

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

## FORTY-SIXTH LEGISLATURE

OF THE

## STATE OF MAINE.

1867.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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1867.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1867.

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## CHAP. 108.

## Chapter 108.

An act relating to the challenging of jurors in civil and criminal cases.

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

In civil and criminal trials, either party may challenge one juror peremptorily.

SECT. 1. In all cases of trial by jury, in addition to the challenges now provided for, either party in a civil or criminal cause, shall before the trial commences be entitled to challenge peremptorily one of the jurors from the panel called to try the cause.

SECT. 2. The supreme judicial court, by general rules, may prescribe the manner in which the right of challenge herein prescribed shall be exercised.

Approved February 27, 1867.

## Chapter 109.

An act to continue in force "an act authorizing pensions for disabled soldiers and seamen."

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

Laws of 1866, chap. 48, continued in force.

SECT. 1. Chapter forty-eight of the public laws of eighteen hundred and sixty-six, entitled "an act authorizing pensions for disabled soldiers and seamen," shall be and is hereby continued in force for the term of one year from and after the twenty-third day of February, in the year of our Lord eighteen hundred and sixty-seven.

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

Approved February 27, 1867.

## Chapter 110.

An act relating to bail in criminal cases.

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

Bail may be exonerated by surrender of principal into court or to jailer.

Copy or recognizance to be filed with jailer.

SECT. 1. Bail in criminal cases, at any time before default upon their recognizance, may exonerate themselves by surrendering their principal into court or to the jailer in the county in which the principal is held to appear and answer by the condition of the recognizance, and delivering to the jailer a certified copy of the recognizance, and the principal shall be received and detained by the jailer; and any person surrendered as aforesaid may be again

bailed in the same manner as if committed for not finding sureties to recognize for him. CHAP. 111.

SECT. 2. At any time after default made upon the recognizance, bail may surrender their principal, as provided in the first section of this act, and the court for the county in which the default upon the recognizance is recorded may, on application therefor, being satisfied that the default of the principal was not with the consent or connivance of the bail, remit the whole or any part of the penalty.

Bail may so surrender principal after default.

Approved February 27, 1867.

### Chapter 111.

An act in relation to the evidence of the enlistment and situation of soldiers during their service under the United States government.

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

SECT. 1. The certificate of the adjutant general of this state, from the records of his office, relating to the enlistment of any person into the United States service from this state, and of all facts pertaining to the situation of such person up to and including his discharge, as found upon the records in said office, shall be prima facie evidence of the facts so found upon the records and certified to any in any suit or proceeding in any of the courts and tribunals of this state.

Certificate of adjutant gen. relating to enlistments, &c., to be received as prima facie evidence.

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

Approved February 27, 1867.

### Chapter 112.

An act to amend section one hundred and thirty-six of chapter six of the revised statutes, relating to the collectors of taxes and treasurers of towns.

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

SECT. 1. Section one hundred and thirty-six of chapter six of the revised statutes is hereby amended by striking out the word "his," between "of" and "county," in second line, and inserting in lieu thereof, the word *any*, so that said section when amended shall read as follows:

R. S., chap. 136, amended.

SECT. 136. The treasurer of any town, who is also collector, may issue his warrant to the sheriff of any county, or to his deputy, or a constable of his town, directing him to distrain the per-

Town treasurer may issue his warrant, &c.