

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

ELEVENTH LEGISLATURE,

AT ITS SESSION, HELD IN JANUARY, 1831.

—◆—
PUBLISHED AGREEABLY TO THE RESOLVE OF 28TH JUNE, 1820.
—◆—

Portland.

TODD AND HOLDEN.....PRINTERS TO THE STATE.

1831.

SECT. 3. *Be it further enacted,* That if any person shall become an accessory after the fact, to any felony, whether the same be a felony at common law, or by virtue of any statute or statutes, made or hereafter to be made, the person so becoming an accessory after the fact, may be indicted and convicted, whether the principal felon, shall or shall not have been previously convicted, or shall or shall not be amenable to justice, and the offence of the person so becoming an accessory *after* the fact, may be enquired of, tried, determined and punished, by any Court having jurisdiction to try the principal felon; and if the principal felony shall have been committed within the body of any county, and the act, by reason whereof any person shall become an accessory to such felony, shall have been committed within the body of any other county, the offence of such accessory may be enquired of, tried, determined and punished in either of said counties.

Accessory after the fact, when indicted and convicted

By Court having jurisdiction to try principal felon.

[*Approved by the Governor, March 17, 1831.*]

CHAPTER DV.

AN ADDITIONAL ACT relating to Appeals.

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That from and after the passing of this Act, whenever a conviction shall be had in the Court of Common Pleas, in a criminal prosecution, wherein the right of appeal is now allowed by law, the party convicted shall have the right of appeal from such conviction, either before or after sentence, to the Supreme Judicial Court next to be holden within the same county; and upon such appeal being claimed, the Court may order the party appealing to recognize to the State, in

Person convicted of crime in C. C. Pleas may appeal to S. J. Court.

If unable to recognize to stand committed for trial.

May recognize before two Justices of Peace & Quorum.

Parties appealing from C. C. P. in civil actions to have ten days to procure sureties.

Stay of Execution.

Recognizance taken out of Court returned and filed, to have same effect as if taken in Court.

a reasonable sum with or without surety or sureties, to appear before the appellate Court to answer to the indictment found against him; and if such appellant should not be able to find the sureties required during the term of the Court, at which the conviction may be had, the Court may order such appellant to be committed for trial in the appellate Court, or until he shall recognize as aforesaid, before some Justice of the Peace and of the Quorum, who shall be designated by said Court for that purpose.

SECT. 2. *Be it further enacted,* That whenever an appeal shall be claimed, from a verdict or judgment, rendered in the Court of Common Pleas, in any civil action in which an appeal is allowed by law, and there shall not, in the opinion of the Court, be a reasonable time for the party appealing to produce the sureties required, during the same term of the Court, it shall be in the power of the Court, to designate some Justice of the Peace, to take such recognizance within a time not exceeding ten days after the adjournment of the Court; and in such case the Court shall order a stay of execution accordingly; and it shall be the duty of the party appealing to cause such recognizance to be filed in the Clerk's office of the county wherein such action was tried, within the time mentioned in the order of the Court.

SECT. 3. *Be it further enacted,* That any recognizance taken out of Court as provided in the first and second sections of this act, shall on being returned and filed in said Court, have the same legal effect as though the same had been entered into, in open Court.

[Approved by the Governor, March 17, 1831.]