

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-NINTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1849.

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.

1849.

PUBLIC LAWS

OF THE

STATE OF MAINE,

1849.

CHAP. 98.

attorney receiving said receipts and affidavits to prosecute the receiptors in the name of the state; and all sums recovered in said prosecutions shall be paid to the librarian to be by him expended in supplying the losses and repairing the damages occurring under the provisions of this act.

Inconsistent acts repealed.

SECT. 4. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SECT. 5. This act shall take effect and be in force from and after its approval by the governor.

[Approved June 22, 1849.]

Chapter 98.

An act in relation to the process of forcible entry and detainer.

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

When process of forcible entry and detainer may be maintained.

The process of forcible entry and detainer, prescribed in chapter one hundred and twenty-eight of the revised statutes, may be maintained, although the relation of landlord and tenant does not exist between the parties.

[Approved June 26, 1849.]

Chapter 99.

An act in relation to pardons and commutations of sentence.

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

When application is made for the pardon of any convict or the commutation of any sentence.

SECT. 1. In any case in which application shall be made to the executive for a pardon of any convict or the commutation of any sentence, the council may require the presiding judge and the attorney who acted for the state in the prosecution of the case in which any pardon or commutation is asked, to furnish, and it shall be the duty of such judge and attorney to furnish the executive as soon as may be, with a concise statement of the case as proved on trial, together with any other facts and circumstances which might have a bearing on such application.

Statement of the case to be furnished by the judge, or attorney acting for the state, when required by the council.

Notice shall be served upon the county attorney, before such application is made.

SECT. 2. Before any application for a pardon or commutation shall be presented to the executive, written notice thereof

shall be served upon the county attorney of the county in which the conviction shall have been had, and proof of such notice shall be presented to the governor before such application for any pardon or commutation shall be acted on.

CHAP. 100.
Proof of such notice to be presented the governor.

SECT. 3. Notice of such application, unless in the opinion of the governor, justice requires that it shall be dispensed with, shall be published for three weeks in the state paper and also in the county paper printed in or nearest the town in which the conviction was had, and in such other papers as may be designated by the governor.

Notice of such application to be published.

[Approved June 27, 1849.]

Chapter 100.

An act to amend the one hundred and seventy-second chapter of the revised statutes.

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

SECT. 1. No person indicted for an offense the punishment of which, on conviction of the offender, is declared by law to be death, shall be allowed to challenge, peremptorily, more than ten persons of the jury.

Right of challenge in capital cases, limited.

SECT. 2. The seventeenth section of the one hundred and seventy-second chapter of the revised statutes is hereby repealed.

17 sec. of ch. 172 of R S., repealed.

SECT. 3. This act shall take effect from and after its approval by the governor.

[Approved June 27, 1849.]

Chapter 101.

An act to amend the seventieth chapter of the revised statutes.

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

SECT. 1. The standard weight of a bushel of potatoes, in good order and fit for shipping, shall be sixty pounds.

Standard weight of potatoes.

SECT. 2. The first section of the act to which this is ad-
ditional, is hereby repealed.

Sec. 1, ch. 70, R. S., repealed.

[Approved July 17, 1849.]