

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

112

PASSED BY THE

FORTIETH LEGISLATURE

OF THE

STATE OF MAINE.

1861.

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Published by the Secretary of State, agreeably to Resolves of June 23, 1820,  
February 26, 1840, and March 16, 1842.

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AUGUSTA:  
STEVENS & SAYWARD, PRINTERS TO THE STATE.  
1861.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1861.

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**Chapter 5.**

**CHAP. 5.**

An act to amend chapter eleven of the revised statutes.

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

SECT. 1. Section twelve of chapter eleven of the revised statutes is hereby amended by striking out the word "fifteen" in the third line of said section and inserting in lieu thereof the word seventeen. The thirteenth section of said chapter is hereby also amended by striking out the word "three" in the second line of said section and inserting in lieu thereof the word one.

Ch. 11, sec. 12,  
R. S., amended.

Section 13,  
amended.

SECT. 2. This act shall take effect when approved by the governor.

[Approved February 14, 1861.]

**Chapter 6.**

An act relating to grand juries.

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

SECT. 1. Whenever any justice of the supreme judicial court shall be satisfied either during the session of court or in vacation that any of the persons returned and acting as grand jurors upon the grand jury in any county have been irregularly drawn or for any other cause are incompetent to act legally on such grand jury, he may discharge such incompetent grand jurors from any further attendance. He shall thereupon transmit a certificate to the clerk of court for such county indicating what persons have been thus discharged and directing the clerk to issue venires for such number of new grand jurors as may by such justice be deemed necessary.

Jus. Sup. Jud.  
court may  
discharge any  
person drawn  
as grand jurors  
for cause.

SECT. 2. The clerk of court upon the receipt of such certificate shall record the same upon the records of the court; and shall issue venires for as many grand jurors as such justice has ordered. Said venires shall be served at least four days before the time at which the jurors thus drawn shall be ordered to attend court.

—shall trans-  
mit certificate  
to clerk of  
court, directing  
him to issue  
venires for new  
grand jurors.

SECT. 3. The jurors thus drawn and notified with such of the original jury as may not have been discharged, if any, shall serve for the remainder of the year for which the grand jury was originally drawn and shall constitute the grand jury with the same powers and duties as if they had been drawn in the manner now provided by law.

Clerks to make  
record.  
—and issue new  
venires.  
—how served.

Jurors to  
serve for  
remainder of  
year, &c.

SECT. 4. This act takes effect when approved by the governor.

[Approved February 18, 1861.]