by him, and such conditions are violated by him, the warden of the state prison or keeper of the jail where the convict was confined shall forthwith cause him to be arrested and detained until the case can be examined by the governor and council; and the officer making the arrest shall forthwith give notice thereof in writing to the governor and council.

SECT. 3. The governor and council shall, upon receiving such notice, examine the case of such convict, and, if it appears by his own admission, or by evidence, that he has violated the conditions of his pardon, the governor with the advice of the council shall order the convict to be remanded and confined for the unexpired term of the sentence. In computing the period of his confinement the time between the conditional pardon and the subsequent arrest shall not be taken to be part of the term of his sentence. If it appears to the governor and council that he has not broken the conditions of his conditional pardon, he shall be discharged.

SECT. 4. When a convict is pardoned, or his punishment is commuted, the officer to whom the warrant for that purpose is issued, shall, as soon as

( 3 )

4 may be after executing the same, make return  
5 thereof under his hand, with his doings thereon, to  
6 the office of the secretary of state; and he shall  
7 also file in the clerk's office of the court in which  
8 the offender was convicted an attested copy of the  
9 warrant and return, a brief abstract whereof the  
10 clerk shall subjoin to the record of the conviction  
11 and sentence.

STATE OF MAINE.

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IN HOUSE OF REPRESENTATIVES, }  
February 23, 1883. }

Reported from the Committee on the Judiciary, by Mr. HEATH  
of Augusta, and ordered printed under the Joint Rule.

F. L. PATTEN, *Clerk pro tem.*