

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE.

1893.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1893.

Chapter 294.

An Act to amend Chapter twenty-three of the Public Laws of eighteen hundred and eighty-seven, relating to the unlawful using or wearing the badge of the Grand Army of the Republic of this state.

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

Ch. 23, Pub.
Laws, 1887,
amended.

Chapter twenty-three of the public laws of eighteen hundred and eighty-seven is hereby amended by inserting after the word "republic" in the second line thereof, the words 'or of the Sons of Veterans;' and also by inserting after the word "republic" in the sixth line thereof the words 'or of the Sons of Veterans,' so that said chapter as amended, shall read as follows :

Willful wear-
ing of badge of
G. A. R., or
Sons of Vet-
erans, shall be
punished.

'Any person who shall wilfully wear the badge of the Grand Army of the Republic, or of the Sons of Veterans, or who shall use or wear the same to obtain aid or assistance thereby within this state, unless he shall be entitled to use or wear the same under the rules and regulations of the Department of Maine, Grand Army of the Republic, or of the Sons of Veterans, shall be guilty of misdemeanor, and upon conviction shall be punished by imprisonment for a term not to exceed thirty days in the county jail, or a fine not to exceed twenty dollars, or by both such fine and imprisonment.'

Approved March 29, 1893.

Chapter 295.

An Act to amend Chapter one hundred and thirty-seven of the Revised Statutes, relating to Insane Criminals.

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

Sections 5, 6 and
7, ch. 137 R. S.,
amended.

SECT. 1. Sections five, six and seven of chapter one hundred and thirty-seven of the revised statutes, are hereby amended, so as to read as follows :

Proceedings,
when an inmate
of state prison or
jail becomes
insane.

'SECT. 5. When a convict in the state prison or a county jail becomes insane, the warden or jailor shall notify the governor of that fact, who, with the advice of the council shall appoint a commission of two or more skillful physicians to investigate the case, and if they find such convict insane, he shall be sent by order of the governor and council to the

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insane department of the state prison, until he becomes of sound mind. If this takes place before the expiration of the term of his sentence he shall be returned to the prison or jail from which he was removed; if the term of his sentence has expired he shall be discharged free. Inmates of county jails becoming insane before final conviction may be committed to the insane hospital. The superintendent of the insane hospital shall visit the insane department of the state prison not less than once each month to advise with the prison physician and warden as to the proper care, treatment and disposition of the convicts in said department. And whenever in the judgment of the superintendent, any convict of the state prison who may be insane can be better treated at the Maine insane hospital, he may recommend the transfer of said convict to said hospital, and report his conclusions to the governor and council, and thereupon they may order such transfer, and said convict shall be returned to the state prison whenever the superintendent shall consider it advisable to do so, and if such person recovers after the expiration of his sentence he shall be discharged free. Whenever any convict in said department at the expiration of his term of sentence shall, in the opinion of said superintendent, prison physician and warden be so far insane that his discharge will endanger the peace and safety of the community, they shall make a certificate setting forth briefly the facts of his sentence and its expiration and their opinion of his insanity which certificate shall be by the warden recorded, and he shall detain said convict in said department till in the opinion of said superintendent, prison physician and warden he becomes of sound mind. All the expenses of said superintendent in connection with said department, as well as those of the commission, removal and support of said convicts under this and sections six and seven of this chapter as hereby amended, shall be paid by the state by order of the governor and council, from state prison appropriations.'

—when of sound mind, may be discharged.

—superintendent of insane hospital required to visit insane department of state prison, monthly.

—he may recommend transfer of convict to insane hospital.

—if convict is insane when term expires, warden may detain such convict in insane department.

—expenses, how paid.

SECT. 6. Insane convicts now in the insane hospital upon satisfactory proof that a longer residence therein will have a deleterious influence on the other patients may be committed by the order of the governor and council setting forth the circumstances under which they have been detained in said hospital, to the insane department of the state prison to be there detained until of sound mind, subject to the provis-

Insane convicts may be removed from insane hospital to insane department of prison.

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Person convicted of murder in first degree, may, if insane, be removed to insane department of state prison.

'SECT. 7. If a person convicted under section two of chapter one hundred and eighteen, is found by the court to be insane when motion for sentence is made, the court may cause him to be removed to the insane department of the state prison under such limitations as the court may direct.'

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

Approved March 29, 1893.

Chapter 296.

An Act to amend Section two of Chapter one hundred and thirty-eight of the Revised Statutes, relating to Pardons.

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

Sec. 2, ch. '38, R. S., amended.

Section two of chapter one hundred and thirty-eight of the revised statutes is hereby amended by striking out in the second, third and fourth lines of said section the words, "written notice thereof shall be given to the county attorney for the county where the case was tried, and two weeks' notice in some newspaper published in said county," and inserting in place thereof the following: 'written notice shall be given to the county attorney for the county where the case was tried at least three weeks before the time of the hearing thereon, and three weeks' notice in some newspaper printed and published in said county. And if the crime for which said pardon is asked is punishable by imprisonment in the state prison, the county attorney for the county where the case was tried shall upon the request of the governor and council, attend the meeting of the governor and council at which the petition is to be heard, and the governor and council shall allow him his necessary expenses for such attendance and a reasonable compensation for his services to be paid from the state treasury out of the appropriation for costs in criminal prosecutions,' so that said section two as amended, shall read as follows:

Notice shall be given to county attorney, on all petitions for pardon.

'SECT. 2. On all petitions to the governor for pardon or commutation of sentences, written notice thereof shall be given to the county attorney for the county where the case