

# MAINE STATE LEGISLATURE

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SEVENTH REVISION

THE  
REVISED STATUTES

OF THE  
STATE OF MAINE

PASSED AUGUST 5, 1930, AND TAKING  
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By the Authority of the Legislature

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the expense of the state and distributed to the several medical examiners who shall take care of the same, each entering thereon all the work and reports of his office, keeping the books open for the inspection of the county attorney and attorney-general; whenever a medical examiner resigns or ceases to hold office, all books and papers pertaining to the office shall be delivered to his successor.

## CHAPTER 152.

### The State Prison. Reformatories.

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### The State Prison.

**Sec. 1. Location.** R. S. c. 142, § 1. The state prison at Thomaston, in the county of Knox, shall continue to be maintained as the prison and penitentiary of the state, in which convicts, lawfully committed thereto, shall be confined, employed, and governed as hereinafter provided.

**Sec. 2. Forms of imprisonment.** R. S. c. 142, § 2. Punishment in the state prison by imprisonment shall be by confinement to hard labor, and not by solitary imprisonment, except as a prison discipline for the government of the convicts, as hereinafter mentioned.

See §§ 16, 46; 71 Me. 241; 74 Me. 161.

**Sec. 3. Convicts of United States courts shall be received.** R. S. c. 142, § 3. Convicts, sentenced to hard labor in the state prison, for life or for any term not less than one year, by any court of the United States held within the state, shall be received into the prison by the warden thereof, when delivered by the authority of the United States, and there kept in pursuance of their sentences.

### Board of Prison Commissioners.

**Sec. 4. Board of prison commissioners; tenure of office; vacancies; secretary.** 1917, c. 195, § 1. The board of prison commissioners as heretofore established shall consist of three members appointed by the governor, with the advice and consent of the council, from time to time upon the expiration of the terms of the several members, for terms of six years. Whenever a vacancy occurs by reason of death, incapacity, or resignation, appointment shall be made as above described for the unexpired portion of such term. One of the members of said board shall be designated in his commission as chairman. The commission may appoint a secretary. The word "commission" as used in sections four to fifty-five inclusive of this chapter shall mean the board of prison commissioners.

See c. 125, § 36.

**Sec. 5. Duties of commission.** 1917, c. 195, § 2. The commission shall have the general direction and control of the state prison, exclusive of any other board created by statute. It shall make and establish such rules and regulations,

not inconsistent with law, as it may deem expedient for the direction of the officers of the prison in the performance of their duties; for the government, discipline, instruction, and employment of the inmates; for the supply of food, clothing and bedding therein; and for the custody and preservation of the property connected therewith.

**Sec. 6. Warden, chaplain, and physician appointed by commission; warden to appoint others; compensation, how fixed.** 1917, c. 195, § 3. The warden, chaplain, and physician shall be appointed by the commission and shall hold office during its pleasure. All other officers and employees of the prison shall be appointed and commissioned by the warden with the approval of the commission. The compensation of all officers and employees of the prison shall be established by the commission, subject to the approval of the governor and council.

**Sec. 7. Commission to act as advisory board in matters of pardons.** 1917, c. 195, § 4. The commission shall be an advisory board of pardons. It shall consider carefully and thoroughly the merits of all applications for pardon and commutation of sentence referred to it by the governor and it shall make to him in writing, without publicity, a full report of the crime for which the applicant was sentenced, his physical and mental condition, his previous history and record, his domestic relations, his conduct while in prison, and any other pertinent facts or circumstances, together with the conclusions and recommendations of said commission. No such report shall be made without the concurrence of a majority of the members of the commission.

**Sec. 8. Commission may authorize employment of prisoners on public works.** 1917, c. 195, § 5. Said commission may authorize the employment of able-bodied prisoners, sentenced for any term less than life, in the construction or improvement of highways or on other public works within the state under such arrangements as may be made with the state highway commission or other department of the state having such public works in charge, and said commission shall prescribe such rules and conditions as it deems expedient to insure the proper care and treatment of the prisoners while so employed and their safe-keeping and return. Prisoners while so employed shall not be required to wear clothing which will materially distinguish them from other workmen.

**Sec. 9. May require physical and mental examination.** 1917, c. 195, § 6. The commission may require a physical and psychopathic examination of persons committed to the prison and shall keep a record thereof. At the request of the commission the superintendent and trustees of the state hospitals at Augusta and Bangor shall designate competent physicians employed at said hospitals to conduct such examinations and the actual expenses of physicians in making such examinations shall be paid from any funds in the state treasury available for the maintenance of the prison. The commission is authorized to transfer any prisoner to either of said hospitals for further study or observation of his mental condition if it is deemed advisable.

**Sec. 10. Reward may be offered for apprehension of prisoners violating parole.** 1917, c. 195, § 7. The warden, with the approval of the commission, may offer a reward of not more than one hundred dollars for the apprehension and return of any prisoner released on parole who shall have violated the conditions of his release, and upon satisfactory proof that the terms of said offer have been complied with the governor, with the advice and consent of the council, shall draw his warrant upon the treasurer for the payment thereof.

**Sec. 11. Jurisdiction of commission in matter of paroles.** 1917, c. 195, § 8. 1929, c. 276. The commission shall have exclusive jurisdiction in all cases in granting paroles to prisoners under sentence to the state prison.

**Sec. 12. State probation officer.** 1919, c. 72. The commission may appoint a state probation officer to serve during its pleasure and who shall perform such duties in connection with the employment, care and supervision of paroled convicts as the commission may determine. The compensation of said probation officer shall be established by the commission, subject to the approval of the governor and council, and he shall receive his necessary expenses incurred in the performance of his duty.

**Sec. 13. Inspection of state prison; report of same.** R. S. c. 142, § 7. 1917, c. 195, § 8. The commission shall meet at stated times at the prison, once at least in every three months and oftener if necessary, to inspect its concerns, the manner of keeping the books and accounts, and the register of punishments kept by the warden; and shall from time to time carefully examine the same, and keep a record of their doings: one of the commissioners at least shall visit the prison once in each month to examine into all its concerns, and see that its laws and regulations are observed, and the duties of the several officers faithfully performed, and to advise with the warden, when thereto requested; and each of them shall at all times have free access to all parts of the prison, and be allowed to inspect and examine all the books, accounts, and writings, pertaining to the prison, or its business, management, and government. And the commission, as soon as may be after each stated meeting, or oftener if necessary, shall transmit to the governor and council a transcript of the record of its doings, and such other information relative to the concerns of the prison, as it deems proper.

**Sec. 14. Annual report.** R. S. c. 142, § 8. 1917, c. 74. 1923, c. 82. The commission on or before the thirtieth day of each September, shall make a report to the governor and council of the affairs of the prison for the year ending on the thirtieth day of June preceding. Said reports shall be printed biennially for the use of the legislature in such numbers not exceeding one thousand and in such form as the governor and council may determine; which report shall exhibit an account of the stock of different kinds on hand at the beginning and at the close of the year; the several sums expended for materials, provisions, fuel, clothing, bedding, lights, tools and other articles; the amount of manufactures of each kind, and of all other articles sold from the prison; the profit or loss upon each branch of business; and all other particulars necessary to give the legislature a full understanding of the fiscal and other concerns thereof; and shall, at the same time, furnish an estimate of the probable income and expense of the prison for the ensuing year.

See c. 3, § 7.

**Sec. 15. Commission to inquire into improper conduct of warden.** R. S. c. 142, § 9. The commission shall inquire into any improper conduct, imputed to the warden or any subordinate officer in relation to the concerns of the prison; and, for that purpose, may issue subpoenas for witnesses, and compel their attendance and the production of papers and writings; may examine witnesses under oath, administered by the chairman; and may adjudicate on such alleged improper conduct, in like manner and with like effect as in cases of arbitration.

<sup>71</sup> Me. 259.

**Sec. 16. Commission to examine into disorderly conduct of prisoners and enforce obedience.** R. S. c. 142, § 10. The commission shall examine into all disorderly conduct among the prisoners, and when it appears to it that a convict is disorderly, refractory, or disobedient, it may order any punishment other

than corporal which it deems necessary to enforce obedience, not inconsistent with humanity, and authorized by the established rules and regulations of the prison.

71 Me. 254, 260.

**Sec. 17. Commission; duties and authority.** R. S. c. 142, § 12. 1917, c. 195, § 8. 1919, c. 56. 1929, c. 223. All jails shall be visited at least once each year by one or more of the commissioners, who shall inquire into the management of the same, give such advice in relation thereto as may be deemed useful and proper; classify all convicts in said jails, having regard to age, character and offenses; and for that purpose may order the county commissioners of either of the counties to make such alteration in their several jails as may be deemed necessary, in order to classify the convicts therein, and persons charged with crime; and make a report upon the condition of each jail visited at the next meeting of the board of commissioners thereafter; and it may require the keeper of said jail to keep a calendar, with such statistics in relation to his jail as it may deem useful for future reference.

Said board of commissioners may remove prisoners from jails where no arrangements have been made for the labor of convicts, to some work-jail, and when any jail has a larger number of convicts, either in custody or at labor than can be well accommodated, it may remove a portion of them to any other jail where better accommodations can be afforded. Any jail where arrangements have been made or shall be hereafter made for the labor of convicts committed for any special crime, or class of crimes, at any special kind of labor, shall be deemed a work-jail. For the removal of convicts as aforesaid, the board of commissioners may issue precepts to any officer qualified to serve precepts in criminal cases in his county, to cause such removal, whether such service is performed in whole or in part in one or more counties, and the expense of removal shall be paid by the county in which such convicts were sentenced. The board of commissioners shall make a report of the condition of all the jails to the governor and council by the thirtieth day of November annually.

**Sec. 18. Warden shall not be concerned in trade or commerce; his duties.** R. S. c. 142, § 13. The warden shall not carry on or be concerned in trade or commerce during his continuance in office; he shall reside constantly within the precincts of the prison, and have the care, custody, and charge thereof, and of the convicts therein, in conformity to their sentences, and of the lands, buildings, machines, tools, stock, provisions, and every other kind of property belonging to or within its precincts. He shall be the treasurer of the prison, receive, pay out, and be accountable for all moneys granted for its maintenance, or derived from the manufactures or other concerns thereof; make in the books of the prison regular entries of all its pecuniary and other concerns, and, on the first days of March, June, September, and December of each year, he shall render to the commission a fair account of all the expenses and disbursements, receipts and profits of the prison, with sufficient vouchers therefor, and a statement of its general affairs, for the quarter past, including the number of convicts received and discharged during the quarter, and the number remaining; and he shall also, on the same days, render, under oath, a similar account and statement, examined and approved by the commission, to the governor and council, with whom he shall settle all his accounts, whenever required.

**Sec. 19. His government in the prison.** R. S. c. 142, § 14. He shall inspect and oversee the conduct of the convicts, and cause all the rules of the prison to be strictly and promptly enforced; he shall give the commission immediate in-

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formation of any officer who refuses or neglects to enforce the discipline established, and it shall forthwith remove any officer guilty of such neglect. He may punish any convict for disobedience, disorderly behavior, or indolence, as directed by the commission or prescribed in the rules, and shall keep a register of all such punishments, and the causes for which they are inflicted.

71 Me. 254, 259.

**Sec. 20.** Warden shall keep a record of each convict's conduct, and recommend a deduction of sentence. R. S. c. 142, § 15. He shall keep a record of the conduct of each convict, and for every month, during which it thereby appears that such convict has faithfully observed all the rules and requirements of the prison, the warden may recommend to the executive, a deduction of seven days from the term of said convict's sentence, except those sentenced to imprisonment for life.

**Sec. 21.** Record submitted quarterly. R. S. c. 142, § 16. The record, with the recommendation of deduction provided in the preceding section, shall be submitted by the warden to the governor and council once in three months.

71 Me. 254.

**Sec. 22.** Service of precepts within the prison walls; command of the guard, officers and employees; service of a writ of replevin. R. S. c. 142, § 17. The warden or his deputy shall serve, execute, and return, all processes within the exterior walls of the prison yard, and they shall be directed to him or his deputy accordingly; and for the doings of his deputy, both the warden and the deputy shall be answerable. The warden shall have command of all the force for guarding the prison, and of all officers and persons employed under him in overseeing, guarding, and governing it. For serving executions and returning processes, like fees shall be taxed as for sheriffs. The warden, on demand of an officer having a writ commanding him to replevy from the warden's possession, any goods or chattels of a private individual, not a prisoner, shall expose them outside of the prison yard, so that they may be replevied. The officer shall pay the warden a reasonable charge for removal, and tax the same in his fees on the writ.

50 Me. 291; 74 Me. 239.

**Sec. 23.** Accounts of bills of supplies and services. R. S. c. 142, § 18. The warden shall take bills of the quantity and price of supplies furnished for the prison, at the time of delivery, and exhibit them to the clerk, who shall compare them with the articles delivered; and if they are found correct, he shall enter them, with the date, in a book kept for that purpose; in like manner bills shall be taken and entered of all services rendered for the prison; and if any such bill is found incorrect, the clerk shall omit to enter it and immediately give notice to the warden, that the error may be corrected. Vouchers for all expenditures shall be taken in duplicate, and one copy of each shall be filed at the prison and the other with the state auditor.

**Sec. 24.** Warden shall contract for sale of articles from the prison; security. R. S. c. 142, § 19. All sales of articles from the prison, and the letting to hire of such of the convicts as the commission deems expedient, and all other contracts on account of the prison, shall be made with the warden, in the manner prescribed by the commission. No such contract shall be accepted by the warden, unless the contractor gives satisfactory security for its performance; and no officer of the prison shall be directly or indirectly interested therein.

**Sec. 25.** Service of the warrant for the removal of convicts. R. S. c. 142, § 20. When the warden receives from any sheriff a warrant requiring him to remove a convict to the prison, he shall, by himself or such other person as he

appoints or contracts with for that purpose, forthwith cause such warrant to be executed in the least expensive manner consistent with security of the convict; and he shall file said warrant, with his return thereon, in his office, and cause a copy of it to be filed in the office of the clerk of the court from which it issued.

See c. 147, § 47.

**Sec. 26. Convicts en route may be temporarily lodged in jails, at the state's expense.** R. S. c. 142, § 21. When, during the conveyance of any such convict to the state prison in pursuance of his sentence, it is necessary or convenient to lodge him for safe-keeping in any jail until the residue of such conveyance can be conveniently performed, the keeper of such jail shall receive and safely keep and provide for him, until called for by the person employed to convey him as aforesaid, into whose custody he shall be delivered; and said jail keeper shall be allowed his reasonable charge and expenses incurred thereby, to be paid from the state treasury. When the warden believes that there are more convicts in the state prison than can be confined there securely, he shall certify the fact to the governor and council, who may authorize him to transfer them, so far as is necessary, to some jail; and the jailer thereof shall receive such compensation from the state treasury as he and the warden agree upon; but when the accommodations of the prison shall be so increased that they can be safely confined therein, the warden shall remove them from such jail to the state prison. The time during which they were so confined in jail shall be deducted from their sentences.

**Sec. 27. Actions by or against the warden, officially; may sue for injuries to state property.** R. S. c. 142, § 22. Actions, founded on any contract made with the warden in his official capacity, may be brought by or against the warden for the time being; and actions for injuries done or occasioned to the real or personal property of the state, and appropriated to the use of the state prison, or under the management of the warden thereof, may be prosecuted in his name; and no such action shall abate by the retirement, removal or death of the warden, but his successor, upon notice, shall assume its prosecution or defense. Neither the warden's person nor property shall be taken or attached in such suit, nor shall any execution issue against him on any judgment therein, but it shall stand as an ascertained claim against the state. And when a new warden is appointed, all the books, accounts, and papers belonging to the prison, shall be delivered to him, and he shall be vested with all the powers of his predecessor and be subject to all his obligations with regard to all contracts, and debts due to or from the prison.

**Sec. 28. Warden may convey certain real estate.** R. S. c. 142, § 23. The warden, under direction of the governor and council, may sell and convey any real estate, to which he acquires title in behalf of the state, in the adjustment of debts due to the prison.

**Sec. 29. Warden may refer controversies.** R. S. c. 142, § 24. When a controversy arises respecting any contract or claim on account of the state prison, or a suit is pending thereon, the warden may submit the same to the determination of arbitrators or referees approved by the commission.

**Sec. 30. Warden exempt from arrest; procedure of creditor with an execution against him.** R. S. c. 142, § 25. The warden shall not be arrested on any civil process or execution while in office; but execution upon any judgment against him personally, and not in his official capacity, may be issued against his goods and estate only; and if it is returned unsatisfied, the creditor may file with the governor and council a copy of such execution and return, and serve



on the warden a copy of such copy attested by the secretary of state, with a notice under his hand of the day on which such copy was filed; and if the warden does not, within forty days after such service, pay the creditor his full debt, with reasonable costs for copies and service thereof, he shall be removed; and when he ceases to be warden, alias executions may be issued against his body and property as in other cases.

**Sec. 31. Powers, duties and liabilities of deputy warden.** R. S. c. 142, § 26. When the office of warden is vacant, or the warden is absent from the prison, or unable to perform the duties of his office, the deputy warden shall have the powers, perform the duties and be subject to all the obligations and liabilities of the warden.

**Sec. 32. If the office of warden is vacant, deputy to give bond and act as warden and treasurer and receive warden's pay.** R. S. c. 142, § 27. If the office of warden becomes vacant when the governor and council are not in session, the commission may require the deputy warden to give bond to the state, in the sum of five thousand dollars, with sufficient sureties to be by it approved, conditioned for the faithful discharge of his duties as deputy warden and treasurer; and, from the time that the bond is approved, the deputy shall receive the salary and emoluments of the warden instead of his former pay, while he performs the duties of the office; if he does not give such bond when required, the commission may remove him, and appoint a warden pro tempore, who shall give bond similar to that required of the deputy warden, have the power and authority, perform the duties, and receive the salary and emoluments of the warden, until a warden is appointed and enters on the discharge of his duties; and in such case, until the warden pro tempore is so appointed and gives bond, the commission, or any of its members, shall be vested with all the powers and duties of warden.

**Sec. 33. Duties of the clerk.** R. S. c. 142, § 28. The clerk shall keep an account of all supplies purchased for the use of the prison, and of all articles sold and delivered therefrom; assist in effecting sales and purchases under direction of the warden; attend meetings of the commission, when its members request it; keep a record of its proceedings; and perform any other services directed by the commission or warden, pertaining to his employment and the superintending of the prison.

**Sec. 34. Overseers.** R. S. c. 142, § 29. Persons having suitable knowledge and skill in the branches of labor and manufactures carried on in the prison, shall, when practicable, be employed to superintend such branches as are assigned to them by the warden; and all of them and the other subordinate officers shall perform the services in the management, superintending, and guarding of the prison, as prescribed by the rules, or directed by the warden.

**Sec. 35. Neglect of subordinate officers, how punished.** R. S. c. 142, § 30. If any such subordinate officer is guilty of negligence or unfaithfulness in the discharge of his duties, or of a violation of any of the laws or rules for the government of the prison, the warden, with the approbation of the commission, may deduct from his wages a sum not exceeding a month's pay.

**Sec. 36. Officers of state prison may be retired and pensioned.** R. S. c. 142, § 31. The warden may, with the approval of the governor and council, retire from active prison service and place upon a pension roll any officer of the prison, who has been employed in the prison service in the state, with a good record, for the term of thirty years or who, after twenty years of continuous service in said prison, has attained the age of sixty years.

See c. 158, § 8.

**Sec. 37. Terms "prison service" and "good record," how construed.** R. S. c. 142, § 32. The words "prison service" as used in the preceding section shall be construed to mean service in the state prison, and an officer of the state prison, shall, for the purpose of said section, be credited with all the time which he has served as an officer, with a good record. The words "good record" shall be construed to mean that the officer has not been discharged for misconduct from the state prison, or that, if so discharged, it was afterwards found that he was not at fault; and the restoration to duty or reappointment in the prison from which he was discharged shall be sufficient evidence for the exoneration of any officer.

**Sec. 38. Amount of pension; conditions for retirement and pension.** R. S. c. 142, § 33. An officer who is retired, as provided in section thirty-six, shall be allowed a pension which shall be paid from the state treasury, equal to one-half the salary he was receiving at the time of his retirement. Prison officers shall only be retired and pensioned, as provided in section thirty-six, upon the recommendation of the warden, approved by the commission, and by the governor and council.

**Sec. 39. Articles shall be labeled.** R. S. c. 142, § 35. All articles and goods manufactured at the prison for sale shall be distinctly labeled or branded with these words "Manufactured at the Maine State Prison."

**Sec. 40. Appointment and duties of prison physician.** R. S. c. 142, § 36. The commission and warden shall appoint some suitable person physician and surgeon of the prison, who shall visit the same daily, and whenever requested by the warden, to attend and prescribe for sick convicts, and to examine all convicts claiming to be ill, and determine their ability to work. He shall see that proper attention is paid to the clothing, regimen, and cleanliness of those in the hospital, and advise when illness of any convict requires his removal thereto; and upon such advice and in other cases when he deems it necessary, the warden shall cause any sick convict to be forthwith removed to the hospital, there to receive such care and attention and to be furnished with such medicines and diet, as his situation requires, until the prison physician determines that he may leave it without injury to his health.

**Sec. 41. Pestilence or contagious sickness.** R. S. c. 142, § 37. If a pestilence or contagious sickness breaks out among the convicts in the prison, the commission and warden may cause any of them to be removed to some suitable place of security, where they shall receive all necessary care and medical assistance; and to be returned as soon as may be to the prison, to be confined according to their sentences, if unexpired.

**Sec. 42. Officers suffering an escape, or allowing convict to go at large; penalty.** R. S. c. 142, § 38. If any officer, or other person employed in the state prison or its precincts, voluntarily suffers, aids, or connives at the escape of a convict therefrom, he shall be punished by imprisonment in the state prison for any term not greater than the whole term for which the convict was sentenced; and if he negligently suffers any convict confined therein to be at large out of the precincts of the prison, or the cell or apartment assigned to him, or to be conversed with, relieved or comforted, contrary to law or the rules of the prison, he shall be punished by a fine of not more than five hundred dollars.

**Sec. 43. Rescue, or aiding prisoners to escape; penalty.** R. S. c. 142, § 39. Whoever forcibly rescues or attempts to rescue any convict sentenced to the state prison, from the legal custody of any officer or other person, or from the state prison, jail or other place where he is legally confined, or causes to be con-

veyed to such convict, into such jail, state prison, or other place, any tool, instrument, weapon or other aid, with intent to enable him to escape, shall, whether an escape is effected or not, be punished by a fine of not more than five hundred dollars, or by imprisonment for not more than twenty years.

**Sec. 44. Conveying, or attempting secretly to convey, any article to a convict; penalty.** R. S. c. 142, § 40. If any officer, contractor, teamster, or other person delivers or has in his possession, with intent to deliver to any convict confined in the state prison, or deposits, or conceals, in any place in or about the prison or its precincts, or in any wagon or other vehicle going thereto, any article, with intent that any convict therein shall obtain it, without consent or knowledge of the warden or deputy warden, he shall be punished by a fine of not more than five hundred dollars, and by imprisonment for not more than six months, or by imprisonment for not more than two years.

**Sec. 45. Penalty for convict assaulting an officer, and for escape; prosecution.** R. S. c. 142, § 41. If a convict, sentenced to the state prison for a limited term of years, assaults any officer or other person employed in the government thereof, or breaks or escapes therefrom, or forcibly attempts so to do, he may, at the discretion of the court, be punished by confinement to hard labor for any term of years, to commence after the completion of his former sentence. The warden shall certify the fact of a violation of the foregoing provisions to the county attorney for the county of Knox, who shall prosecute such convict therefor.

74 Me. 162.

**Sec. 46. Punishment.** R. S. c. 142, § 42. Solitary confinement, as a punishment for the violation of the rules of the prison, shall be inflicted upon the convict in a cell and he shall be fed on bread and water only, unless the physician certifies to the warden that the health of such convict requires other diet.

71 Me. 254.

**Sec. 47. If resisted, officers shall use force.** R. S. c. 142, § 43. If a convict sentenced to the state prison resists the authority of any officer, or refuses to obey his lawful commands, the officer shall immediately enforce obedience by the use of weapons or other effectual means; and if, in so doing, a convict thus resisting is wounded or killed by the officer and his assistants, they shall be justified.

71 Me. 260.

**Sec. 48. Warden to keep arms and ammunition, etc.** R. S. c. 142, § 44. The warden shall constantly keep on hand a suitable and sufficient supply of arms and ammunition, at the expense of the state, and may require all officers and other citizens to aid him in suppressing an insurrection among the convicts in prison, and in preventing their escape or rescue therefrom, or from any other legal custody or confinement; and if, in so doing, or in arresting any convict who has escaped, they wound or kill such convict or those aiding him, they shall be justified.

71 Me. 260.

**Sec. 49. Application of §§ 45-48.** R. S. c. 142, § 45. The four preceding sections apply to convicts and officers in the county jails having workshops attached thereto, and in any county farm that may be established for the reformation of inebriates.

**Sec. 50. Measures to retake convicts, escaping; aiding convicts to escape, how to be punished.** R. S. c. 142, § 46. When a convict escapes from the state prison, the warden shall take all proper measures for his apprehension; and may in behalf of the state offer a reward not exceeding fifty dollars for his

apprehension and delivery. Whoever, not standing in the relation of husband or wife, parent or child, to the principal offender, conceals, harbors, or in any way aids any convict escaping from the state prison, knowing him to be such; or furnishes such convict with food, clothing, weapon, matches, or other article, or information that would aid him to escape recapture, shall be punished by a fine of not more than five hundred dollars, or by imprisonment for a term of not more than the whole time for which the convict was sentenced.

**Sec. 51. When term commences.** R. S. c. 142, § 47. No convict shall be discharged from the state prison, until he has served the full term for which he was sentenced, including the day on which he was received into it, unless he is pardoned, or otherwise released by legal authority.

71 Me. 246, 253, 259.

**Sec. 52. Convict's property shall be taken care of by warden.** R. S. c. 142, § 48. The warden shall receive and take care of any property that a convict has with him at the time of his entering the prison; when it is convenient, place the same at interest for his benefit; keep an account thereof, and pay the same to him on his discharge, or, in case of his death, to his representatives, unless otherwise legally disposed of.

**Sec. 53. Provision for convicts, on discharge.** R. S. c. 142, § 49. On the discharge of any convict who has conducted himself well during his imprisonment, the warden may give him from the funds of the prison a sum not exceeding ten dollars, and, if he requests it, a certificate of such good conduct; and shall take care that every convict on his discharge is provided with decent clothing.

**Sec. 54. Alterations may be made by warden, under the commission.** R. S. c. 142, § 51. The warden, on recommendation of the commission and with the approbation of the governor and council, may erect such additional buildings or make such alterations within the prison or its precincts, as they deem necessary and proper.

**Sec. 55. Chaplain of state prison; duties.** R. S. c. 142, § 53. 1917, c. 195, § 8. The chaplain shall, in accordance with the rules of the prison, conduct religious services in the chapel every Sunday, visit the sick, labor diligently and faithfully for the mental, moral, and religious improvement of the convicts, and aid them when practicable in obtaining employment after their discharge. With the assent of the board of prison commissioners, a Sunday-school may be established, and persons from without, of proper character, may be admitted to assist in it.

#### Reformatory for Women.

**Sec. 56. Establishment and maintenance of reformatory for women.** R. S. c. 142, § 56. The state shall maintain a reformatory in which all women over the age of sixteen years who have been convicted of or have pleaded guilty to crime in the courts of the state or of the United States, and who have been duly sentenced and removed thereto, shall be imprisoned in accordance with the sentences or orders of said courts and the rules and regulations of said reformatory.

**Sec. 57. Appointment of trustees; their powers and duties; tenure and removal; vacancies.** R. S. c. 142, § 57. The general superintendence, management and control of said reformatory, of the grounds and buildings, officers and employees thereof, of the inmates therein, and of all matters relating to the government, discipline, contracts and fiscal concerns thereof shall be vested in a board of five trustees, inhabitants of the state, of whom at least two shall

be women. The board shall be known as "Trustees of the Reformatory for Women." They shall be appointed by the governor, with the advice and consent of the council, for terms of five years each, and shall be so appointed that the term of one member of the board shall expire on the first day of each February. Any vacancy occurring during a term shall be filled by the appointment of a person to hold office for the remainder of the term of the person whose place he or she fills; any trustee may be removed from office by the governor and council, for cause.

**Sec. 58. Organization of the board; appointment of superintendent; authority to make rules and regulations and to parole or discharge inmates.** R. S. c. 142, § 58. The board shall appoint from their number a president and a secretary, who shall hold office for such terms as shall be fixed by the board. They shall appoint a woman superintendent who shall hold office during their pleasure, and shall fix the compensation of such superintendent and of all other officers and employees. They may make such rules and regulations as may seem to them necessary, for carrying out the purposes of the institution. The board of trustees shall constitute a board of parole, and may parole or discharge inmates as hereinafter provided.

See c. 157, § 1.

**Sec. 59. Authority and duties of superintendent.** R. S. c. 142, § 59. The superintendent may appoint and remove all subordinate officers and employees. Subject to the direction and control of the board of trustees, she shall have the general supervision and control of the grounds and buildings of the institution, the subordinate officers and employees and inmates thereof, and all matters relating to their government and discipline; may make such rules, regulations and orders, not inconsistent with law, or the rules, regulations or directions of the board of trustees, as may seem to her proper or necessary for the government of such institution and its officers and employees, and for the employment, discipline, and education of the inmates thereof; shall exercise such other powers and perform such other duties as the board of trustees may prescribe.

**Sec. 60. Trustees shall report to the governor and council.** R. S. c. 142, § 60. 1917, c. 74. On or before the thirtieth day of September in each year the trustees shall furnish a report to the governor and council containing the history of the institution for the year ending on the thirtieth day of June preceding, with a complete statement of all accounts and all funds, general and special appropriated or belonging to said institution with a detailed statement of these disbursements. The accounts of said board shall be audited by the state auditor. Said reports shall be printed biennially for the use of the legislature.

**Sec. 61. Commitment; length of sentence; woman attendant in serving mitimus.** R. S. c. 142, § 61. 1919, c. 106. When a woman over the age of sixteen years is convicted before any court or trial justice having jurisdiction of the offense, of an offense punishable by imprisonment in the state prison, or in the county jail, or in any house of correction, such court or justice may order her commitment to the reformatory for women, or sentence her to the punishment provided by law for the same offense. When a woman is sentenced to the reformatory for women, the court or trial justice imposing the sentence shall not prescribe the limit thereof, unless it be for a term of more than five years; but no woman committed to the reformatory upon a sentence within the prescribed limit, as aforesaid, shall be held therein for more than five years if sentenced for a felony, nor for more than three years if sentenced

for a misdemeanor. If the sentence imposed upon any woman be for more than five years, she shall be so held for such longer term. Upon commitment of such woman, if the officer to whom the mittimus or order of commitment is addressed is not a woman, the judge or trial justice shall in all cases when feasible designate a woman to be an attendant to accompany her to said reformatory. The expenses of said woman shall be paid by the county in which the commitment is made.

**Sec. 62. Sentence not void, because for a definite period. R. S. c. 142, § 62.** If, through oversight, or otherwise, any person is sentenced to imprisonment in the said reformatory for women for a definite period of time, said sentence shall not for that reason be void; but the person so sentenced shall be entitled to the benefit, and subject to the liabilities of sections fifty-six to seventy-two inclusive of this chapter, in the same manner and to the same extent as if the sentence had been in the terms required by section sixty-one. In such case said trustees shall deliver to such offender a copy of said sections.

**Sec. 63. Record of commitments shall be kept by superintendent. R. S. c. 142, § 63.** The judge or magistrate committing a woman to the reformatory, shall cause the superintendent to be immediately notified of such commitment, and shall cause a record to be kept of the name, age, birthplace, occupation, previous commitments, if any, and for what offense, the last place of residence of such woman, and the particulars of the offense for which she is committed. A copy of such record shall be transmitted with the warrant of commitment to the superintendent of such institution, who shall cause the facts stated therein and such other facts as may be directed by the board of trustees to be recorded in such form as the board of trustees shall determine.

**Sec. 64. Age of woman committed shall be determined and stated in mittimus; effect. R. S. c. 142, § 64.** Such judge or magistrate shall, before committing any such woman, inquire into and determine the age of such woman at the time of her commitment, and her age as so determined, shall be stated in the mittimus. The statement of the age of such woman in such mittimus shall be conclusive evidence as to such age in any action to recover damages for her detention or imprisonment under such mittimus, and shall be presumptive evidence thereof in any other inquiry, action, or proceeding relating to such detention or imprisonment.

**Sec. 65. Care of children of women committed. R. S. c. 142, § 65. 1919, c. 107.** If any woman committed to said reformatory is, at the time of her commitment, the mother of a nursing child in her care and under one year of age, or is pregnant with child which shall be born after such commitment, such woman may retain such child in said reformatory until it shall be two years of age, when it must be removed therefrom. The board of trustees may cause such child to be placed in any asylum for children in this state and pay for the care and maintenance of such child therein until the mother of such child shall have been discharged, or may commit such child to the care and custody of some relative or proper person willing to assume such care. If such woman, at the time of such commitment, shall be the mother of and have under her exclusive care, a child more than one year of age, which might be otherwise left without proper care or guardianship, the magistrate committing such woman shall cause such child to be committed to such asylum as may be provided by law for such purposes, or to the care and custody of some relative or proper person willing to assume such care. Any commitment of a child under the provisions of this section to the custody of any asylum for children or to any

relative or other person, shall be subject to the provisions of section fifty-five of chapter seventy-two.

**Sec. 66. Trustees may issue liberty permit in certain cases; revocation; return for unexpired term.** R. S. c. 142, § 66. When it appears to the trustees that a woman who has been sentenced to the reformatory for women has reformed, they may issue to her a permit to be at liberty, provided that some suitable employment or situation has been secured in advance for such woman, upon such other conditions as they shall prescribe, during the remainder of the term for which she might otherwise be held in said reformatory, and they may revoke said permit at any time before its expiration; but no such permit shall be issued to any woman who has been sentenced for more than five years. If a permit so issued be revoked, or if a woman escapes from the reformatory, the board of trustees may cause her to be rearrested and returned thereto for the unexpired portion of her term, dating from the time of her escape or the revocation of her permit. Any inmate ordered returned to the reformatory may, on the order of the superintendent or other officer of the institution, be arrested and returned to the reformatory or to any officer or agent thereof, by any sheriff, constable, police officer, state agent for the protection of children or other person, and may also be arrested and returned by any officer or agent of the reformatory.

**Sec. 67. Escape of inmate; penalty for aiding.** R. S. c. 142, § 67. 1921, c. 12. 1925, c. 198. Whoever advises, induces, aids, or abets any woman committed to said reformatory or to the charge or guardianship of said trustees to escape from the reformatory, or from the custody of any person to whom such woman has been entrusted by said trustees or by their authority, or knowingly harbors or secretes any woman who has escaped from said reformatory, or from the custody, authority, or control of said trustees, or from any person to whom such woman has been entrusted by said trustees or by their authority, or elopes with any such woman, or without the consent of said trustees marries any such woman during the term of her commitment, shall be punished by a fine of not less than one hundred dollars, nor more than five hundred dollars, or by imprisonment for not more than eleven months; and any woman who has so escaped may, whether the limit of her original sentence shall have expired or not, be arrested and detained, without warrant, by any officer authorized to serve criminal precepts, for a reasonable time to enable the superintendent or a trustee of said reformatory, or a person authorized in writing by such superintendent or trustee and provided with the mittimus by which such woman was committed, or a certified copy thereof, to take such woman for the purpose of returning her to said reformatory; but during such detention she shall not be committed to jail, and the officer arresting her shall be paid by the state a reasonable compensation for her arrest and keeping. Any woman lawfully committed to said reformatory who escapes therefrom, or who violates the condition of any permit by which she may have been allowed to be at liberty under the preceding section, shall be punished by additional imprisonment in said reformatory for not more than eleven months for each such offense. Prosecution under this section may be instituted in any county in which said woman may be arrested or in the county of Somerset, but in such case the costs and expense of trial shall be paid by the county from which said woman was originally committed, and payment enforced as provided in section sixty-eight of this chapter.

**Sec. 68. Expense of trial for crime committed while an inmate.** R. S. c. 142, § 68. Whenever any inmate of the reformatory for women, not having

been sentenced thereto by the court of the county wherein such reformatory for women is situated, shall be convicted in such county of any misdemeanor or felony committed while an inmate of the said reformatory, the costs and expenses of trying such convicted inmate, and of her maintenance after conviction and sentence, if to the county jail of such county, shall be paid by the county from which the said convicted inmate was originally sentenced; the costs and expenses of the trial of such convicted inmate shall, in the first instance, be paid by the county wherein such reformatory for women is situated, and the commissioners thereof may thereupon draw their warrant upon the treasurer of the county, from which said convicted inmate was sentenced to the reformatory, for the amount so paid by the said county wherein such reformatory is situated, for said costs and expenses, and the treasurer upon whom said warrant may be drawn shall pay it forthwith.

**Sec. 69. Governor may grant pardon.** R. S. c. 142, § 69. Nothing herein contained shall be construed to interfere with the power of the governor to grant a pardon or commutation in any case.

**Sec. 70. Employment of women committed.** R. S. c. 142, § 70. The board of trustees shall determine the kind of employment for women committed to the reformatory and shall provide for their necessary custody and superintendence. The provisions for the safe-keeping or employment of such women shall be made for the purpose of teaching such women a useful trade or profession, and improving their mental and moral condition.

**Sec. 71. Incurrible inmates; trial and sentence; discharge from reformatory.** R. S. c. 142, § 71. 1925, c. 197. Any person committed to the reformatory for women whose presence therein may be seriously detrimental to the well-being of the institution or who wilfully and persistently refuses to obey the rules and regulations of said institution, may be deemed and declared an incurrible. Upon complaint to any judge of any municipal court having jurisdiction, he may upon hearing bind over any person so accused to the term of the superior court next to be holden, within such county, and if indictment is returned therefor, then upon conviction said incurrible may be sentenced to the state prison for not less than one year nor more than five years. Upon conviction as such incurrible and sentence as above provided said person shall be discharged from said reformatory and be relieved from serving the balance of sentence in said reformatory.

**Sec. 72. Transfer to reformatory from other penal institutions.** 1917, c. 265. Upon petition of the trustees of the reformatory for women asking for the transfer to the reformatory for women of any woman serving sentence in the state prison, in any county jail, or in any house of correction, presented to the court or trial justice having imposed sentence, the judge or magistrate shall set a time for hearing, giving at least forty-eight hours' notice to said woman, and shall notify the custodian of said woman to bring said woman before him for hearing. After hearing, said judge or said magistrate may order said woman transferred to the reformatory for women to serve the remainder of the term of sentence under which said woman was committed to the state prison, county jail, or house of correction. The provisions of this chapter in regard to original commitments to the reformatory shall apply to any transfer under this section, but in no case shall the time of sentence to be served in the reformatory exceed the remaining time of the sentence originally imposed. A woman transferred under this section shall be subject to the provisions of this chapter relating to the reformatory and to the same rules and regulations as inmates originally committed to the reformatory.



Reformatory for Men.

Sec. 73. Reformatory for men. 1919, c. 182, § 1. 1923, c. 58, § 1. The state shall maintain a reformatory in which all males over the age of sixteen years and under the age of thirty-six years who have been convicted of or have pleaded guilty to crime in the courts of this state or of the United States, and who have been duly sentenced and removed thereto, shall be imprisoned and detained in accordance with the sentences or orders of said courts and the rules and regulations of said reformatory.

Sec. 74. Trustees to be appointed; tenure of office; vacancies. 1919, c. 182, § 2. The board of trustees of the reformatory for men as heretofore established shall consist of five members appointed by the governor with the advice and consent of the council from time to time upon the expiration of the terms of the several members. The terms of office of such trustees shall be five years, subject to removal by the governor and council for cause shown, and they shall be so appointed that the term of one of them shall expire on the first Tuesday of February in each year. Any person appointed to fill a vacancy in the board of trustees shall hold office for the remainder of the term of the person whom he succeeds.

Sec. 75. Duties of trustees; to act as board of parole. 1919, c. 182, § 3. Said board of trustees shall have general superintendence, management, and control of said reformatory, of the grounds and buildings, officers and employees thereof, of the inmates therein, and of all matters relating to the government, discipline, contracts, and fiscal concerns thereof, and may make such rules and regulations as may seem to them fitting and necessary for carrying out the purposes of the institution. Such board of trustees shall constitute a board of parole and shall have power to parole or discharge inmates therein as hereinafter provided.

Sec. 76. Organization of trustees; appointment and compensation of superintendent. 1919, c. 182, § 4. The board of trustees shall appoint from among its members a president and secretary, who shall hold office for such duration of time as the board may determine. They shall appoint a superintendent who shall hold office during the pleasure of said trustees, and shall fix his compensation as well as the compensation of all other officers and employees. No member of the board of trustees shall be eligible to appointment as superintendent during the term for which he has been appointed a trustee.

Sec. 77. Powers and duties of superintendent. 1919, c. 182, § 5. The superintendent shall, subject to the direction and control of the board of trustees:

First. Have the general supervision and control of the grounds and buildings of said reformatory, the subordinate officers and employees and inmates thereof, and all matters touching their government and control.

Second. Make such rules, regulations, and orders not inconsistent with law, or the rules and regulations or directions of the trustees, as may seem to him proper and fitting for the government of the reformatory and its officers and employees, and for the employment, discipline, and education of the inmates thereof.

Third. Exercise such other powers and perform such other duties as the board of trustees may prescribe.

Such superintendent shall have power to appoint and remove all subordinate officers and employees.

Sec. 78. Trustees to make annual report. 1919, c. 182, § 6. On or before the thirtieth of September in each year, the trustees shall furnish a report to

the governor and council, containing a history of the institution for the year ending on the thirtieth of June preceding, and a complete statement of all accounts, with all the funds, general and special, appropriated or belonging to said institution and a detailed statement of disbursements.

**Sec. 79. Commitments for less than five years; to be of indeterminate duration.** 1919, c. 182, § 7. 1923, c. 58, § 2. When a male over the age of sixteen years and under the age of thirty-six years is convicted before any court or trial justice having jurisdiction of the offense, of an offense punishable by imprisonment in the state prison, or in any county jail, or in any house of correction, such court or trial justice may order his commitment to the reformatory for men, or sentence him to the punishment provided by law for the same offense. When a male is sentenced to the reformatory for men, the court or trial justice imposing the sentence shall not prescribe the limit thereof except as provided in sections eighty-two and eighty-four, but no man committed to the reformatory as aforesaid shall be held for more than five years if sentenced for a felony; nor for more than three years if sentenced for a misdemeanor after a prior conviction of crime, otherwise for not more than one year.

If through oversight, or otherwise, any person be sentenced to imprisonment in the said reformatory for men for a definite period of time, said sentence for that reason shall not be void; but the person so sentenced shall be entitled to the benefit, and subject to the provisions of this section, in the same manner and to the same extent as if the sentence had been in the terms required by this section. In such case said trustees shall deliver to such offender a copy of sections seventy-three to eighty-seven inclusive of this chapter.

**Sec. 80. Court to notify superintendent of commitments and to furnish copy of record with warrant.** 1919, c. 182, § 8. The judge or trial justice making a commitment pursuant to section seventy-nine, shall cause the superintendent of the reformatory to be notified immediately of such commitment and shall cause a record to be kept of the name, age, birthplace, occupation, previous commitments, if any, and for what offense, the last residence of such person so committed, and the particulars of the offense for which he is committed. A copy of such record shall be transmitted with the warrant of commitment to the superintendent of such reformatory, who shall cause the facts stated therein and such other facts as may be directed by the board of trustees to be recorded in such form as the trustees may direct.

**Sec. 81. Court to determine age of person committed.** 1919, c. 182, § 9. Such judge or trial justice shall, before committing any such person, inquire into and determine the age of such person at the time of commitment, and his age so determined, shall be stated in the mittimus. The statement as to the age of said person so committed shall be conclusive evidence as to such age in any action to recover damages for his detention or imprisonment under such mittimus, and shall be presumptive evidence thereof in any other inquiry, action, or proceeding relating to such detention or imprisonment.

**Sec. 82. Condition of parole; violation of term of parole; penalty.** 1919, c. 182, § 10. 1921, c. 21. When it is made to appear to the trustees that a person who has been committed to the reformatory has reformed, they may issue to him a permit to be at liberty providing that some suitable employment or situation has been secured in advance for such person, and upon such other conditions as the trustees shall prescribe during the remainder of the term for which he might otherwise be held in said reformatory, and they may revoke such permit at any time before its expiration. If any permit so issued

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is revoked by the trustees for any violation of the conditions thereof, the board of trustees may cause such person to be rearrested and returned thereto for the unexpired portion of the term for which he might have been held in said reformatory as provided in section seventy-nine and such unexpired portion shall date from the time of the revocation of the said permit, and in addition he shall be punished by imprisonment in said reformatory for not more than one year to commence at the expiration of said unexpired portion above determined. Any inmate ordered returned to the reformatory may, on the order of the superintendent or other officer of the institution be arrested and returned to the reformatory, or to any officer or agent thereof, by any sheriff, constable, police officer, state agent for the protection of children, or other person, and may also be arrested and returned by any agent or officer of the reformatory.

**Sec. 83. Aiding inmates to escape or furnishing assistance after escape; penalties.** 1919, c. 182, § 10. 1921, c. 21. 1925, c. 186, § 2. Whoever advises, induces, aids, or abets any person so committed to said reformatory or to the charge or guardianship of said trustees to escape from said reformatory, or from the custody of any person to whom such person has been entrusted by said trustees or by their authority, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars or by imprisonment for not more than eleven months. Whoever, not standing in the relation of wife, parent or child to the principal offender, conceals, harbors, or in any way helps any person who is escaping from the state reformatory for men knowing him to be such, or furnishes such person with food, clothing, weapons, matches, or other articles or with information that would aid him to escape recapture, shall be punished by a fine of not more than five hundred dollars, or by imprisonment for not more than the whole time for which such person was sentenced.

**Sec. 84. Escapes; apprehension; reward; assaults; penalties.** 1919, c. 182, § 10. 1921, c. 21. 1925, c. 186. When a person sentenced to the state reformatory for men escapes therefrom, the superintendent shall take all proper measures for his apprehension, and may in behalf of the state offer a reward of not more than twenty-five dollars for his apprehension and delivery. Any person who has so escaped may, whether the limit of his original sentence has expired or not, be arrested and detained, without a warrant by any officer authorized to serve criminal process, for a reasonable time to enable the superintendent or a trustee of said reformatory or a person authorized in writing by such superintendent or trustee and provided with a mittimus by which such person was committed or a certified copy thereof, to take such person for the purpose of returning him to said reformatory; but during such detention he shall not be committed to any jail, and the officer arresting him shall be paid by the state a reasonable compensation for his arrest and keeping.

Any person lawfully committed to said reformatory who escapes therefrom or forcibly attempts so to do or assaults any officer or other person employed in the government thereof shall be punished by additional imprisonment in said reformatory for not more than one year to commence at the expiration of the term for which he might have been held as provided in section seventy-nine, or at the discretion of the court he shall be punished by imprisonment at hard labor for any term of years. Prosecution under this section may be instituted in any county in which said person may be arrested or in the county of Cumberland but in such case the costs and expense of trial shall be paid by the county from which said person was originally committed, and payment enforced as provided in the following paragraph.

Whenever any inmate of the reformatory, not having been sentenced thereto by a court of the county wherein such reformatory is situated and established shall be convicted in such county of any misdemeanor or felony committed while an inmate of said reformatory, or of an escape therefrom, the cost and expense of trying such convicted inmate, and of his maintenance after conviction and sentence, if to the county jail of such county, shall be paid by the county from which the said convicted inmate was sentenced, and the costs and expenses of such trial shall, in the first instance, be paid by the county wherein such reformatory shall be established, whose commissioners are thereupon authorized to draw their warrant upon the treasurer of the county, from which said convicted inmate was sentenced to said reformatory, for the amount paid as aforesaid by said county wherein said reformatory is established, for said costs and expenses which warrant it shall be the duty of the treasurer upon whom it may be drawn to pay forthwith.

**Sec. 85. Pardonng power of governor not to be abridged.** 1919, c. 182, § 11. Nothing herein contained shall be construed to interfere with the pardoning power of the governor or commutation in any case.

**Sec. 86. Trustees to arrange for employment of inmates.** 1919, c. 182, § 12. The board of trustees shall determine the kind of employment for the inmates of the reformatory and shall provide for their custody and superintendence. The provisions for the safe-keeping or employment of such inmates shall be made for the purpose of teaching such inmates a useful trade or profession, and improving their mental and moral condition.

**Sec. 87. Incurrigible inmates; proceedings for transfer to state prison.** 1925, c. 197. Any person committed to the reformatory for men whose presence therein may be seriously detrimental to the well-being of the institution or who wilfully and persistently refuses to obey the rules and regulations of said institution, may be deemed and declared an incurrigible. Upon complaint to any judge of any municipal court having jurisdiction, he may upon hearing bind over any person so accused to the term of the superior court next to be holden within such county, and if indictment is returned therefor, then upon conviction said incurrigible may be sentenced to the state prison for not less than one year nor more than five years. Upon conviction of such person committed to the reformatory for men as such incurrigible and sentence as above provided said person shall be discharged from said reformatory for men and be relieved from serving the balance of his sentence in said reformatory.

#### Transportation of Inmates.

**Sec. 88. Transportation of inmates to or from certain state institutions; costs.** 1925, c. 130. The costs of transporting a girl to or from the state school for girls, or of a person to or from the Pownal state school, or of a woman to or from the reformatory for women, or of a man to or from the reformatory for men, shall, when not otherwise provided for, be paid from the treasury of the county from which such person is committed as the costs of conveying prisoners to the jails are paid; and the county commissioners of such county shall examine and allow all such reasonable costs.

Inmates of state prison or reformatory for men afflicted with tuberculosis may be transferred to sanatorium, c. 156, § 7. Transfer to insane hospitals and to Pownal state school, c. 149, § 18.