

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

SIXTH LEGISLATURE,

AT ITS SESSION, HELD IN JANUARY, 1826.

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PUBLISHED AGREEABLY TO THE RESOLVE OF THE 28th OF JUNE, 1826.

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Portland.

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1826.

of such town, qualified as aforesaid, to meet at such time and place, as may be in such warrant appointed, for the choice of such town officers, as towns are by law empowered to elect.

[*Approved by the Governor, March 6, 1826.*]

CHAPTER CCCXXXIX.

AN ACT additional to "An Act providing for the government of the State Prison, and for the punishment of convicts."

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That whenever any female convict, or male minor under the age of sixteen years, shall hereafter be sentenced to confinement to hard labor, or to solitary imprisonment and hard labor, for any term short of life, such sentence may be executed in and within the precincts of the gaol of the county, in which such offender may be convicted, or in the State Prison, at Thomaston, as heretofore directed, at the discretion of the Court awarding such sentence; and all charges and expenses for maintaining such convicts, shall be paid by the State.

Convicts, if females, or if males under sixteen, may be punished in county or state prison at the discretion of Court.

SECT. 2. *Be it further enacted,* That the Inspectors of the State Prison, appointed by virtue of the Act, to which this Act is additional, be, and they hereby are, authorized and empowered, at their discretion, to remove or to suspend from the exercise of their functions, any officer or officers of said State Prison, as well as their agents or servants, (excepting, however, the Warden thereof,) whom said Inspectors may, at any time, find negligent or unfaithful in the discharge of their duties, and to appoint such others in their place as they may deem expedient; and such appointments shall continue in force, until the Governor, with advice of Council, shall otherwise order or appoint.

Inspectors of State Prison may suspend or remove certain officers thereof in certain cases, &c.

SECT. 3. *Be it further enacted,* That whenever any convict shall be discharged from the

State Prison, who shall have conducted well, during his confinement or imprisonment, the Warden may, at his discretion, give to each convict so discharged, a sum not more than five dollars, for the use of said convict.

Warden may give a gratuity to discharged convicts who have conducted well.

SECT. 4. *Be it further enacted*, That the volunteer company of militia provided for in the twenty-sixth section of the Act, to which this is additional, may consist of forty persons exclusive of those employed within the precincts of the Prison, in guarding and overseeing the convicts.

Volunteer company may consist of 40.

SECT. 5. *Be it further enacted*, That all Acts, and parts of Acts, inconsistent with the provisions of this Act, be, and the same are hereby repealed.

Repeal of other provisions.

[*Approved by the Governor, March 6, 1826.*]

CHAPTER CCCXL.

AN ACT making further provision for legal process.

BE it enacted by the Senate and House of Representatives, in Legislature assembled, That if in any action pending in any Court, for the recovery of any lands or tenements, any surveyor appointed by such Court, to run the lines of any premises in question, shall make return that he is prevented by force, menaces or fear, from performing the duties of his appointment, the Court, or any one of the Justices thereof, may, at their discretion, issue a warrant to the Sheriff of the county, commanding him, with suitable aid and assistance, to cause opposition to such surveyor, in the execution of the said duties, to be prevented or suppressed. And the powers of the Sheriff, under such warrant, and the duties and liabilities of all who may be required to aid and assist him, shall be the same as are required and provided, in the seventh section of "An Act defining the general powers and duties, and regulating the office of Sheriffs and Constables."

Surveyors appointed by order of Court to be aided by Sheriff, &c. in certain cases of resistance.

Powers & duties of sheriff in such cases.

[*Approved by the Governor, March 6, 1826.*]