

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

SEVENTY-SEVENTH LEGISLATURE

SENATE

NO. 43

In Senate, Feb. 4, 1915.

Presented by Sen. Murphy of Cumberland under suspension of rules and laid on table for printing and 1500 ordered printed.

W. E. LAWRY, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIFTEEN

AN ACT to establish a Reformatory for Women.

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

Section 1. The State shall establish and maintain a re-
2 formatory in which all women over the age of sixteen
3 years who have been convicted of or have pleaded guilty
4 to crime in the courts of the State or of the United States,
5 and who have been duly sentenced and removed thereto,
6 shall be imprisoned and detained in accordance with the
7 sentences or orders of said courts and the rules and regula-
8 tions of said reformatory.

Sect. 2. Immediately after the passage of this act, the
2 Governor shall, with the advice of the Council, appoint

3 five persons, of whom at least two shall be women, all of
4 whom shall be inhabitants of this State, to be trustees of
5 such reformatory. The terms of office of such trustees
6 shall be five years and they shall be so appointed that the
7 term of one of them shall expire on the first Tuesday of
8 February in each year. Any person appointed to fill a
9 vacancy in the board of trustees shall hold office for the
10 remainder of the term of the person whom he or she suc-
11 ceeds.

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

Sect. 4. The board of trustees shall appoint from among
2 its members a president and a secretary, who shall hold office
3 for such length of time as such board may determine.
4 They shall appoint a woman superintendent who shall hold
5 office during the pleasure of the board, and shall fix the
6 compensation of such superintendent and the compensation
7 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 the
9 board of trustees, as may seem to her proper or necessary
10 for the government of such institution and its officers and
11 employees, and for the employment, discipline and educa-
12 tion 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
3 and Council containing the history of the institution for
4 the year, and a complete statement of all accounts, with all
5 the funds, general and special, appropriated or belonging
6 to said institution, with a detailed statement of disburse-
7 ments.

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, or in the county jail, or in any
5 house of correction, such court or justice may order her
6 commitment to the reformatory for women, or sentence her

7 to the punishment provided by law for the same offense.
8 When a woman is sentenced to the reformatory for
9 women, the court or trial justice imposing the sentence
10 shall not prescribe the limit thereof, unless it be for a term
11 of more than five years; but no woman committed to the
12 reformatory upon a sentence without prescribed limit, as
13 aforesaid, shall be held therein for more than five years if
14 sentenced for felony, nor for more than three years if sen-
15 tenced for a misdemeanor. If the sentence imposed upon
16 any woman be for more than five years, she shall be so held
17 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 commit-
4 ment, and shall cause a record to be kept of the name, age,
5 birthplace, occupation, previous commitments, if any, and
6 for what offense, the last place of residence of such
7 woman, and the particulars of the offense for which she is
8 committed. A copy of such record shall be transmitted
9 with the warrant of commitment to the superintendent of
10 such institution, who shall cause the facts stated therein
11 and such other facts as may be directed by the board of
12 trustees to be recorded in such form as the board of trus-
13 tees shall determine.

Sect. 9. Such judge or magistrate shall, before com-
2 mitting any such woman, inquire into and determine the
3 age 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,
5 such woman may retain such child in said reformatory
6 until it shall be two years of age, when it must be removed
7 therefrom. The board of trustees may cause such child
8 to be placed in any asylum for children in this state and
9 pay for the care and maintenance of such child therein at a
10 rate not to exceed two and one-half dollars a week, until
11 the mother of such child shall have been discharged, or
12 may commit such child to the care and custody of some rela-
13 tive or proper person willing to assume such care. If such
14 woman, at the time of such commitment, shall be the
15 mother of and have under her exclusive care, a child more
16 than one year of age, which might be otherwise left
17 without proper care or guardianship, the magistrate
18 committing such woman shall cause such child to be
19 committed to such asylum as may be provided by law for
20 such purposes, or to the care and custody of some relative
21 or proper person willing to assume such 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 providing that some suitable employment or situation has
5 been secured in advance for such woman, and upon such
6 other conditions as the trustees shall prescribe during the
7 remainder of the term for which she might otherwise be
8 held in said reformatory, and they may revoke said permit
9 at any time before its expiration; but no such permit shall
10 be issued to any woman who has been sentenced for more
11 than five years. If a permit so issued to any woman be
12 revoked, or if a woman escape from the reformatory, the
13 board of trustees may cause her to be re-arrested and re-
14 turned thereto for the unexpired portion of her term, dat-
15 ing from the time of her escape or the revocation of her
16 permit. Any inmate ordered returned to the reformatory
17 may, on the order of the superintendent or other officer of
18 the institution, be arrested and returned to the reformatory,
19 or to any officer or agent thereof, by any sheriff, constable,
20 police officer, State agent for the protection of children, or
21 other person, and may also be arrested and returned by
22 any officer or agent of the reformatory.

Sect. 12. Nothing herein contained shall be construed to
2 interfere with the power of the Governor to grant a par-
3 don or commutation in any case.

Sect. 13. 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 improv-
7 ing their mental and moral condition.

Sect. 14. The board of trustees shall, subject to the ap-
2 proval of the Governor and Council, select and purchase a
3 suitable site for such reformatory, consisting of not less
4 than two hundred acres of land. Part of the acreage pur-
5 chased shall be land that is arable or may be made so, to
6 the end that, so far as practicable, the food for the inmates
7 of the reformatory may be produced on such land.

Sect. 15. The board of trustees shall proceed as soon as
2 practicable after the purchase of the site to erect thereon
3 and properly furnish and equip suitable buildings and
4 structures to accomplish the objects set forth in this act.

Sect. 16. The trustees shall receive for their services in
2 the performance of their duties connected with the purchase
3 of the site and the construction and equipment of the build-
4 ings, and for the term of service subsequent to the com-
5 mencement of the operation of the said institution and the re-
6 ceiving therein of inmates committed, the sum of five dol-
7 lars per days when actually employed, and expenses neces-
8 sarily incurred by them.

Sect. 17. The board of trustees shall have power to ap-
2 point a superintendent of construction for the building of the

3 said reformatory and to employ such other persons as it may
4 deem necessary to secure the speedy and economical con-
5 struction of the said reformatory and the improvement of
6 the said site. The plans and specifications approved and
7 adopted by the board of trustees shall provide for build-
8 ings which shall be constructed on the cottage system and
9 in such manner as to admit of the proper classification of
10 the inmates according to their mental and moral condition
11 and the care, instruction and employment which they
12 should respectively receive. Additional buildings may be
13 erected from time to time as the needs of the institution
14 shall require and as the legislature shall appropriate funds
15 for their construction.

Sect. 18. In the construction of said buildings or the im-
2 provement of the said site, no contract involving an expendi-
3 ture of more than Five hundred dollars shall be made un-
4 less the same be duly advertised and competitive bids
5 thereon received.

Sect. 19. All bills contracted by the board of trustees,
2 as aforesaid, in purchasing a site and improving the same
3 and in erecting, repairing and equipping suitable buildings
4 and operating the institutions shall be audited by the State
5 Auditor and paid by the State Treasurer in the manner
6 provided by law.

Sect. 20. A sum of money not exceeding twenty thou-
2 sand dollars shall be appropriated under this act to be used
3 and expended for the purposes herein named during the

4 year 1915, and the sum of thirty thousand dollars during
5 the year 1916.

Sect. 21. All acts and parts of acts inconsistent with this
2 act are hereby repealed.