

MAINE STATE LEGISLATURE

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L A W S

OF THE

STATE OF MAINE;

TO WHICH ARE PREFIXED

THE

CONSTITUTION OF THE U. STATES

AND OF SAID STATE,

IN TWO VOLUMES,

WITH AN APPENDIX.

.....
VOL. I.
.....

Published according to a resolve of the State, passed
March 8, 1821.

BRUNSWICK.

Printed by J. Griffin, for the State.

.....
1821.

Penalty for neglect.

forthwith to order such yards to be laid out and enclosed as aforesaid, adjoining to such gaol or house of correction. And any county which shall for the space of two years after such order neglect to make such yard or fence according to the provisions of this Act, shall forfeit and pay to the use of the State the sum of five hundred dollars to be recovered on information or indictment before the Supreme Judicial Court when sitting within or for any adjoining county.

* 6th section repealed Mar. 19, 1821.

When there is no suitable gaol in a county,

sentence may be executed in a neighbouring county.

SEC. 6.* *Be it further enacted,* That whenever it shall appear to the Court, at the time of passing such sentence as aforesaid, that there is no gaol or house of correction in the county where the offence may have been committed, suitable for the confinement of such convict according to the provisions of this Act, such Court may order the sentence to be executed in any neighbouring county in which there may be a gaol or house of correction, suited to that purpose, and every such convict shall be confined and kept at work in the gaol or house of correction, to which he shall be so committed in like manner in all respects as if the sentence had been passed in the county in which the gaol or house of correction is situated.

Repeal of former act.

SEC. 7. *Be it further enacted,* That an Act relating to the punishment of convicts, who may be sentenced to solitary imprisonment and confinement to hard labour, adopted by the Constitution of this State he and the same is hereby repealed.

[Approved June 27, 1820.]

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CHAPTER XXXI.

An Act repealing part of an Act relating to the punishment of Convicts.

Repeals two sections of former act.

SEC. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That the fifth and sixth sections of an Act entitled, "An Act relating to the punishment of convicts," passed on the twenty-seventh day of June last, be, and the same are, hereby repealed.

SEC. 2. *Be it further enacted,* That until more suitable and permanent provision respecting prisons can be made,

in case of any conviction, on which the convict shall be punished by solitary imprisonment and confinement to hard labour, the Court before whom such conviction may be had, shall order such punishment to be by solitary imprisonment so far as the situation of the prison, the state of the convict, and the circumstances and aggravation of the offence shall render proper.

Regulations respecting solitary imprisonment.

[Approved March 19, 1821.]

CHAPTER XXXII.

An Act respecting Conditional Pardons.

WHEREAS in the course of human events it sometimes happens that crimes for which the perpetrators are legally sentenced to suffer the punishment of death, are attended with alleviating circumstances:

BE it enacted by the Senate and House of Representatives, in Legislature assembled, That whenever any person, who has been, or shall hereafter be sentenced by the Justices of the Supreme Judicial Court, to suffer the punishment of death, shall make application to the Governor for pardon, and the Governor shall think proper, by and with the advice and consent of the Council, to grant such pardon, on condition that the person thus sentenced be imprisoned or confined to hard labour during his or her natural life, or for a certain term of years, in the condition of such pardon to be expressed, the Governor be, and hereby is authorized in order to carry the same into effect, to issue his warrant or warrants, directed to all proper officers; and the said officers shall be holden to serve, execute and obey the same, in the same manner as if such imprisonment or confinement had been the punishment awarded in the original sentence.

Governor with advice of Council may grant conditional pardons.

[Approved February 28, 1821.]

CHAPTER XXXIII.

An Act to prevent and punish Trespasses.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in Legislature assembled, That if any person shall cut down, destroy or carry away any tree or trees what-

Description of trespasses—