

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.

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

Augusta:

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

.....
1841.

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.

CHAP. 175. to; which note and schedule shall be by such sheriff delivered, within thirty days next following, to said treasurer, for the use of the county.

Lien on real estate.

SECT. 2. Said promissory note, and the sum due thereon, shall be, and continue to be a lien on any real estate of said convict, until payment of said sum.

Notes may be sued, as in other cases.

SECT. 3. If judgment should be rendered on said note, in an action brought thereon by said treasurer, the same proceedings may be had on the execution, as in other cases of contract.

Liability of prisoner, for false statement, as to his property. 1821, 83, § 2.

SECT. 4. If such convict shall knowingly and wilfully make any false schedule on oath, relating to the amount or nature of his property, and be thereof convicted, he shall receive no benefit from his liberation, but may again be imprisoned till the performance of the original sentence.

CHAPTER 176.

OF CORONERS' INQUESTS.

SECT. 1. When inquests shall be taken.

2. Coroner's warrant to the constable to summon a jury.
3. Duties of constable and jurors. Penalties for neglect.
4. Juror's oath.
5. Talesmen.
6. Witnesses' oath.
7. Subpœnas for witnesses. Their fees.

SECT. 8. Testimony to be in writing and signed. Power of coroner to recognize the witnesses.

9. Coroner's charge to the jury, and proclamation for persons to give evidence.
10. Form of verdict.
11. Coroner's warrant against the person, charged by the inquest, &c.
12. Coroner to bury the body. Expenses of burial.

When inquests shall be taken. 1821, 93, § 1.

SECTION 1. Every coroner shall take inquests upon the view of dead bodies of such persons only as shall appear, or be supposed to have come to their death, by violence; and not when the death is believed to have been occasioned by casualty.

Coroner's warrant to the constable to summon a jury. 1821, 93, § 2.

SECT. 2. Every coroner, as soon as he is notified of the dead body of any person supposed to have come to his death by violence, and lying within his county, shall make out his warrant, in the form following, directed to the constable of the same town, or any constable of one of the adjoining towns in the same county, requiring him forthwith to summon a jury of six good and lawful men of the same town, or towns, to appear before him at the time and place mentioned in said warrant:

“(L. s.) To either of the constables in the town of _____, in the county of _____; Greeting.

In the name of the State of Maine, you are hereby required, immediately to summon six good and lawful men of said town of _____, to appear before me, one of the coroners of the county of _____, at the dwelling house of _____,” (or “at the place called _____,”) “within said town of _____, at the hour of _____, then and there to inquire upon and view the body of _____,