

MAINE STATE LEGISLATURE

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E I G H T Y - N I N T H L E G I S L A T U R E

Legislative Document

No. 691

H. P. 1592

House of Representatives, February 14, 1939.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Buzzell of Belfast.

S T A T E O F M A I N E

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-NINE

AN ACT to Provide for Alternate Jurors.

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

R. S., c. 96, § 95, amended. Section 95 of chapter 96 of the revised statutes is hereby amended by adding at the end thereof the following paragraph:

‘Whenever by reason of the prospective length of a trial or other cause the court in its discretion shall deem it advisable, it may direct that one or more jurors in addition to the regular panel be called and impanelled to sit as alternate jurors. Such alternate jurors in the order in which they are called shall replace jurors who, prior to the time the jury retires to consider its verdict, become unable or disqualified to perform their duties. Such alternate jurors shall be drawn in the same manner, shall have the same qualifications, shall be subject to the same examination and challenges, shall take the same oath, and shall have the same functions, powers, facilities and privileges and be subject to the same obligations and penalties as jurors on the regular panel. An alternate juror who does not replace a juror on the regular panel shall be discharged when the jury retires to consider its verdict. If one or more alternate jurors are called, each party shall be entitled to one peremptory challenge in addition to those otherwise

allowed by law. The additional peremptory challenge may be used only against an alternate juror and the other peremptory challenges allowed by law shall not be used against the alternates.'