

MAINE STATE LEGISLATURE

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SEVENTY-THIRD LEGISLATURE

SENATE.

No. 4

STATE OF MAINE.

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

AN ACT to provide for the care and education of the 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 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 any county or State board of charities are
8 capable of being benefited by school instruction, shall be com-
9 mitted to this institution.

Sect. 2. The governor shall, with the advice of the council,
2 appoint five persons, all of which shall be inhabitants of this

3 State and one of that number shall be a female, to be trustees
4 of such school, and shall serve without compensation except
5 they shall be reimbursed for any necessary expenses they
6 may incur in discharge of their duties as trustee.

The trustees shall be appointed as follows: The first three
8 to serve for two years; the other two for four years, and
9 thereafter said trustees shall be appointed to serve for four
10 years.

The said trustees shall have the general management and
12 supervision of said school and one or more of said trustees
13 shall visit said school as often as once each month, and said
14 board of trustees shall annually on or before the first day
15 of October of each year furnish a report to the governor and
16 council containing a history of the school for the year and a
17 complete statement of all accounts, with all the funds, gen-
18 eral and special, appropriated or belonging to said school
19 with a detailed statement of disbursements.

Sect. 3. All indigent and destitute children in this State,
2 who are proper subjects for said school, and have no kinsmen,
3 friends or guardian able to provide for them, may be
4 admitted as State charges and all other children in this State,
5 who are proper subjects for said school when parents, kins-
6 men or guardians bound by the law to support such children
7 are able to pay, shall pay such sum for care, education and
8 maintenance of such children as the trustees shall determine,
9 and such children from other states having no such institu-
10 tion and similar schools may be received into such school
11 when there is room for them without excluding State charges,
12 at a cost to such person or those who are legally responsible

13 for their maintenance at a cost of not less than three dollars
14 and twenty-five cents per week.

Sect. 4. The governor shall be ex-officio a member of the
2 board of trustees of said school and shall annually visit said
3 school.

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

Sect. 6. Any order of committal under this act shall be sub-
2 ject to appeal in the same manner by the same persons and
3 to the same extent that decrees of the judge of probate
4 appointing guardians over persons alleged to be insane or
5 incompetent or spendthrift, and no committal under this act
6 shall have habeus corpus proceedings, but the court upon

7 habeus corpus proceedings may confirm the order of commit-
8 ment whenever justice requires. Any inmate of the Maine
9 School for the Feeble Minded may be discharged by any
10 three of the trustees or by a justice of the supreme or supe-
11 rior court of the State whenever a further detention in such
12 school is unnecessary, but any person so discharged is under
13 sentence at the time of his commitment, the period of which
14 has not been expired, shall be remanded to prison.

Sect. 7. Feeble minded children shall be admitted to the
2 institution in the following order: First, feeble minded chil-
3 dren who are now in public institutions supported entirely
4 at public expense; second, feeble minded children not sup-
5 ported as aforesaid; third, feeble minded children who are
6 not in any institution of the State, who have no parents, kins-
7 men or guardian able to provide for them, or on committal by
8 a judge of probate; fourth, those residing within the State
9 whose parents, kinsmen or guardian bound by law to support
10 such children are able to pay; fifth, children of other states
11 whose parents, kinsmen or guardian are willing to 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, erect thereon, properly
4 furnish and equip suitable building and structures to accom-
5 plish 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 admission to said institution
3 and for the government and control of said institution and its
4 inmates, and to do everything necessary to properly care for
5 and educate the feeble minded children of the State.

All bills contracted by them in purchasing a site, erecting,
7 repairing and equipping suitable buildings and operating the
8 institution shall each year be audited by the governor and
9 council, and the governor shall draw his warrant upon any
10 money in the treasury to pay the same not otherwise appro-
11 priated.

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

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



STATE OF MAINE.

IN SENATE, January 9, 1907.

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

F. G. FARRINGTON, *Secretary.*