

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundredth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the One Hundredth Legislature

1961

Chapter 15

AN ACT Relating to Notification of Appointment and Compensation for Special Deputies.

Be it enacted by the People of the State of Maine, as follows:

R. S., c. 89, § 153, amended. Section 153 of chapter 89 of the Revised Statutes is amended to read as follows:

'Sec. 153. Notification of appointment; compensation. Any sheriff appointing such special deputy sheriffs shall notify the clerk of courts and the county commissioners for the county in which such appointments are made, giving the names of such deputies and the date of their appointments, and ~~such the~~ county commissioners shall fix and order paid from the treasury of the county to such deputies a reasonable compensation, not exceeding ~~\$3.50 per day for the time actually employed~~ the per diem compensation to deputy sheriffs for attending court, together with actual and necessary expenses incurred in the performance of duty.'

Effective September 16, 1961

Chapter 16

AN ACT Clarifying Selection of Additional Jurors by Jury Commissioners.

Be it enacted by the People of the State of Maine, as follows:

R. S., c. 116, § 5, amended. The 5th sentence of section 5 of chapter 116 of the Revised Statutes, as enacted by section 51 of chapter 405 of the public laws of 1955, is amended to read as follows:

'Additional jurors may ~~in like manner~~ be drawn and summoned at any time during a term of court by direction of the presiding justice, and they may be summoned to attend ~~in a manner and~~ at such time as the court may direct.'

Effective September 16, 1961

Chapter 17

AN ACT Clarifying Challenges in Trials of Offenses Punishable by Imprisonment for Life.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., c. 113, § 95, amended. The last sentence of section 95 of chapter 113 of the Revised Statutes is amended to read as follows:

'If one or more alternate jurors are called, each party shall be entitled to one peremptory challenge in addition to those otherwise allowed by law, ~~except as~~ already provided as to alternate jurors under chapter 148, section 13.'

Sec. 2. R. S., c. 113, § 102, amended. Section 102 of chapter 113 of the Revised Statutes is amended to read as follows:

'Sec. 102. Challenge from panel; right regulated. In addition to challenges otherwise provided, either party may, before the trial commences, peremptorily challenge one juror from the panel unless the right of challenge provided in section 95 and chapter 148, section 13, has been exercised; ~~and the~~. The court may, by rules, prescribe the manner in which such right shall be exercised.'

Sec. 3. R. S., c. 148, § 13, amended. Section 13 of chapter 148 of the Revised Statutes is amended to read as follows:

'Sec. 13. Jury for trials of offenses punishable by imprisonment for life impaneled; challenges. When a person indicted for an offense punishable by imprisonment for life is put upon his trial, the clerk, under the direction of the court, shall place the names of all the traverse jurors summoned and in attendance in a box upon separate tickets, and the names, after being mixed, shall be drawn from the box by the clerk, one at a time, for the purpose of constituting a jury of trial. All peremptory challenges, except as ~~herein~~ otherwise provided, and all other challenges and objections to the juror drawn shall be made and determined and the juror sworn or set aside before another name is drawn, and so on until the regular panel is completed. The State shall not challenge more than 10 of the jurors peremptorily, and the person indicted shall not challenge peremptorily more than 20 of the jurors while the regular panel is being formed; but he may, before alternate jurors are drawn or before the trial commences, challenge peremptorily 2 of the jurors from the regular panel and he may use whatever remaining challenges of the original 20 he has left to peremptorily challenge their replacements. If alternate jurors are called, the person indicted shall have 2 peremptory challenges only to said alternate jurors and the State shall have one peremptory challenge only to said alternate jurors. The Superior Court may, by general rules, prescribe the mode of exercising the right of challenge from the panel in all criminal cases.'

Effective September 16, 1961

Chapter 18

AN ACT Authorizing Discretionary Operation of County Jails.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., c. 89, § 18, amended. The first sentence of section 18 of chapter 89 of the Revised Statutes is amended to read as follows:

'The county commissioners shall, in the shire town of their county, provide and keep in repair courthouses with a suitable room in each for the county law library; ~~jails, with apartments for debtors separate from criminals; and~~ fireproof buildings of brick or stone for the safekeeping of records and papers belonging to the offices of registers of deeds, and of probate and insolvency, and of the clerk of courts, with separate fireproof rooms, and suitable alcoves, cases or boxes for each office, and ~~also~~ any other necessary buildings.'