

MAINE STATE LEGISLATURE

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FORTY-EIGHTH LEGISLATURE.

SENATE.

No. 27.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE.

AN ACT to establish a State Industrial School for Girls.

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

SECTION 1. The government of the state industrial
2 school for girls, established for the religious, intellec-
3 tual and industrial education of unfortunate, exposed,
4 evil disposed, vagrant and vicious girls, between the
5 ages of seven and sixteen years, shall be vested in a
6 board of five trustees, who shall be appointed by the
7 governor, with the advice of the council, and com-
8 missioned to hold their offices during the pleasure of
9 the governor and council, but not more than four years
10 under one appointment. The trustees shall receive no
11 compensation for their services, but shall be allowed
12 all expenses incurred by them in the discharge of their
13 duties.

SECT. 2. The trustees shall take charge of the general interests of the institution, see that its affairs are conducted in accordance with the laws of the state and such by-laws as they may adopt; appoint a superintendent, chaplain, and such matrons, assistants, teachers, and other officers, as may be required; prescribe their duties, fix their salaries, remove them at pleasure, and appoint others in their stead; exercise a vigilant supervision over the instruction, employment and discipline of the inmates, and bind out, discharge or remand them as is hereinafter provided. The by-laws of the board, and the salaries of the officers shall in all cases be subject to the approval of the governor and council.

SECT. 3. Judges of the probate courts shall have authority within their respective counties to hear and determine complaints and make commitments to the school. The governor, with the advice of council, upon request of the mayor and aldermen, selectmen, or overseers of the poor of any city or town, shall appoint and commission, in the same manner as justices of the peace are appointed and commissioned, one or more suitable persons residing in such city or town, who shall have like authority therein.

SECT. 4. When a girl between the ages of seven and sixteen years is brought by a constable, police

3 officer, or other inhabitant of this state, before such
4 judge or commissioner, upon complaint that she has
5 committed an offence punishable by fine, or imprison-
6 ment other than by imprisonment for life, or that she
7 is leading an idle, vagrant or vicious life, or has been
8 found in any street, highway, or public place, in cir-
9 cumstances of want or suffering, or of neglect, ex-
10 posure, or abandonment, or of beggary, the judge or
11 commissioner shall issue a summons to the father of
12 said girl, if he is living, and resident within the place
13 where she was found, and, if not, then to her mother
14 if she is living and so resident; and if there is no
15 such father or mother, to the lawful guardian of said
16 girl, if any there is so resident, or, if not, to the per-
17 son with whom, according to her own statement and
18 such testimony as shall be received, she resides; and
19 if there is no person with whom she statedly resides,
20 the judge or commissioner may appoint some suitable
21 person to act in her behalf, requiring him or her to
22 appear at a time and place stated in the summons, to
23 show cause, if any there is, why said girl should not
24 be committed to said institution.

SECT. 5. At the time mentioned in the summons,
2 the judge or commissioner shall proceed to examine
3 the girl, and any party appearing in answer to the
4 summons, and to take such testimony in relation to

5 the case as may be produced. If the allegations are
6 proved, and it appears that the girl is a suitable sub-
7 ject for said institution, and that her moral welfare
8 and the good of society require that she should be sent
9 thereto for instruction, employment or reformation, he
10 shall commit her by a warrant in substance as follows:
11 To A. B., one of the constables (or police officers) of
12 the city (or town) of ———.

13 You are hereby commanded to take charge of C. D.,
14 a girl between the ages of seven and sixteen years,
15 who has been proved to me to be a suitable subject
16 for the state industrial school for girls, and a proper
17 object for its care, discipline and instruction, and de-
18 liver said girl, without delay, to the superintendent of
19 said school, or other person in charge thereof, at the
20 place where the same is established. And, for so
21 doing, this shall be your sufficient warrant.

22 Dated this — day of —, 18—, at —, in
23 the county of —, in the state of Maine.

24 But no variance from said form shall be deemed
25 material, if it sufficiently appears upon the face there-
26 of, that the girl is committed by the magistrate in the
27 exercise of the powers given to him by this chapter.
28 Warrants issued under this section may be directed to
29 and served by any officer qualified to serve civil or
30 criminal process in the county in which the warrants

31 issued. Accompanying the warrant the magistrate
32 shall transmit to the superintendent, by the officer
33 serving it, a statement of the substance of the com-
34 plaint and testimony given in the case.

SECT. 6. Summonses to appear before a judge or
2 commissioner as aforesaid shall be served by the
3 officer, by delivering the same personally to the party
4 to whom it is addressed, or leaving it with some
5 person of sufficient age at the place of residence or
6 business of such party ; and said officer shall immedi-
7 ately make return to the same magistrate of the time
8 and manner of such service.

SECT. 7. When a girl between seven and sixteen
2 years of age is brought for trial before a trial justice
3 or court of criminal jurisdiction, charged with an
4 offence which may be punished by fine or imprison-
5 ment, and the justice or court is of opinion, that, if
6 found guilty, she would be a fit and proper subject for
7 said school, a decree to that effect shall be entered of
8 record ; and thereupon such justice or court shall, by
9 a warrant, cause such girl to be brought forthwith
10 before some judge or commissioner authorized to com-
11 mit girls to the school, and to transmit to him the
12 complaint, or indictment or warrant, by virtue of
13 which she has been arrested, and he shall thereupon

14 have the same jurisdiction and powers as if she had
15 been brought before him upon an original complaint.

SECT. 8. If a girl previously committed to the
2 school is brought before a judge or commissioner upon
3 any allegation set forth in section four, he may
4 examine the case, and issue his warrant for committing
5 her to the school, without having issued the summons
6 required in said section.

SECT. 9. Every judge of the probate court, or any
2 commissioner, before whom any girl is brought, under
3 the provisions of the fourth, seventh and eighth sec-
4 tions of this act, shall make a brief record of his
5 doings in the premises, and transmit the same, with
6 all the papers in the case, to the supreme court, and
7 the clerk thereof in the county in which such proceed-
8 ings are had, shall file and preserve the same in his
9 office.

SECT. 10. The fees and compensation allowed to
2 judges and commissioners under this act shall be the
3 same as are by law allowed to trial justices; and all
4 officers serving process shall be allowed the same fees
5 as they are entitled to for serving process in criminal
6 proceedings.

SECT. 11. Any girl ordered to be committed to the
2 school may appeal from such order in the manner pro-
3 vided in respect to appeals from trial justices. And

4 the case shall be entered, tried and finally determined
5 in the court to which the appeal is made.

SECT. 12. Any girl committed to the school shall
2 there be kept, disciplined, instructed, employed and
3 governed, under the direction of the trustees, until
4 she is bound out, or arrives at the age of twenty-one
5 years, or is otherwise legally discharged.

SECT. 13. The trustees shall discharge and return
2 to her parents, guardian or protector, any girl who, in
3 their judgment, ought for any cause to be removed
4 from the school. And in such case the trustees shall
5 make an entry upon their records of her name, the
6 party to whom she was returned; and the date when
7 she left the school, together with a statement of the
8 reasons for her discharge; a copy of which record,
9 signed by their secretary, they shall forthwith trans-
10 mit to the judge or commissioner by whom the girl
11 was committed.

SECT. 14. The trustees may bind out as an appren-
2 tice or servant any girl committed to their charge, for
3 a term not longer than until she arrives at the age of
4 twenty-one years; and the master to whom the girl is
5 bound shall, by the terms of the indenture, be required
6 to report to the trustees, as often as once in every six
7 months, her conduct and behavior, and whether she is
8 still living under his care, and if not, where she is.

9 And the trustees, master or mistress, and apprentice,
10 shall respectively have all the rights and privileges,
11 and be subject to all the duties provided by law for
12 apprenticing by overseers of the poor.

SECT. 15. A person receiving an apprentice under
2 the provisions of this act, shall not assign or transfer
3 the indenture of apprenticeship, nor let out her servi-
4 ces for any period, without the consent in writing of
5 the trustees. If the master for any cause desires to
6 be relieved from the contract, the trustees, upon
7 application, may in their discretion cancel the inden-
8 ture, and resume the charge and management of the
9 girl, and shall have the same power and authority in
10 regard to her as before the indenture was made.

SECT. 16. If a master is guilty of cruelty or mis-
2 usage towards a girl so bound to service, or of any
3 violation of the terms of the indenture, the girl or
4 trustees may make complaint to a judge or commis-
5 sioner aforesaid, who shall summon the parties before
6 him, and examine into the complaint; and if it ap-
7 pears to be well founded, he shall, by certificate under
8 his hand, discharge the girl from all obligations of
9 future service, and restore her to the school to be
10 managed as before her indenture.

SECT. 17. Upon the death of the master to whom a
2 girl is so bound to service, his executor or adminis-

3 trator, with the consent of the girl, in writing,
4 acknowledged by her, and approved by the trustees,
5 may assign the indenture to some other person ; which
6 assignment shall transfer to and vest in the assignee
7 all rights, and subject him to all responsibilities, of
8 the original master.

SECT. 18. The trustees shall be the guardians of
2 every girl so bound, or held for service ; shall take
3 care that the terms of the contract are faithfully ful-
4 filled, and that she is properly treated ; and they shall
5 especially inquire into the treatment of every such
6 girl, and cause any grievance to be redressed.

SECT. 19. The trustees shall cause the girls under
2 their charge to be instructed in piety and morality,
3 and in such branches of useful knowledge as are adap-
4 ted to their age and capacity ; and in some regular
5 course of labor, either mechanical, manufacturing or
6 horticultural, or a combination of these ; but more
7 especially in such domestic and household labor and
8 duties as are best suited to their age, strength, dis-
9 position and capacity ; and in such other arts, trades
10 and employments, as may seem to the trustees best
11 adapted to secure their reformation, amendment, and
12 future benefit. In binding out girls, they shall have
13 scrupulous regard to the religious and moral character

14 of those to whom it is proposed to bind them, that they
15 may secure to the girls the benefits of good example
16 and wholesome instruction, and the best means of im-
17 provement in virtue and knowledge, and the oppor-
18 tunity of becoming intelligent, moral, useful and happy
19 women.

SECT. 20. The superintendent, with such subordi-
2 nate officers as the trustees may appoint, shall have
3 the general charge and custody of the girls. He shall
4 be a constant resident of the school, and under the
5 direction of the trustees, shall discipline, govern,
6 instruct and employ, and use his best endeavors to
7 reform the inmates in such a manner as shall, while
8 preserving their health, and promoting the proper
9 development of their physical system, secure the for-
10 mation, as far as possible, of moral, religious and
11 industrious habits, and regular thorough progress and
12 improvement in their studies, trades and employments.
13 He shall, before he enters upon the duties of his office,
14 give a bond to the state, with sureties satisfactory to
15 the governor and council, in the sum of two thousand
16 dollars, conditioned that he shall faithfully perform all
17 his duties and account for all moneys received by him
18 as superintendent. He shall have charge of all the
19 property pertaining to the school within the precincts
20 thereof; he shall keep in suitable books regular and

21 complete accounts of all his receipts and expenditures,
22 and of all property entrusted to him, showing the
23 income and expenses of the institution ; and shall
24 account to the trustees in such manner as they may
25 require, for all moneys received by him from the pro-
26 ceeds of the farm or otherwise. His books, accounts,
27 and documents relating to the school, shall at all times
28 be open to the inspection of the trustees, who shall, at
29 least once in every six months, carefully examine the
30 same, and the vouchers and documents connected
31 therewith, and make a record of the result of such
32 examination. He shall keep a register containing the
33 name and age of each girl, and, as far as practicable,
34 the circumstances connected with her history to the
35 time of her admission to the school ; and he shall add
36 thereto such facts as may come to his knowledge rela-
37 ting to her history while at the institution and after
38 leaving it.

SECT. 21. All contracts on account of the institution
2 shall be made by the superintendent in writing, and
3 approved by the trustees if their by-laws require it.
4 No action brought by the superintendent, in his official
5 capacity, shall abate by his ceasing to be in office ;
6 but his successor upon notice, may assume its prosecu-
7 tion in his own name as plaintiff. All actions founded
8 on any contract, of any kind, whether in writing or

9 under seal or not, made with any superintendent in his
10 official capacity, may be brought by the person being
11 superintendent at the time of the commencement of
12 the suit, and in his name as plaintiff. All actions for
13 injuries done or occasioned to the real or personal
14 property of the state, appropriated to the use of the
15 industrial school, and under the care of the superin-
16 tendent in his official capacity, may be prosecuted in
17 the name of the person who is superintendent at the
18 commencement of such action. The superintendent
19 may, with the consent of the trustees, submit any con-
20 troversy, demand or suit, to the determination of one
21 or more arbitrators or referees. When a new superin-
22 tendent is appointed, and accepts the office, all the
23 books, accounts and papers belonging to the industrial
24 school, shall be delivered to him, and he shall be
25 vested with all the powers, and subject to all the obli-
26 gations with regard to any contracts that his prede-
27 cessor would have been vested with, or subject to, if
28 no change had taken place in the office.

SECT. 22. One or more of the trustees shall visit
2 the school at least once in every four weeks; at which
3 time the girls shall be examined in the school-rooms
4 and work-shops, and the register inspected. Once in
5 every three months the school in all its departments
6 shall be thoroughly examined by a majority of the

7 trustees. A record shall be kept of these visits in the
8 books of the superintendent. Annually, in the month
9 of December, full reports from the trustees and super-
10 intendent, shall be laid before the governor and council
11 for the information of the legislature, corresponding
12 with those from the state reform school.

SECT. 23. The governor and council may draw war-
2 rants on the treasurer of state in favor of the trustees
3 from time to time as they think proper, for the money
4 appropriated by the legislature for the state industrial
5 school.

STATE OF MAINE.

RESOLVE for establishing an Industrial School for Girls.

Resolved, That there be allowed and granted for the
2 purpose of establishing an industrial school for girls in
3 this state the sum of fifteen thousand dollars from
4 money in the state treasury not otherwise appropriated.
5 Said sum to be expended in the purchase of lands and
6 the erection of suitable buildings for an industrial
7 school for girls in the manner provided and described
8 in an "act entitled an act providing for establishing
9 an Industrial School for Girls," approved ———,
10 eighteen hundred sixty-nine, on condition that the
11 sum of fifteen thousand dollars in money, or its equiv-
12 alent in lands and buildings, shall be raised by indi-
13 vidual donations towards establishing said school
14 within three years from the passage of this resolve.

STATE OF MAINE.

IN SENATE, February 18, 1869.

Reported by Mr. BUCK, from the Committee on Reform School,
read once, and on motion of the same Senator, laid on the table
and ordered to be printed.

THOMAS P. CLEAVES, *Secretary.*