

# MAINE STATE LEGISLATURE

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THE  
**REVISED STATUTES**

OF THE  
STATE OF MAINE,

PASSED OCTOBER 22, 1840;

TO WHICH ARE PREFIXED

**THE CONSTITUTIONS**

OF THE

*United States and of the State of Maine,*

AND TO WHICH ARE SUBJOINED THE OTHER

PUBLIC LAWS OF 1840 AND 1841,

WITH AN

**APPENDIX.**

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PRINTED AND PUBLISHED IN COMPLIANCE WITH A RESOLVE OF OCTOBER 22, 1840.

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**Augusta:**

PUBLISHED BY WILLIAM R. SMITH & Co., PRINTERS TO THE STATE.

.....  
1841.

**CHAP. 173.** been committed; and, if he have no settlement in any town in this state, then at the expense of the state.

How to be liberated, when safe.  
1821, 58, § 3.

**SECT. 3.** Any justice of the supreme judicial court, or of the district court, or any two justices of the peace and quorum, within and for the county where such person is kept as aforesaid, may discharge such person from confinement, on satisfactory proof, that his going at large will not be dangerous to the safety of the citizens, and peace of the state.

May be given up to his friends, they giving bonds to the judge of probate.  
1821, 58, § 4.

**SECT. 4.** Upon application of any friend of such insane person, to any justice of either of said courts, or to two justices of the peace and quorum within and for the county in which such insane person is confined, he or they may commit such insane person to the custody and safe keeping of such friend, such applicant first giving bond, with sufficient sureties, to the judge of probate for said county, conditioned for his safe keeping and for the payment of all damages, which any person may sustain by reason of the acts of such insane person; such bond to be approved by the justices of the court, or said two justices.

Or to the overseers of the poor, if chargeable, a suitable place being provided.  
1835, 143, § 1.

**SECT. 5.** Any justice of either of said courts, or any two justices of the peace and quorum within such county, may, on application in writing of the overseers of the poor of the town chargeable with the maintenance of such insane person, order him to be delivered to such overseers, if it shall appear that such town has provided a safe and convenient place for keeping him.

Towns, in such case, answerable for damages, if the person go at large.  
1835, 143, § 2.

**SECT. 6.** The town, whose overseers shall have taken the custody of such insane person, shall be responsible for his safe keeping until his lawful liberation, and for all damages which any person may receive by reason of the acts of such insane person, if suffered to go at large, without written permission as aforesaid.

## CHAPTER 174.

### OF FUGITIVES FROM JUSTICE AND CONDITIONAL PARDONS.

**SECT. 1.** Governor to appoint an agent to demand and receive fugitives in other states.

2. May issue his warrant, to surrender fugitives found in this state.

**SECT. 3.** May offer rewards, for apprehending persons convicted, or charged with crimes.

4. Of conditional pardons to persons under sentence of death.

Governor to appoint an agent to demand and receive fugitives from justice.  
1838, 330, § 1.

**SECTION 1.** In any case, authorized by the constitution and laws of the United States, the governor may appoint an agent to demand and receive of the executive authority of any other state, any fugitive from justice, charged with treason, felony or any other crime in this state; and the accounts of such agent shall be audited and paid by order of the governor and council, from the treasury.

May issue his warrant, to surrender fugitives found in this state.  
1838, 330, § 2.

**SECT. 2.** Whenever such demand shall be made upon the executive authority of this state, and the governor shall be satisfied, on examination of the grounds of the demand, that the same is made according to law, and ought to be complied with, he shall

issue his warrant under seal of the state, authorizing the agent who may make the demand, at such time as shall be designated in the warrant, to take and transport such person to the line of this state, at the expense of such agent; and shall also by such warrant require the civil officers of this state to afford all needful aid in its execution.

SECT. 3. The governor, whenever he shall deem it necessary, is hereby authorized to offer and pay a suitable reward, not exceeding one thousand dollars in any one case, to any person, who shall, in consequence of such offer, apprehend and bring back, and secure any person escaping from any prison in this state, convicted of a capital crime or other high handed offence and misdemeanor, or charged therewith; and also to offer and pay a like reward for apprehending any person, having committed any such crime or offence, where it cannot be done in the ordinary course of proceeding: and the governor, with advice of the council, may draw his warrant on the treasurer for the payment of such reward.

May offer rewards for apprehending persons convicted, or charged with crimes. 1821, 112.

SECT. 4. Whenever any person, who has been or shall hereafter be sentenced by the supreme judicial court to suffer the punishment of death, shall make application to the governor for a pardon, and the governor shall think proper, by and with advice and consent of the council, to grant such pardon on condition, that the person thus sentenced be imprisoned or confined to hard labor during his natural life, or for any certain term of years, in the condition of such pardon to be expressed, the governor is hereby authorized, in order to carry the same into effect, to issue his warrant, directed to all proper officers, and they shall be held to serve and obey the same in the same manner, as if such imprisonment or confinement had been the punishment awarded in the original sentence.

Of conditional pardons to persons under sentence of death. 1821, 32.

## CHAPTER 175.

### OF THE LIBERATION OF POOR CONVICTS.

SECT. 1. Persons, imprisoned for non payment of fines or costs, may be liberated by the sheriff, after thirty days, on giving their notes, &c.

2. Lien on real estate.

SECT. 3. Notes may be sued, as in other cases.

4. Liability of prisoner for false statement, as to his property.

SECTION 1. When any person, convicted of a criminal offence, shall be sentenced to pay a fine and costs, or costs only, and stand committed until sentence be performed, if the sentence be not complied with by payment of the sum due, within thirty days next following, the sheriff may liberate him from prison, if committed for no other cause, and, if he be unable to pay such fine and costs, upon his giving his promissory note for the amount due, payable to the treasurer of the county where he was committed, on demand with interest, accompanied with a written schedule, containing a true account of all his property of every kind, by him signed and sworn

Persons imprisoned, for non payment of fines or costs, may be liberated by the sheriff, after thirty days, on giving their notes, &c. 1821, 83, § 1, 2. 1822, 150, § 1, 2.