

MAINE STATE LEGISLATURE

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SEVENTY-THIRD LEGISLATURE

SENATE.

No. 134

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.

*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 six years of age and upward, which shall be known as the
4 Maine School for Feeble Minded. All such feeble minded
5 persons supported by towns in the state, who, in the judg-
6 ment of the municipal officers of towns or state board of
7 charities are capable of being benefited by school instruc-
8 tion, shall be committed to this institution.

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

3 state and one of that number shall be a female, to be trus-
4 tees of such school.

The trustees shall be appointed as follows: The first three
6 to serve two years; the other two for four years, and there-
7 after said trustees shall be appointed to serve for four years.

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

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

13 responsible for their maintenance at a cost of not less than
14 three dollars 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 due notice
3 and a proper hearing, that any person resident in said county
4 and who is not already in any almshouse, the industrial school
5 or hospital in Maine or supported by any town, is a fit sub-
6 ject for the Maine School for Feeble Minded, such judge
7 may commit such person to said school by an order of com-
8 mitment directed to the trustees of said school for feeble
9 minded accompanied by a certificate of two physicians who
10 are graduates of some legally organized medical college and
11 have practiced three years in this state, that such a person is a
12 proper subject for said institution. Whenever, upon such
13 application, there is occasion for the judge of probate to
14 attend a hearing on days other than days fixed as the regular
15 day for holding the probate court, said judge of probate shall
16 be allowed five dollars per day for his services and expenses,
17 which shall be paid by the county treasurer upon the certi-
18 ficate 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 or

5 incompetent or spendthrift, and no committal under this act
6 shall bar habeas corpus proceedings, but the court upon
7 habeas corpus proceedings may confirm the order of com-
8 mitment 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 super-
11 ior court of the state whenever a further detention in such
12 school in their opinion is unnecessary, but any person so dis-
13 charged who was under sentence of imprisonment at the
14 time of his commitment, the period of which shall not have
15 expired, shall be committed or remanded to prison for such
16 unexpired time.

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

Sect. 8. The governor and council shall select and pur-
2 chase a suitable site for said school and home and the board
3 of trustees, as soon as appointed and organized, shall proceed

4 as soon as practicable to erect thereon and properly furnish
5 and equip suitable building and structures to accomplish the
6 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
4 its inmates, and to do everything necessary to properly care
5 for and educate the feeble minded of the state.

For all bills contracted by the governor and council as afore-
7 said in purchasing a site the governor shall draw his warrant
8 upon any money in the treasury to pay the same not other-
9 wise appropriated, and all bills contracted by the trustees in
10 erecting, repairing and equipping suitable buildings and
11 operating the institution shall each year be audited by the
12 governor and council, and the governor shall draw his war-
13 rant upon any money in the treasury to pay the same not
14 otherwise appropriated.

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. The trustees shall receive five dollars per day
2 when employed and actual expenses.

Sect. 12. All acts and parts of act inconsistent with this
2 act are hereby repealed.

STATE OF MAINE.

IN SENATE, February 21, 1907.

Reported by Mr. PAGE from Committee on Appropriations and
Financial Affairs, and laid on table to be printed under joint rules.

F. G. FARRINGTON, *Secretary*.