

MAINE STATE LEGISLATURE

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FIFTY-SECOND LEGISLATURE.

SENATE.

No. 40.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SEVENTY-THREE.

AN ACT relating to the Maine Industrial School for
Girls.

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

SECTION 1. A parent or guardian of any girl between the ages of seven and fifteen years, or the municipal officers or any three respectable inhabitants of any city or town where she may be found, may complain in writing to the judge of probate or any trial justice in the county, or to the judge of the municipal or police court for the city or town, alleging that she is leading an idle, vagrant or vicious life, or has been found in circumstances of manifest danger of falling into habits of vice or immorality, and request that she may be committed to the guardianship of the

12 Maine Industrial School for Girls. The judge or
13 justice shall appoint a time and place of hearing, and
14 order notice thereof to any person entitled to be heard,
15 and at such time and place, may examine into the
16 truth of the allegations of said complaint, and if satis-
17 factory evidence thereof is adduced, and it appears
18 that the welfare of such girl requires it, he may order
19 her to be committed to the custody and guardianship
20 of the officers of said school, during her minority,
21 unless sooner discharged by process of law.

SECT. 2. The trustees of said school may bind to
2 service or apprentice any girl committed to their
3 charge, for a period not exceeding the term of her
4 commitment, upon such conditions as they may deem
5 reasonable and proper, to be set forth in the articles
6 of service, and in said articles require the person to
7 whom she is bound, to report to them as often as once
8 in six months her conduct and behavior, and whether
9 she remains under his or her care, and if not where
10 she is. The trustees shall, as guardians of any girl so
11 bound, take care that the terms of the contract are
12 fulfilled, and the girl well treated; and the trustees,
13 master or mistress and apprentice, shall have all the
14 rights and privileges, and be subject to all the duties
15 and penalties provided by law in case of children ap-
16 prenticed by overseers of the poor.

SECT. 3. 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 the ser-
4 vices of the apprentice, without the written consent of
5 the trustees. The trustees, at the request of the
6 master or mistress, may cancel the indenture, and
7 resume the charge of the girl, with the same powers
8 as before the indenture was made. On the death of a
9 person to whom a girl is bound, his executor or
10 administrator, with the written assent of the trustees,
11 and also of the girl, may assign the indenture to some
12 other person, and the assignee shall have all the
13 rights, and be subject to all the liabilities and duties
14 of the original master or mistress.

SECT. 4. A parent or guardian, upon complaint and
2 hearing as aforesaid, and certificate of any judge or
3 justice named in the first section, that a girl of the
4 age herein limited, is a proper subject to be committed
5 to said school, may commit her to the custody and
6 guardianship thereof, for a term to be agreed upon by
7 the parent or guardian and the trustees, upon condi-
8 tion that the parent or guardian shall pay her ex-
9 penses at a reasonable uniform rate to be fixed by said
10 trustees; and the trustees shall have power to enforce
11 such agreement.

SECT. 5. On complaint to any justice or court of

2 competent jurisdiction, that any girl of the age herein
3 limited has been guilty of an offence punishable by
4 fine or imprisonment, other than imprisonment for life,
5 such justice or court may so far examine into the case
6 as to satisfy himself whether she is a suitable subject
7 for commitment to said school, and if he so decides,
8 he may thereupon suspend the case, and certify
9 accordingly, and order her to be committed to the
10 guardianship of said school during her minority,
11 unless sooner discharged by process of law. Any
12 girl so committed, if she remains under the guardian-
13 ship of said school during the term of her commit-
14 ment, or is sooner discharged, with a certificate of
15 good behavior, shall not thereafter be examined or
16 tried on the suspended complaint or for the offence
17 therein charged. But if discharged for misbehavior,
18 or if she escapes from said school, she may be tried
19 therefor, and if found guilty punished according to
20 law.

SECT. 6. If any girl of the age herein limited is
2 found guilty of any offence punishable with fine or
3 imprisonment, other than imprisonment for life, she
4 may be sentenced in the alternative, to the aforesaid
5 school, or, if not received therein, or discharged there-
6 from for misbehavior, to such punishment as the law
7 provides for like offences.

SECT. 7. The trustees of said school may refuse to
2 receive therein any girl committed to said school
3 under the provisions of the fifth and sixth sections, or
4 may discharge from said school any girl whose con-
5 tinuance, by reason of her vicious example and in-
6 fluence, or other misconduct, is in their opinion preju-
7 dicial to the school, or who for any reason ought not
8 to be retained therein. Their refusal receive such girl
9 may be certified on the warrant of commitment, and
10 she shall remain in the custody of the officer having
11 the warrant, to be disposed of as prescribed in said
12 fifth and sixth sections. If they discharge her, they
13 are to set forth their reasons therefor in a warrant of
14 discharge, and any proper officer may return her to
15 the court which committed her, or commit her as pro-
16 vided in the alternative sentence.

SECT. 8. All precepts issued in pursuance of the
2 provisions of this act may be executed by any officer
3 who may execute criminal process; and the fees of
4 judges, justices and officers shall be the same as are
5 allowed by law for similar services in criminal cases,
6 and shall be audited by the county commissioners and
7 paid from the county treasury.

SECT. 9. The judge or justice before whom any
2 girl is brought under the provisions of this act, shall
3 make a brief record of his proceedings, and transmit

4 it, with all the papers in the case, to the clerk of the
5 courts for the county, who shall file and preserve
6 them in his office. Any girl ordered to be committed
7 to the school may appeal from such order in the man-
8 ner provided in case of appeals from trial justices,
9 and the case shall be entered, tried and determined in
10 the supreme judicial court.

SECT. 10. When any such girl is convicted of any
2 offence described in section six, and committed to said
3 school, the court or justice before whom she is con-
4 victed shall certify on the mittimus her age, parent-
5 age, birthplace and offence, and the city or town
6 where she resided at her arrest, so far as he can ascer-
7 tain such particulars; and this certificate shall be
8 evidence of her true age until otherwise proved, and
9 shall be sufficient in the first instance to charge such
10 city or town with her expenses at said school, not
11 exceeding one dollar a week.

SECT. 11. The officers of said school, upon the com-
2 mitment of such girl, shall notify in writing the muni-
3 cipal officers or overseers of the poor of the city or
4 town so liable, by mail or otherwise, of the name of
5 such girl, the offence with which she is charged, and
6 the duration of her sentence. Such notice addressed
7 to such municipal officers or overseers, and deposited,
8 post paid, in the post office at Hallowell, shall be

9 sufficient; and at any time after three months from
10 the giving of such notice, the officers of said school
11 may sue for and recover of such city or town one
12 dollar a week for the expenses of clothing and subsist-
13 ence of such girl, up to the time of suing therefor;
14 and such city or town may recover the same of the
15 parent or guardian of such girl, or of the city or town
16 where she has her legal settlement.

SECT. 12. The officers of said school shall cause
2 the girls under their charge to be instructed in the
3 branches of useful knowledge adapted to their age and
4 capacity, and in household employments, needle-work,
5 and such other modes of industry as may be suited to
6 their sex, age, strength and disposition, and as may
7 be best adapted to secure their improvement and
8 future welfare; and in binding them out, the trustees
9 shall have regard to the character of those to whom
10 they are bound, that they may secure to the girls the
11 benefit of good example, wholesome instruction, im-
12 provement in virtue and knowledge, and the oppor-
13 tunity to become intelligent, moral and useful mem-
14 bers of society.

SECT. 13. Any person who shall aid or abet any
2 girl committed to said school to escape therefrom,
3 shall upon conviction thereof pay a fine not exceeding
4 one hundred dollars, nor less than fifty dollars, or

5 suffer imprisonment in the county jail for a period not
6 exceeding sixty days, at the discretion of the court
7 trying the same.

STATE OF MAINE.

IN SENATE, February 15, 1873.

Reported from the Committee on Education, by Mr. FARRINGTON of Oxford, and laid over to be printed under the Joint Rule.

SAMUEL W. LANE, *Secretary*.