

MAINE STATE LEGISLATURE

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EIGHTY-SECOND LEGISLATURE

S. P. No. 397

S. D. No. 147

In Senate, Mar. 5, 1925.

Referred to Committee on Judiciary and 500 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Hinckley of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-FIVE

AN ACT to Provide for Jury Commissioners.

Be it enacted by the People of the State of Maine, as follows:

Section 1. The clerk of courts for the several counties
2 and one resident of each county of the opposite political
3 party, who shall be appointed by the chief justice of the
4 supreme judicial court, shall be jury commissioners within
5 and for their respective county, whose duty it shall be to
6 prepare a jury list, summon jurors for attendance at the
7 several terms of the supreme judicial and superior courts
8 in their county, and to revise said list as often as they may
9 deem it necessary.

Sect. 2. The clerks of the several cities, towns, and plan-

2 tations in said state shall, on request, send forthwith to
3 said commissioners of their county, a list of persons with
4 their occupations and post office addresses, whom they
5 deem qualified for service as jurors. From the lists re-
6 ceived, said commissioners shall select persons, who, in their
7 judgment, are deemed qualified for jury service, and the
8 names of persons finally selected shall be placed on a list
9 kept by said commissioners. This list shall, at all times dur-
10 ing business hours, be opened to public inspection.

The list shall contain such a number of names of persons
2 qualified for jury service as the commissioners shall deem
3 necessary.

Selection of persons for jury service shall be based on
2 their mental, moral and physical fitness, and without refer-
3 ence to political faith or religious creed. Persons rejected
4 by said commissioners shall not be placed on said jury list
5 for a period of at least three years.

The commissioners may add names to such list as often
2 as may be necessary to maintain the number herein provided.
3 They may also drop from the list names of persons who,
4 by reason of age, infirmity, death, or other disability, could
5 not reasonably be expected to serve as jurors if called.

Sect. 3. Not more than three nor less than two weeks
2 before the convening of a term of a court to which jury
3 trials are to be had, the commissioners shall select, by such
4 method as will give a fair and just distribution according
5 to population, a sufficient number of persons to perform

6 jury service at the prospective term. This selection shall
7 be made with reasonable allowances for supernumeraries
8 and for unforeseen causes of inability to attend. Sum-
9 mons for those so selected to be prepared by the com-
10 missioners and mailed by registered mail, postage prepaid,
11 to each person selected to his or her address, at least ten
12 days before the sitting of the court at which they are re-
13 quired to attend as jurors. A returned registered receipt
14 shall be sufficient evidence that the person or persons so
15 selected have received the above named summons. Addi-
16 tional jurors may in like manner be summoned at any time
17 during a term of court by direction of the presiding justice,
18 and they may be summoned to attend at such time as the
19 court may direct; and in like manner shall grand jurors be
20 selected prior to the first term of the superior court to be
21 held for the transaction of criminal business on or after the
22 first day of September annually, and grand jurors shall serve
23 at each criminal term during the year. When the number of
24 grand jurors is reduced by death or otherwise, additional
25 grand jurors may be selected and summoned under direction
26 of the court at any time.

Sect. 4. Any person summoned and in court as a juror
2 shall, if otherwise eligible and satisfactory to the court, be
3 competent to sit as a juror and no verdict shall be attacked
4 by reason of any irregularity or informality in selecting or
5 summoning a juror. Any juror, who, after being notified,

6 unnecessarily fails in his attendance, shall be fined as for
7 contempt, not exceeding twenty dollars.

Sect. 5. The jury commissioners for the several counties
2 shall each receive for their services the following sums per
3 year, and expenses, viz: Androscoggin, \$200.00; Aroostook,
4 \$150.00; Cumberland, \$250.00; Franklin, \$100.00; Hancock,
5 \$100.00; Kennebec, \$200.00; Knox, \$100.00; Lincoln,
6 \$100.00; Oxford, \$100.00; Penobscot, \$200.00; Piscataquis,
7 \$100.00; Sagadahoc, \$100.00; Somerset, \$100.00; Waldo,
8 \$100.00; Washington, \$100.00; York, \$100.00.

Said salaries shall be paid by the respective counties in
2 monthly payments, on the last day of each month.

Sect. 6. Chapter one hundred and eleven of the revised
2 statutes of Maine is hereby repealed, excepting section three.