

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

PASSED BY THE

TWENTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1846.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840,
and March 16, 1842.

Augusta:

WILLIAM T. JOHNSON,.....PRINTER TO THE STATE.

1846.

PUBLIC LAWS

OF THE

STATE OF MAINE,

1846.

CHAP. 192.

Chapter 192.

An Act making further provision for cost in cases of usury.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Costs how taxable.

In any suit brought, where more than legal interest shall be reserved or taken, the party so reserving and taking, shall recover no costs, but shall pay costs to the defendant, *provided* the damage shall be reduced by proof of such usurious interest; and the provision for costs contained in the seventh section of the sixty-ninth chapter of the revised statutes is hereby repealed.

Provision relating thereto in 7th sect. 69th chap. R. S. repealed.

[Approved July 22, 1846.]

Chapter 193.

An Act in relation to fugitives from justice.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Persons in this state may be arrested and examined when charged with any offense committed in any other state or territory.

SECTION 1. Whenever any person shall be found within this state, charged with any offense committed in any other state or territory, and liable by the constitution and laws of the United States, to be delivered over upon the demand of the executive of such other state or territory, any court or magistrate, authorized to issue warrants in criminal cases, may, upon complaint under oath, setting forth the offense and such other matters as are necessary to bring the case within the provisions of law, issue a warrant to bring the person so charged before the same or any other court or magistrate within the state, to answer to such complaint, as in other cases.

If there is reasonable probability of guilt, may be required to recognize, if charged with a bailable offense.

SECT. 2. If, upon the examination of the person charged, it shall appear to the court or magistrate, that there is reasonable cause to believe that the complaint is true, and that such person may be lawfully demanded of the executive, he shall, if charged with an offense, bailable by the laws of this state, be required to recognize with sufficient sureties, to appear before such court or magistrate, at a future day, allowing a reasonable time to obtain the warrant of the executive, and to abide the order of the court or magistrate; and if such person shall not so recognize he shall be committed to prison, and be there detained until such day, in like manner as if the offense charged had been committed within this state; and if the person so recognizing shall fail to appear, according to the condition of his recognizance, he shall be defaulted, and the like proceedings shall be had as in the case of other recognizances entered into before such court or magistrate; but if such person be