

MAINE STATE LEGISLATURE

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SEVENTY-SECOND LEGISLATURE

SENATE.

No. 10

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIVE.

AN ACT to provide for the care and education of Feeble
Minded Children.

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

Section 1. The State shall establish and maintain a school
2 for the care and education of the idiotic and feeble minded,
3 between three and twenty-one years of age, which shall be
4 known as the Maine school for the feeble minded children.
5 All children supported by towns or counties in the State who,
6 in the judgment of the selectmen of towns or county com-
7 missioners of the county or State board of charities, are
8 capable of being benefited by school instruction, shall be
9 committed to this institution.

Sect. 2. The governor shall, with the advice and consent
2 of the council, appoint five persons, one of whom shall be a

3 woman, to be trustees of such school, who shall serve without
4 compensation, except that they shall be reimbursed for any
5 necessary expenses they may incur in the discharge of their
6 duties as trustees. The trustees shall be appointed as fol-
7 lows: The first three to serve for two years, the next two
8 for four years, and thereafter trustees shall be appointed to
9 serve four years. Said trustees shall have the general man-
10 agement and supervision of said school, and one or more of
11 said trustees shall visit the school as often as once a month,
12 and said board of trustees shall annually, on or before the
13 first day of October of each year, furnish a report to the
14 governor and council containing a history of the school for
15 the year and a complete statement of the accounts with all
16 the funds, general and special, appropriated or belonging to
17 said school, with a detailed statement of disbursements.

Sect. 3. The governor shall be, ex officio, a member of the
2 board of trustees of said school and shall annually visit and
3 inspect the same.

Sect. 4. All indigent and destitute children in this State,
2 who are proper subjects for said school, and who have no
3 kinsmen, friends, or guardians, able to provide for them,
4 may be admitted as State charges and all other children in
5 this State who are proper subjects for said school, whose
6 parents or other kinsmen, bound by law to support such
7 children, are able to pay, shall pay such sum for care, educa-
8 tion and maintenance of such children as the trustees may
9 hereafter determine; and such children and children from
10 other states not having similar schools may be received into
11 said school whenever there is room for them, providing there

12 is room for them without excluding State charges, at a cost
13 to such persons, or those who are responsible for their main-
14 tenance, at not less than three dollars and twenty-five cents
15 per week.

Sect. 5. Whenever it is made to appear upon application
2 to the judge of probate for any county, and after a proper
3 hearing, that any child resident within said county, and who
4 is not already in any almshouse, the industrial school, or the
5 Maine hospital, or supported by any town or county, is a fit
6 subject for the Maine School for Feeble Minded Children,
7 such judge may commit such child to said Maine School for
8 Feeble Minded Children, by an order of commitment directed
9 to the trustees thereof, accompanied by the certificate of two
10 physicians who are graduates of some legally organized
11 medical college, and have practiced three years in this State,
12 that such a child is a suitable subject for said institution.
13 Whenever, upon such application, there is occasion for the
14 judge of probate to attend a hearing on days other than those
15 fixed by statute as the regular days of the setting of the
16 probate court, he shall be allowed five dollars a day for his
17 services and his expenses, which shall be paid by the county
18 treasurer upon the certificate of the county commissioners.

Sect. 6. Any order of committal under this act shall be
2 subject to appeal in the same manner, by the same persons,
3 and to the same extent that decrees of the judge of probate
4 appointing guardians over persons alleged to be insane are
5 subject to appeal, and no committal under this act shall bar
6 habeas corpus proceedings, but the court upon habeas corpus
7 proceedings may confirm the order of commitment whenever

8 justice requires. Any inmate of the Maine School for Feeble
9 Minded Children may be discharged by any three of the
10 trustees, or by a justice of the superior or supreme court,
11 whenever a further detention at the school is in their opinion
12 unnecessary, but any person so discharged who is under
13 sentence of imprisonment at the time of this commitment,
14 the period of which shall not have expired, shall be remanded
15 to prison.

Sect. 7. Feeble minded children shall be admitted to the insti-
2 tution in the following order: First, feeble minded children
3 now in public institutions supported entirely at public expense;
4 second, the feeble minded children not supported as afore-
5 said; third, the feeble minded children of the State not in
6 any public institution, who have no parents, kinsmen, or
7 guardian able to provide for them, or who are committed by
8 a judge of probate; fourth, those residing within the State
9 whose parents, kinsmen, or guardian bound by law to sup-
10 port such children are able to pay; fifth, children or other
11 states whose parents or guardians are able and willing to
12 pay.

Sect. 8. The board of trustees, as soon as appointed and
2 organized, shall proceed as soon as practicable to purchase a
3 suitable site for said school and home, and erect thereon and
4 properly furnish and equip suitable buildings and structures
5 to accomplish the objects set forth in this act.

Sect. 9. Said trustees shall have power to make all neces-
2 sary rules and regulations as to admissions to the institutions
3 and for the government and control of said institution and its
4 inmates, and to do everything that is necessary to properly

5 care for and educate the feeble minded children of the State.
6 All bills contracted by them in purchasing a site, erecting,
7 repairing and equipping suitable buildings, and operating the
8 institution for the next two years shall be audited by the
9 auditor by the governor and council, and the governor shall
10 draw his warrant upon any money in the treasury to pay the
11 same.

Sect. 10. A sum of money not exceeding forty thousand
2 dollars shall be appropriated under this act, to be used or
3 expended for the purposes named therein within the next two
4 years.

Sect. 11. All acts and parts of acts inconsistent with this
2 act are hereby repealed and this act shall take effect on its
3 passage.

STATE OF MAINE.

IN SENATE, January 19, 1905.

Presented by Mr. STAPLES of Knox and on motion by same Senator, laid on table to be printed pending reference.

KENDALL M. DUNBAR, *Secretary*.