

# MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSIONS

A. D. 1851--2.

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1852.

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# THIRTY-FIRST LEGISLATURE.

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No. 17.]

[SENATE.

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## REPORT.

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*To His Excellency JOHN HUBBARD,*  
*Governor of the State of Maine :*

IN the report which the undersigned had the honor to make to your Excellency in the month of May last, it was stated that they had made all necessary preliminary arrangements for the establishment of an institution for the employment and reform of juvenile offenders, as required by a Resolve of the Legislature, approved August 20th, 1850.

As some time had then elapsed since their appointment, and another Legislature was about to convene, the undersigned deemed it proper, before incurring any considerable expense or closing any contracts which should be obligatory upon the State, to submit a full statement of their proceedings, and to present carefully prepared estimates of the expense which would be required to construct the buildings, and to place the institution in a condition to accomplish the philanthropic and benevolent objects contemplated by the Legislature.

In order that the whole subject might be kept within the control of the Legislature then about to assemble, notice was given that

the proposals for which they had advertised would not be opened until the first of June then ensuing, and that the right would be reserved to reject any or all of the proposals, if in the judgment of the Commissioners, the interests of the State should require them to do so.

The appropriations recommended by the Commissioners having been made by the Legislature, they immediately proceeded to the further discharge of the duties required of them, and at a meeting of the Commissioners held at Portland upon the first of June, opened the proposals which had been received. The lowest of these proposals was so much beyond the sum estimated by the architect, that the Commissioners did not feel justified in accepting it, and being unwilling to exceed the estimate they had previously submitted, directed several alterations in the plan of the building which, without changing its general features, or diminishing its capacity to accommodate the number of inmates originally proposed, would considerably reduce its cost.

These changes, having been previously submitted to the Governor and Council, were placed in the hands of those who had made proposals upon the original plan, and new bids were invited from them. Upon opening the proposals subsequently made, it was found that Messrs. J. P. Wheeler and Albert Blaisdell were the lowest bidders, and as they were known to the Commissioners to be competent and responsible builders, their proposal was accepted.

A contract was afterwards entered into with these gentlemen for the erection and completion of the building for the sum of \$52,800, and having selected a place upon the farm for its site, the work was immediately commenced. By the terms of the contract the foundation was to be laid, and the building carried forward to the height of the first story by the fifteenth of November, and the whole was to be completed by the fifteenth of November next. Some changes which it has been found necessary to order, since the contract was closed, will somewhat increase this sum, and the expense of warming, of fitting up the apparatus for cooking, some additional plumbing, and other matters not included in the contract, will enlarge it still more.

The undersigned are however quite confident, that with all these additions, the cost of the building will not exceed the sum originally named in their report.

Thus far, the work has progressed as rapidly as was anticipated, and has been conducted by the contractors in a manner entirely satisfactory to the Commissioners. The work is substantially and thoroughly done, and it seems to be the aim of the contractors to perform their obligations with more than ordinary fidelity; the exterior of the building, as far as it has progressed, presents a tasteful and imposing appearance, and fully justifies the favorable opinion which has been entertained by its appearance upon the drawing.

As the building is located upon the declivity of a hill, more labor and expense has been required in levelling and grading than was expected; the supply of water, which has been provided of an excellent quality and to an unlimited extent, has on the other hand, cost less than was anticipated.

Some considerable repairs will be required upon the dwelling house now upon the farm, and the greater part of the exterior and line fences should be renewed.

It is proposed also to remove two of the barns from their present position, and finish and fit them up in a manner corresponding with the other buildings. These improvements can be more conveniently and economically provided during the present season than at any subsequent period, and should be completed before the institution is opened. Some stock and additional farming utensils should also be procured for the use of the establishment. For these purposes, the Commissioners estimate that the sum of five thousand dollars will be required. For the completion of the building, procuring water, levelling and grading the grounds, warming, plumbing, and furnishing the house and other necessary expenses, the Commissioners see no reason to enlarge the sum recommended in their former report.

In obedience to a requirement of the Resolve by which they are "directed to prepare and mature a system for the government of said school, and to ascertain what laws are necessary and proper to put

the same into successful operation," the undersigned have prepared a draft, which they have annexed to this report.

They have examined the systems existing in several States applicable to similar institutions, but believing that the system adopted in the Commonwealth of Massachusetts is best adapted to this State, they have framed an act corresponding in its principal features with that under which the State Reform School at Westboro', is now conducted. That institution has been eminently successful, and the benefits it has conferred are so obvious and signal, that the establishment of an additional institution, or the enlargement of that now existing, has been recently recommended by the Executive of that Commonwealth.

Of the appropriations heretofore made, amounting to \$30,000, the sum of \$26,000 has been drawn from the treasury. The appropriations required for the present year will be the \$38,800 estimated in their former Report and \$5,000 for the other purposes above enumerated.

H. J. ANDERSON, }  
 JOHN W. DANA, } *Commissioners, &c.*  
 H. CARTER, }

AUGUSTA, Feb. 9th, 1852.

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# STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND  
FIFTY-TWO.

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## AN ACT to establish the State Reform School.

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

SECTION 1. There shall be established in the town  
2 of Cape Elizabeth, in the county of Cumberland, on  
3 land conveyed to the State for that purpose, a school  
4 for the instruction, employment and reform of juvenile  
5 offenders, to be called the State Reform School ; and  
6 the government of said school shall be vested in a  
7 board of five trustees, to be appointed by the governor  
8 by and with the advice of the council.

SECT. 2. It shall be the duty of said trustees to take  
2 charge of the general interests of the institution ; to  
3 see that its affairs are conducted in accordance with  
4 the requirements of the Legislature, and of such by-

5 laws as the board may from time to time adopt for  
6 the orderly and economical management of its con-  
7 cerns; to see that proper discipline is maintained  
8 therein; to provide employment for the inmates, and  
9 bind them out, discharge or remand them as is here-  
10 inafter provided; to appoint a superintendent, and  
11 such other officers, as in their judgment the wants of  
12 the institution may require; to prescribe the duties of  
13 all the officers thereof; to exercise a vigilant super-  
14 vision over its concerns; to remove its officers at  
15 pleasure and appoint others in their stead; and to  
16 determine the compensation to be allowed the officers  
17 respectively—subject in all cases to the approval of  
18 the governor and council. The trustees shall also  
19 prepare, and submit to the inspection of the governor  
20 and council, a code of by-laws, which shall not be  
21 valid until sanctioned by them.

SECT. 3. As soon as the governor shall have been  
2 notified by the commissioners appointed under a re-  
3 solve “for erecting the State Reform School build-  
4 ings” that said buildings are prepared for occupancy,  
5 he shall forthwith issue his proclamation giving public  
6 notice of the fact.



SECT. 4. After proclamation shall have been made  
2 as provided in the third section of this act, when any  
3 boy or youth under the age of eighteen years shall be  
4 convicted of any offense known to the laws of this  
5 State, and punishable by imprisonment, other than  
6 such as may be punished by imprisonment for life, the  
7 court or justice, as the case may be, before whom  
8 such conviction shall be had, may at their discretion,  
9 sentence such boy or youth to the State Reform  
10 School, or to such punishment as is now provided by  
11 law for the same offense. And if the sentence shall  
12 be to the Reform School, then it shall be in the alter-  
13 native, to the State Reform School, or to such pun-  
14 ishment as would have been awarded if this act had  
15 not been passed.

SECT. 5. Any boy or youth, so convicted and sent  
2 to said school, shall there be kept, disciplined, in-  
3 structed, employed, and governed under the direction  
4 of said board of trustees until the term of his sentence  
5 shall have expired, or until he shall be either reformed  
6 and discharged, or shall be bound out by said trustees  
7 according to their by-laws, or shall be remanded to  
8 prison under the sentence of the court as incorrigible,

9 upon information of the trustees as hereinafter pro-  
10 vided.

SECT. 6. If any boy or youth shall, upon any con-  
2 viction, be sentenced to the said school, and the trus-  
3 tees shall deem it inexpedient to receive him, or if he  
4 shall be found incorrigible, or his continuance in the  
5 school shall be deemed injurious to the management  
6 and discipline thereof, they shall certify the same upon  
7 the mittimus by virtue of which he is held, which mit-  
8 timus, together with the convict, shall be delivered to  
9 the sheriff of any county, or his deputy, or to the con-  
10 stable of any town, who shall forthwith commit said  
11 boy or youth to the jail, house of correction, or State  
12 prison, as the case may be, in pursuance of the alter-  
13 native sentence provided for in the preceding section  
14 of this act.

SECT. 7. All commitments of boys or youth to this  
2 institution, of whatever age when committed, shall be  
3 for a term not longer than their minority, nor less  
4 than one year, unless sooner discharged by order of  
5 the trustees as hereinbefore provided; and whenever  
6 any boy or youth shall be discharged therefrom by the  
7 expiration of his term of commitment, or as reformed,

8 or as having arrived at the age of twenty-one years,  
9 such discharge shall be a full and complete release  
10 from all penalties and disabilities which may have  
11 been created by such sentence.

SECT. 8. The trustees shall have power to bind out  
2 all boys committed to their charge for a term of time  
3 during the period for which they shall have been com-  
4 mitted as apprentices to any inhabitants of this State ;  
5 and the said trustees, and master or mistress, and ap-  
6 prentice, shall respectively have all the rights and  
7 privileges, and be subject to all the duties now pro-  
8 vided by law, in the same manner as if said binding  
9 or apprenticing were made by overseers of the poor.

SECT. 9. The trustees shall cause the boys and  
2 youth under their charge to be instructed in such  
3 branches of useful knowledge as shall be adapted to  
4 their age and capacity ; they shall also be instructed  
5 in some regular course of labor, either mechanical,  
6 manufacturing, agricultural or horticultural, or a com-  
7 bination of these, as shall be best suited to their age  
8 and strength, disposition and capacity ; also such  
9 other arts and trades as may seem to them best  
10 adapted to secure the reformation, amendment and

11 future benefit of the boys ; and in binding out the in-  
12 mates, the trustees shall have scrupulous regard to the  
13 character of those to whom they are bound, to the  
14 end, that they may secure to the boys the benefit of a  
15 good example and wholesome instruction, and other  
16 means of improvement in virtue and knowledge, and  
17 thus, the opportunity of becoming intelligent, moral  
18 and useful citizens of the State.

SECT. 10. The superintendent, with such other offi-  
2 cers as the trustees may appoint, shall have the charge  
3 and custody of the inmates. He shall himself be a  
4 constant resident at the institution, and shall discipline,  
5 govern, instruct and employ, and use his best endeav-  
6 ors to reform the inmates, in such manner, as while  
7 preserving their health, will secure the formation, as  
8 far as possible, of moral and industrious habits, and  
9 regular progress and improvement in their studies,  
10 trades and various employments.

SECT. 11. The superintendent shall have the charge  
2 of the lands, buildings, furniture, tools, implements,  
3 stock and provisions, and every other species of prop-  
4 erty pertaining to the institution within the precincts  
5 thereof. He shall, before he enters upon the duties

6 of his office, give a bond to the State, with sure-  
7 ties satisfactory to the governor and council, in the  
8 sum of two thousand dollars, conditioned that he shall  
9 faithfully account for all moneys received by him as  
10 superintendent, and faithfully perform all the duties  
11 incumbent on him as such. He shall keep in suitable  
12 books, regular and complete accounts of all his re-  
13 ceipts and disbursements, and of all property entrusted  
14 to him, showing the income and expenses of the insti-  
15 tution ; and he shall account in such manner, and to  
16 such person as the trustees shall direct, for all moneys  
17 received by him, from the proceeds of the farm, or  
18 otherwise. His books, and all documents relating to  
19 the school, shall at all times be open to the inspection  
20 of the trustees, who shall at least once in every six  
21 months carefully examine the said books and accounts,  
22 and the vouchers and documents connected therewith,  
23 and make a record of the result of such examination.  
24 He shall keep a register, containing the name and age  
25 of each boy and youth, and the circumstances con-  
26 nected with his early history ; and he shall add such  
27 facts as may come to his knowledge relating to the

28 subsequent history of such boy or youth, while at the  
29 institution, and after he shall have left it.

SECT. 12. All contracts on account of the institu-  
2 tion shall be made by the superintendent in writing,  
3 and when approved by the trustees, if their by-laws  
4 require it, shall be binding in law, and the superintend-  
5 ent, or his successor, may sue or be sued thereon to  
6 final judgment and execution ; and no such suit shall  
7 abate by reason of the office of superintendent becom-  
8 ing vacant, pending such suit, but any successor of  
9 the superintendent may take upon himself the prose-  
10 cution or defense thereof, and upon motion of the  
11 adverse party, and notice, he shall be required to do  
12 so.

SECT. 13. The board of trustees shall be appointed  
2 at any time previous to the first of November next,  
3 and when the governor shall have made proclamation  
4 that the buildings are ready for occupancy, the insti-  
5 tution shall be at once in their charge.

SECT. 14. When two years shall have expired after  
2 the first appointment of a board of trustees, two trus-  
3 tees shall be appointed annually ; and for this purpose

4 the places of the two senior members as they stand  
5 arranged in their commission, shall be thereafter an-  
6 nually vacated. The trustees shall be allowed their  
7 traveling expenses, and ——— dollars per day as com-  
8 pensation for their services.

SECT. 15. One or more of the trustees shall visit  
2 the school at least once in every four weeks, at which  
3 time the inmates shall be examined in the school room  
4 and work shop, and the register shall be inspected.  
5 A record shall be regularly kept of these visits in the  
6 books of the superintendent. Once in every three  
7 months, the school in all its departments shall be thor-  
8 oughly examined by a majority of the board of trustees,  
9 and a report made, showing the results of these exam-  
10 inations. Annually, in the month of December, an ab-  
11 stract of these quarterly reports shall be prepared,  
12 which, together with a full report by the superinten-  
13 dent, shall be laid before the governor and council,  
14 for the information of the Legislature. A financial  
15 statement, furnishing an accurate detailed account of  
16 the receipts and expenditures for the year terminating  
17 on the last day of the month of November next pre-  
18 ceding, shall be also furnished.

## STATE OF MAINE.



IN SENATE, Feb. 16, 1852.

ORDERED, That 1,000 copies of the foregoing Report of the Commissioners for the establishment of a State Reform School, together with the accompanying Bill, be printed for the use of the Legislature.

ALBERT H. SMALL, *Secretary.*