

MAINE STATE LEGISLATURE

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THE
REVISED STATUTES

OF THE

STATE OF MAINE,

PASSED APRIL 17, 1857;

TO WHICH ARE PREFIXED

THE CONSTITUTIONS

OF THE

UNITED STATES AND OF THE STATE OF MAINE:

WITH AN

APPENDIX.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE.

BANGOR:
WHEELER & LYNDE.

1857.

SEC. 21. The overseers, from time to time, shall examine into the prudential concerns and management of such house, and see that the master faithfully discharges his duty.

CHAP. 141.

Duties of the overseers. R. S., c. 178, § 28.

SEC. 22. Every person committed to such town house of correction shall be supplied by the keeper with a suitable quantity of bread and water, or other nourishment, as the overseers order; and all expenses incurred for commitment and maintenance, exceeding the earnings of the person confined, shall be paid by the parties liable for similar charges in the case of persons committed to a county house of correction.

Support of the prisoners. R. S., c. 178, § 29.

SEC. 23. The overseers of any such town house of correction may commit thereto, for a term not exceeding forty-eight hours, any person publicly appearing intoxicated, or in any manner violating the public peace, when the safety of the person intoxicated, or the good order of the community requires it, till such person can be conveniently carried before a magistrate and restrained by complaint and warrant in the usual course of criminal prosecutions.

Powers of overseers to commit persons. R. S., c. 178, § 30.

SEC. 24. The form of the order for commitment may be in substance as follows:

Form of order for commitment.

To A. B., master of the house of correction in the town of —: You are hereby required to receive and keep C. D. in said house of correction for the term of — hours, unless sooner discharged by our order.

R. S., c. 178, § 31.

E. F., } Overseers of said house
G. H., } of correction.

And any sheriff, deputy sheriff, constable, or other person, to whom such order is given by said overseers, shall forthwith apprehend and convey such person to said house of correction, and deliver him to the master thereof, to be taken and kept agreeably to the order; and shall be entitled to receive from the town such fees for service and travel as are allowed for service of warrants.

CHAPTER 142.

THE STATE REFORM SCHOOL.

- SEC. 1. Appointment, term of office, powers and duties of the trustees of the reform school.
- 2. Who may be sentenced thereto.
- 3. How they shall be instructed and disciplined.
- 4. Proceedings when trustees or superintendent do not receive him or he is incorrigible.
- 5. Costs of transportation paid by the county.
- 6. Form of commitment and effect of discharge.
- 7. Trustees may bind out boys.
- 8. In what branches they shall be instructed.
- 9. Powers and duties of superintendent.

CHAP. 142.

SEC. 10. All contracts to be made by superintendent and approved by trustees. Suits thereon.

11. Visits and examinations by the trustees, and their annual reports.
12. Governor to draw warrants for appropriations. State treasurer to pay forty-two dollars annually for library.

Appointment,
term of office,
powers and
duties, &c.
1853, c. 19,
§ 1, 2, 14.

SEC. 1. The government of the state reform school, established for the instruction, employment, and reform of juvenile offenders, in the town of Cape Elizabeth in the county of Cumberland, shall be vested in a board of five trustees, two of whom shall be appointed annually by the governor with advice of council, and for this purpose the places of the two senior members as arranged in their commissions shall be annually vacated. They shall be allowed ten cents a mile for their actual travel each way, and two dollars a day for their services; and shall take charge of the general interests of the institution; see that its affairs are conducted in accordance with the requirements of the legislature, and of such by-laws as the board, from time to time, adopt for the orderly and economical management of its concerns; see that proper discipline is maintained therein; provide employment for the inmates, and bind them out, discharge or remand them, as is hereinafter provided; appoint a superintendent and such other officers as in their judgment the wants of the institution require; prescribe the duties of all the officers thereof; exercise a vigilant supervision over its concerns; remove its officers at pleasure, and appoint others in their stead; determine the compensation to be allowed them, subject to the approval of the governor and council; and prepare and submit to the inspection of the governor and council a code of by-laws, which shall be valid when sanctioned by them.

Who may be
sentenced
thereto.
1853, c. 19, § 4.
1854, c. 88, § 1.
1856, c. 197, § 1.

SEC. 2. When any boy under the age of sixteen years is convicted of any offence punishable by imprisonment not for life, 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.

How instructed
and disciplin-
ed.
1853, c. 19, § 5.

SEC. 3. Any boy, so convicted and sent to said school, shall there be kept, disciplined, instructed, employed, and governed, under the direction of the board of trustees, until the term of his sentence expires, or he is discharged as reformed, bound out by said trustees according to their by-laws, or remanded to prison under the sentence of the court as incorrigible, upon information of the trustees, as hereinafter provided.

Proceedings
when trustees
or superin-
tendent do not
receive him, or
he is incorrigi-
ble.
1853, c. 19, § 6.
1856, c. 197, § 2.

SEC. 4. When any boy is sentenced to said school, and the trustees deem it inexpedient to receive him, or he is found incorrigible, or his continuance in the school is deemed injurious to its management and discipline, they shall certify the same upon the mittimus by which he is held, and the mittimus and convict shall be delivered to any proper officer, who shall forthwith commit said boy to the jail, house of correction, or state prison, ac-

ording to his alternative sentence. The trustees may discharge any boy as reformed; and may authorize the superintendent, under such rules as they prescribe, to refuse to receive boys sentenced to said school, and his certificate thereof shall be as effectual as their own. CHAP. 142.

SEC. 5. The costs of transporting a convict to or from the reform school shall be paid out of the treasury of the county where he is convicted, as the costs of conveying prisoners to the several county jails are by law paid; and the county commissioners of the county shall examine and allow all such costs that appear to them to be reasonable. Transportation paid by county.
1854, c. 88, § 2.

SEC. 6. All commitments of boys to this institution shall be for a term not longer than their minority, nor less than one year, unless sooner discharged by order of the trustees as before provided; and when any boy is discharged therefrom at the expiration of his term, or as reformed, or at the age of twenty-one years, it shall be a full and complete release from all penalties and disabilities created by his sentence. Form of commitment and effect of discharge.
1853, c. 19, § 7.

SEC. 7. The trustees may bind out all boys committed to their charge, for a term of time within the period of their sentence, as apprentices to any inhabitants of this state; and the trustees, master or mistress, and apprentice, shall respectively have all the rights and privileges, and be subject to all the duties, provided by law for apprenticing by overseers of the poor. Trustees may bind out boys.
1853, c. 19, § 8.

SEC. 8. The trustees shall cause the boys under their charge to be instructed in the branches of useful knowledge adapted to their age and capacity, in some regular course of labor, mechanical, manufacturing, agricultural, or horticultural, or a combination of these, according to their age, strength, disposition, and capacity; and in such other arts and trades as seem to them best adapted to secure their reformation, amendment, and future benefit. In binding out the inmates, the trustees shall have scrupulous regard to the character of those to whom they are bound, that they may secure to the boys the benefit of good example, wholesome instruction, and other means of improvement in virtue and knowledge, and the opportunity of becoming intelligent, moral, and useful citizens of the state. In what branches to be instructed.
1853, c. 19, § 9.

SEC. 9. The superintendent, with such other officers as the trustees appoint, shall have the charge and custody of the inmates; be a constant resident at the institution; discipline, govern, instruct, employ, and use his best endeavors to reform the inmates, so as to preserve their health, and secure, as far as possible, moral and industrious habits, and regular improvement in their studies, trades, and various employments. He shall have the charge of the lands, buildings, furniture, tools, implements, stock and provisions, and every species of property, pertaining to the institution, within the precincts thereof. Before he enters upon the duties of his office, he shall give a bond to the state, with sureties satisfactory to the governor and council, in a sum not less than two thousand dollars, conditioned faithfully to account for all moneys received by him and perform all the du- Powers and duties of superintendent.
1853, c. 19, § 10, 11.

CHAP. 142. ties incumbent on him as superintendent; keep, in suitable books, regular and complete accounts of all his receipts and disbursements, and of all property entrusted to him, showing the income and expenses of the institution; and account, in such manner, and to such persons as the trustees direct, for all moneys received by him from the proceeds of the farm or otherwise. His books, and all documents relating to the school, shall at all times be open to the inspection of the trustees, who shall, at least once in every six months, carefully examine the books and accounts, and the vouchers and documents connected therewith, and make a record of the result thereof. He shall keep a register containing the name and age of each boy, and the circumstances connected with his early history, and add such facts as come to his knowledge relating to his subsequent history, while at the institution, and after he left it.

Contracts to be made by superintendent and approved by trustees. Suits thereon. 1853, c. 19, § 12.

SEC. 10. All contracts on account of the institution shall be made by the superintendent in writing, and when approved by the trustees, if their by-laws require it, shall be binding in law, and the superintendent, or his successor, may sue or be sued thereon to final judgment and execution. No such suit shall abate by a vacancy in the office of superintendent during its pendency; but his successor may take upon himself its prosecution or defence, and, on motion of the adverse party and notice, he shall be required to do so.

Examinations and annual reports of trustees. 1853, c. 19, § 15. 1855, c. 148.

SEC. 11. One or more of the trustees shall visit the school at least once in every four weeks, examine the inmates, in the school room and work shop, and register; and regularly keep a record of these visits in the books of the superintendent. Once in every three months, the school, in all its departments, shall be thoroughly examined by a majority of the board of trustees, and a report made showing the results thereof. Annually, in the month of December, an abstract of these quarterly reports shall be prepared and laid before the governor and council for the information of the legislature, with a full report of the superintendent, stating particularly, among other things, the offence for which each pupil was sentenced and his place of residence. A financial statement, furnishing an accurate detailed account of the receipts and expenditures for the year terminating on the last day of March preceding, shall be also furnished.

Appropriations, how paid; state treasurer to pay \$42 annually for library. 1856, c. 197, § 3, 4.

SEC. 12. The governor and council may draw warrants on the treasurer of state in favor of the trustees, from time to time, as they think proper, for the money appropriated by the legislature, for the state reform school; and the treasurer of state shall, annually, in the month of February, pay to the treasurer of said school forty-two dollars for support of its library, being six per cent. on the Sanford legacy of seven hundred dollars.