

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE,

1858.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February  
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1858.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1858.

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**CHAP. 37.** crossing until the train upon the other road shall arrive; *provided*, it shall so arrive in twenty minutes; and each train shall afford suitable opportunity for such passengers as desire it, (with their baggage,) to be changed to, and transported on the other train.

Penalty for violation of sect. 5.

**SECT. 6.** Whenever the provisions of section five shall be violated, the superintendent of the road, and the conductor and engineer of the train so transgressing, shall each be subject to a fine, to the use of the state, of not less than ten dollars, nor more than fifty dollars, for each offence, to be recovered on complaint before any justice of the peace, or on indictment in the county where such violation shall occur.

—how recovered.

Compensation of commissioners.

Costs.

Court to issue execution.

State not liable.

**SECT. 7.** Said commissioners shall be paid a fair compensation by the petitioners, for their services, and they shall have authority to award costs including the compensation for their services as in their opinion justice may require, and the court shall cause an execution to issue therefor in accordance with the award. But in no case shall the state be responsible to the commissioners for any services which they may render by virtue of this act.

[Approved March 26, 1858.]

## Chapter 37.

An act additional to chapter one hundred forty-two of the revised statutes, relating to the reform school.

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

Sentence, in what cases.

**SECT. 1.** When any boy of eleven years of age, and under the age of sixteen years, is convicted of an offence punishable by imprisonment in the state prison, not for life, or in the county jail, except for the offences hereinafter enumerated, the court or justice before whom he is convicted, may sentence him to the state reform school, or to the other punishment provided by law for the same offence. If the sentence is to the reform school, it shall be conditioned that if he is not received or kept in the reform school for the term prescribed by his sentence, he shall then suffer such lawful alternative punishment as the court or justice orders; *provided* that nothing in this act shall authorize the commitment of any boy to the reform school, who is deaf and dumb, non compos, or insane.

—may be alternative.

—to be conditioned.

Deaf and dumb, non-compos and insane.

Expense in certain cases.

**SECT. 2.** When any boy between the ages of eleven and sixteen years is convicted of larceny where the property stolen does not

exceed one dollar in value, of assault and battery, malicious mischief, malicious trespass, sabbath breaking, riotous conduct, disturbing the peace, embezzlement, cheating by false pretences, vagrancy, truancy, or of being a common runaway, drunkard, pilferer, night walker, or of having violated any police or municipal regulations of any city or town, punishable in the county jail or house of correction, the court or justice may sentence him to the reform school, or to the other punishment provided for the same offence in the manner prescribed by the preceding section; and the expense of transporting such boy to the reform school and of his subsistence and clothing during his imprisonment, shall be defrayed by the city or town where such boy resides, if within this state, otherwise by the city or town where the offence is committed.

—by whom  
paid.

SECT. 3. It shall be the duty of the court or justice before whom any boy is convicted of any offence specified in the preceding section, to certify in his mittimus, the city or town in which such boy resides, if known, and the city or town where the offence was committed, and such certificate shall in all cases be sufficient evidence in the first instance, to charge the city or town where said boy resides, or the city or town where the offence was committed, with the expense of such boy at the reform school, not to exceed one dollar per week.

Court or justice  
to certify in  
mittimus city  
or town.

Certificate, suf-  
ficient evidence  
to charge.

SECT. 4. It shall be the duty of the superintendent upon the commitment of such boy, to notify the aldermen of any city, or the selectmen of any town, liable as aforesaid, in writing, by mail or otherwise, of the name of the boy committed, the offence with which he is charged, and the duration of his sentence. He shall also issue a similar notice to the aldermen of any city, and the selectmen of any town having a boy now under sentence at the institution for any offence embraced in the second section of this chapter, and such city or town shall be liable for the support of such boy, after such notice, in the same manner as is herein provided for boys to be hereafter admitted.

Superintendent  
to notify city  
or town liable.

Notice, what to  
contain.

Similar notice  
to cities and  
towns now  
chargeable.

Liability of  
cities and  
towns.

SECT. 5. The superintendent in his own name, for the use of the state, shall every three months demand and recover of such city or town, the expense incurred for the clothing and subsistence of such boy, not exceeding one dollar per week, and at the expiration of his sentence, the balance thereof remaining unpaid; and an action shall accrue to such city, or town, to recover the money so paid, against the parent, master, or guardian of such boy, or against the city or town in which he may have a legal settlement.

Superintendent  
to demand of  
cities, &c.  
quarterly pay-  
ment.

Parents and  
guardians lia-  
ble to city or  
town.

SECT. 6. The trustees of the institution shall appoint a steward and superintendent of the farm and establish the compensation for their services.

Steward and su-  
perintendent,  
appointment  
of, &c.

**CHAP. 38.**      **SECT. 7.** The steward shall have the custody of all articles purchased for food or clothing, shall have the oversight and management of the cooking done at the institution, and shall render an account of all articles that shall so come into his possession, to the trustees, in such manner as they shall direct.

Duties of steward.

**SECT. 8.** The superintendent of the farm shall direct the farming operations, make purchases of all implements and tools needed on the farm, together with seed for sowing or planting, shall have the management of the stock, make purchases and sales of the same and of all productions of the farm under such regulations as shall be established by the trustees.

Duties of superintendent.

**SECT. 9.** All the provisions of chapter one hundred and forty-two of the revised statutes, inconsistent with this act, are hereby repealed.

Provisions inconsistent, repealed.

**SECT. 10.** The trustees shall bind out all boys committed to their charge for a term of time within the period of their sentence as apprentices to any inhabitant of this state when requested to do so by the overseers of the poor of any of the cities, towns or plantations that are liable to contribute to the support of such boys by the provisions of this act.

Trustees to bind out boys on request of overseers of poor.

[Approved March 26, 1858.]

## Chapter 38.

An act in relation to the pay of fish wardens.

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

**SECT. 1.** The fish wardens of the counties of Penobscot, Hancock and Waldo, shall receive two dollars for each day they are actually occupied in their official duties, and their accounts shall be made under oath, and presented to the county commissioners, and by them be allowed and paid from the county treasury, not however in any event to exceed to each person the sum of seventy-five dollars per year.

Compensation.

Accounts, how verified and allowed.

—not to exceed \$75 per annum.

**SECT. 2.** The thirty-seventh section of the fortieth chapter of the revised statutes is hereby repealed.

Sect. 37, ch. 40 R. S. repealed.

**SECT. 3.** This act shall take effect when approved by the governor.

[Approved March 27, 1858.]