

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

OF THE

FIFTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE.

1879.

Published by the Secretary of State, agreeably to Resolves of June 28,
1820, February 18, 1840, and March 16, 1842.

AUGUSTA:
E. F. PILLSBURY & CO., STATE PRINTERS.
1879.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1879.

proceedings as are by law chargeable for like services in criminal cases, and shall be paid by the town seeking to remove such pauper or paupers. CHAP. 158.

SECT. 2. This act shall take effect when approved.

Approved March 3, 1879.

Chapter 158.

An Act in relation to suits for Taxes.

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

Hereafter no suit shall be commenced by any city, town or plantation, against any person for any taxes due, unless the same is directed in writing by the selectmen of towns, the mayor and treasurer of cities, or the assessors of plantations.

No suit for taxes shall be commenced unless ordered by town officers.

Approved March 3, 1879.

Chapter 159.

An Act to amend section seven of chapter one hundred and thirty-three of the Public Laws of eighteen hundred and seventy-three, being an act to improve the Jail System of the State.

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

Section seven of chapter one hundred and thirty-three of the public laws of eighteen hundred and seventy-three, is amended by inserting after the words "trial justice," in the second line, the following words: 'in the county where the work-jail is situate, or in any county where there is no jail,' so that when amended said section shall read:

Sec. 7, ch. 133 public laws 1873 amended.

'SECT. 7. The supreme court, the superior court and any municipal court, police court or trial justice in the county where the work-jail is situate, or in any county where there is no jail, may sentence any person convicted before such court or trial justice respectively, of any offense punishable by such with imprisonment to either of the jails in the several counties, where such improvement and provision for labor has been made as mentioned in the first section of this act, nearest or most convenient to the county where the offense is committed, and all sentences of imprisonment, by any of the courts or tribunals in this state shall, after the adoption of the provisions of this act, by any of the several counties, include imprisonment and labor. And the keeper of the jail to

Courts may sentence convicts to any jail where work-shops have been provided, nearest to the county where the offense has been committed.

Sentences to imprisonment to include imprisonment and labor.

CHAP. 160. which such person shall be sentenced shall receive and detain such person or prisoner in the same manner as if committed by any court sitting in the county where such jail is situated.'

Jail keeper to receive person sentenced same as though sentenced by court in county where jail is situated.

Approved March 4, 1879.

Chapter 160.

An Act to amend chapter one hundred thirty-seven of the Revised Statutes relating to the disposal of Insane Criminals.

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

Sec. 2, ch. 137
R. S., amended.

SECT. 1. Section second of chapter one hundred thirty-seven of the revised statutes is hereby amended, by inserting therein after the word "to," as it is first found in the seventh line of said section, the words, 'the insane department of the state;' and also striking out all in said section after the words "insane hospital" in same line, and adding thereto the following words: 'And any person so committed to the insane department of the state prison, shall be discharged by the court having jurisdiction of the case only on satisfactory proof that his discharge will not endanger the peace and safety of the community; and when on satisfactory proof such person so discharged from the insane department of the state prison is again found insane and dangerous, any judge of the supreme judicial court may by a precept stating the fact of his insanity, recommit him to the insane department of the state prison, or to the insane hospital; so that said section as amended, shall read as follows :

Grand jury failing to find indictment against any person arrested, by reason of his insanity, shall so certify to the court.

When traverse jury for like reason acquits a person under indictment their verdict shall so state.

Courts may thereupon commit the accused to insane department of state prison, or insane asylum. How such person may be discharged from such commitment.

'SECT. 2. When the grand jury omits to find an indictment against any person arrested by legal process to answer for any offense by reason of his insanity, they shall certify that fact to the court; and when a traverse jury, for the same reason, acquits any person indicted, they shall state that fact to the court when they return their verdict; and the court, by a precept stating the fact of insanity, may commit him to the insane department of the state prison or to the insane hospital; and any person so committed to the insane department of the state prison shall be discharged by the court having jurisdiction of the case only on satisfactory proof that his discharge will not endanger the peace and safety of the community; and when on satisfactory proof such person so discharged from the insane department of the state prison is again found insane and dangerous, any judge of the supreme judicial court may, by a precept stating the fact of his insanity, recommit him to the insane department of the state prison, or to the insane hospital.'