

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.

CHAP. 296

ions and conditions of the preceding section as amended by this act.'

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

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. The governor and council may require the judge and prosecuting officer who tried the case to furnish them a concise statement thereof as proved at the trial and any other facts bearing on the propriety of granting pardon or commutation.'

—if required, he shall attend hearing before governor and council.

—judge and prosecuting officer, who tried case may be required to attend.

Approved March 29, 1893.

Chapter 297.

An Act relating to appeals in case of Damages for land taken for Ways.

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

Section eighteen of chapter eighteen of the revised statutes is hereby amended, by adding at the end thereof the following words :

Sec. 18. ch. 18, R. S. amended.

'When any person aggrieved by the estimate of damages for his land taken for a town or private way, honestly intended to appeal therefrom and has by accident or mistake omitted to take his appeal within the time provided by law, he may at any time within six months after the expiration of the time when said appeal might have been taken, apply to any judge of the supreme judicial court in term time or vacation, stating in his said application the facts of his case and said judge after due notice and hearing may grant to such petitioner permission to take his said appeal to such term of said court as said judge shall direct, and on such terms as said judge shall order and the subsequent proceedings thereon shall be the same and with the same effect as if said appeal had been seasonably taken.'

Person who has, by mistake, omitted to appeal, may apply to judge.

—notice and hearing.

Approved March 29, 1893.