

# MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

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SENATE

NO. 329

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*In Senate, Feb. 17, 1913.*

*Reported by Senator Cole from Committee on Legal Affairs,  
and ordered printed under joint rules.*

*W. E. LAWRY, Secretary.*

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STATE OF MAINE

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

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AN ACT to establish a Reformatory for Women.

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*Be it enacted by the People of the State of Maine, as follows :*

Section 1. The state shall establish and maintain a reform-  
2 atory in which all women over the age of sixteen years who  
3 have been convicted of crime in the courts of the state or  
4 of the United States, and who have been duly sentenced  
5 and removed thereto, shall be imprisoned and detained in  
6 accordance with the sentences or orders of said courts and  
7 the rules and regulations of said reformatory.

Sect. 2. The governor shall, with the advice of the coun-  
2 cil, appoint five persons, of whom at least two shall be  
3 women, all of whom shall be inhabitants of this state, to

4 be trustees of such reformatory. The terms of office of  
5 such trustees shall be five years and they shall be so ap-  
6 pointed that the term of one of them shall expire on the  
7 first Tuesday of February in each year. Any person ap-  
8 pointed to fill a vacancy in the board of trustees shall hold  
9 office for the remainder of the term of the person whom  
10 he succeeds.

Sect. 3. Said board of trustees shall have the general  
2 superintendence, management and control of said reform-  
3 atory, of the grounds and buildings, officers and employees  
4 thereof, of the inmates therein, and of all matters relating  
5 to the government, discipline, contracts and fiscal concerns  
6 thereof, and may make such rules and regulations as may  
7 seem to them necessary for carrying out the purposes of  
8 said institution. Such board of trustees shall constitute a  
9 board of parole and shall have the power to parole or dis-  
10 charge inmates as hereinafter provided.

Sect. 4. The board of trustees shall appoint from among  
2 its members a president, secretary and treasurer, who shall  
3 hold office for such length of time as such board may deter-  
4 mine. They shall appoint a woman superintendent who  
5 shall hold office during the pleasure of the board, and shall  
6 fix the compensation of such superintendent and the com-  
7 pensation of all other officers and employees.

Sect. 5. The superintendent shall, subject to the direc-  
2 tion and control of the board of trustees,

1st, Have the general supervision and control of the  
4 grounds and buildings of the institution, the subordinate  
5 officers and employees and inmates thereof, and all matters  
6 relating to their government and discipline;

2nd, Make such rules, regulations and orders, not incon-  
8 sistent with law, or the rules, regulations or directions of  
9 the board of trustees, as may seem to her proper or neces-  
10 sary for the government of such institution and its officers  
11 and employees, and for the employment, discipline and edu-  
12 cation of the inmates thereof;

3rd, Exercise such other powers and perform such other  
14 duties as the board of trustees may prescribe.

Such superintendent shall also have the power to appoint  
16 and remove all subordinate officers and employees.

Sect. 6. On or before the first day of October in each  
2 year, the trustees shall furnish a report to the governor and  
3 council containing the history of the institution for the year,  
4 and a complete statement of all accounts, with all the funds.  
5 general and special, appropriated or belonging to said insti-  
6 tution, with a detailed statement of disbursements.

Sect. 7. When a woman over the age of sixteen years is  
2 convicted before any court or trial justice having jurisdic-  
3 tion of the offense, of an offense punishable by imprison-  
4 ment in the state prison, not for life, or in the county jail,  
5 or in any house of correction, such court or justice may  
6 order her commitment to the reformatory for women, or  
7 sentence her to the punishment provided by law for the

8 same offense. When a woman is sentenced to the reform-  
9 atory for women, the court or trial justice imposing the  
10 sentence shall not prescribe the limit thereof, unless it be  
11 for a term of more than five years; but no woman com-  
12 mitted to the reformatory upon a sentence without pre-  
13 scribed limit, as aforesaid, shall be held therein for more  
14 than five years if sentenced for a felony, nor for more than  
15 two years, if sentenced for a misdemeanor. If the sentence  
16 imposed upon any woman be for more than five years, she  
17 shall be so held for such longer term.

Sect. 8. The judge or magistrate committing a woman  
2 pursuant to this act, shall cause the superintendent of the  
3 reformatory to be immediately notified of such commitment,  
4 and shall cause a record to be kept of the name, age, birth-  
5 place, occupation, previous commitments, if any, and for  
6 what offense, the last place of residence of such woman,  
7 and the particulars of the offense for which she is commit-  
8 ted. A copy of such record shall be transmitted with the  
9 warrant of commitment to the superintendent of such insti-  
10 tution, who shall cause the facts stated therein and such  
11 other facts as may be directed by the board of trustees to  
12 be recorded in such form as the board of trustees shall  
13 determine.

Sect. 9. Such judge or magistrate shall, before commit-  
2 ting any such woman, inquire into and determine the age  
3 of such woman at the time of her commitment, and her  
4 age as so determined, shall be stated in the mittimus. The

5 statement of the age of such woman in such mittimus shall  
6 be conclusive evidence as to such age in any action to re-  
7 cover damages for her detention or imprisonment under  
8 such mittimus, and shall be presumptive evidence thereof  
9 in any other inquiry, action, or proceeding relating to such  
10 detention or imprisonment.

Sect. 10. If any woman committed to said reformatory  
2 is, at the time of her commitment, the mother of a nursing  
3 child in her care and under one year of age, or is pregnant  
4 with child which shall be born after such commitment, such  
5 woman may retain such child in said reformatory until it  
6 shall be two years of age, when it must be removed there-  
7 from. The board of trustees may cause such child to be  
8 placed in any asylum for children in this state and pay for  
9 the care and maintenance of such child therein at a rate not  
10 to exceed two and one-half dollars a week, until the mother  
11 of such child shall have been discharged, or may commit  
12 such child to the care and custody of some relative or proper  
13 person willing to assume such care. If such woman, at the  
14 time of such commitment, shall be the mother of and have  
15 under her exclusive care, a child more than one year of age,  
16 which might otherwise be left without proper care or guar-  
17 dianship, the magistrate committing such woman shall cause  
18 such child to be committed to such asylum as may be pro-  
19 vided by law for such purposes, or to the care and custody  
20 of some relative or proper person willing to assume such  
21 care.

Sect. 11. When it appears to the trustees that a woman  
2 who has been sentenced to the reformatory for women has  
3 reformed, they may issue to her a permit to be at liberty  
4 upon such conditions as they shall prescribe during the re-  
5 mainder of the term for which she might otherwise be held  
6 in said reformatory, and they may revoke said permit at  
7 any time before its expiration; but no such permit shall be  
8 issued to any woman who has been sentenced for more than  
9 five years. If a permit so issued to any woman be revoked,  
10 or if a woman escape from the reformatory, the board of  
11 trustees may cause her to be re-arrested and returned there-  
12 to for the unexpired portion of her term, rating from the  
13 time of her escape or the revocation of her permit. Any  
14 inmate ordered returned to the reformatory may, on the  
15 order of the superintendent or other officer of the institu-  
16 tion, be arrested and returned to the reformatory, or to any  
17 officer or agent thereof, by any sheriff, constable, police  
18 officer, or other person, and may also be arrested and re-  
19 turned by any officer or agent of the reformatory.

Sect. 12. The board of trustees shall determine the kind  
2 of employment for women committed to the reformatory  
3 and shall provide for their necessary custody and superin-  
4 tendence. The provisions for the safe keeping or employ-  
5 ment of such women shall be made for the purpose of teach-  
6 ing such women a useful trade or profession, and improving  
7 their mental and moral condition.

Sect. 13. The governor and council shall select and purchase a suitable site for such reformatory, and the board of trustees, as soon as appointed and organized, shall proceed, as soon as practicable, to erect thereon and properly furnish and equip suitable buildings and structures to accomplish the object set forth in this act.

Sect. 14. For all bills contracted by the governor and council, as aforesaid, in purchasing a site, the governor shall draw his warrant upon any money in the treasury not otherwise appropriated, to pay the same, and all bills contracted by the trustees in erecting, repairing and equipping suitable buildings and operating the institution, shall each year be audited by the governor and council, and the governor shall draw his warrant upon any money in the treasury not otherwise appropriated, to pay the same.

Sect. 15. A sum of money not exceeding thirty-five thousand dollars shall be appropriated under this act to be used and expended for the purposes therein named, within the next two years.

Sect. 16. The trustees shall receive five dollars (\$5) per day when actually employed, and expenses.

Sect. 17. All acts and parts of acts inconsistent with this act are hereby repealed.