

MAINE STATE LEGISLATURE

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SEVENTY-EIGHTH LEGISLATURE

SENATE

NO. 166

In Senate, Feb. 13, 1917.

Referred to Committee on Judiciary and five hundred copies ordered printed. Sent down for concurrence.

W. E. LAWRY, Secretary.

Presented by Mr. Holt of Cumberland.

STATE OF MAINE

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

AN ACT to amend Chapter 181 of the Private and Special
Laws of 1911, relating to the Cumberland County Farm for
Inebriates.

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

Section 1. Section 3, Chapter 181, Private and Special
2 Laws of 1911, is hereby amended to read as follows:

'Sect. 3. The county commissioners shall have the general
2 superintendence, management and control of said county
3 farm, of the land and buildings, officers and employees
4 thereof, of the inmates confined therein, and all matters re-

5 lating to the government, discipline, contracts and fiscal con-
6 cerns thereof, and make such rules and regulations not in-
7 consistent with law as may seem to them proper or necessary
8 for the government of the farm, its officers and employees
9 and for the employment, discipline and education of the in-
10 mates thereof. They shall cause to be kept regular and
11 complete books of accounts of all property, expenses and
12 income of the farm and shall publish the same together with
13 a report of the superintendent in their annual report now
14 required by law.'

Sect. 2. Section 6 of said Chapter 181 is hereby amended
2 to read as follows:

'Sect. 6. The judge of the superior court of the county
2 of Cumberland and the judges of the municipal courts and
3 trial justices in the several cities and towns in said county
4 may sentence male persons convicted of any offence punish-
5 able by imprisonment in the county jail or in any house of
6 correction in said courts to imprisonment and labor on said
7 county farm instead of in the county jail or in any house of
8 correction.'

Sect. 3. Section 7 of said Chapter 181 as amended by
2 Chapter 178 of the Private and Special Laws of 1915, is
3 hereby amended to read as follows:

'Sect. 7. When a man is sentenced to be imprisoned on
2 the county farm, the judge or trial justice imposing sentence
3 shall not prescribe the length of sentence other than it shall
4 not be for less than three months or more than one year.

5 When a man is so sentenced to be imprisoned on the county
6 farm, he shall be held and employed thereon for not more
7 than one year. Every sentence of imprisonment of a male
8 offender convicted of drunkenness, vagrancy or non-support
9 in said county of Cumberland, shall be to the county farm
10 of that county, provided that a sentence for the first
11 offence may be governed by the preceding parts of this sec-
12 tion and by the general laws of this state.'

Sect. 4. Section 8 of said Chapter 181 is hereby amended
2 to read as follows:

'Sect. 8. When a prisoner has been confined on the farm
2 for the term of three months, if it appears to the board of
3 parole hereinafter provided for, that he has reformed, they
4 may issue to him a permit to be at liberty during the re-
5 mainder of his term of sentence, which may be revoked by
6 them at any time previous to its expiration, subject to such
7 rules as they may prescribe, and he shall report to them or
8 any probation officer in said county at such times as they
9 may require for a period not longer than the maximum
10 period of his original sentence.'

Sect. 5. Section 9 of said Chapter 181 is hereby amended
2 to read as follows:

'Sect. 9. If the holder of a permit to be at liberty from
2 the county farm shall faithfully fulfill all of the requirements
3 of the parole board and probation officers and in no way
4 violate the same, the charges against him shall be dropped

5 and he shall not be liable to be re-arrested on the same
6 charge.'

Sect. 6. Section 10 of said Chapter 181 is hereby
2 amended to read as follows:

'Sect. 10. If the holder of a permit to be at liberty from
2 the county farm violates the provisions thereof or it is re-
3 voked by the board of parole, they or any one of them may
4 issue an order for his return to the farm, and he may be
5 returned by the superintendent or any one of his deputies or
6 any officer qualified to serve civil or criminal precepts.

'A prisoner who has been so returned to the county farm
2 shall be detained thereon according to the term of his original
3 sentence. In computing the period of his confinement, the
4 time between his release upon a permit and his return shall
5 not be considered as any part of the term of his original
6 sentence.

'If at the time of the order of return to the farm or of the
2 revocation of his permit to be at liberty he is confined in any
3 jail or prison, service of such order shall not be made until
4 his release therefrom.

'Any person so returned may be again permitted to be at
2 liberty after the expiration of three months.'

Sect. 7. Section 11 of said Chapter 181 is hereby amended
2 to read as follows:

'Sect. 11. If a prisoner serving sentence at the county
2 farm is refractory or during the term of his sentence he
3 refuses or neglects without reasonable cause to labor in a

4 suitable manner when required, he may, with the approval
5 of the board of parole, be kept in solitary confinement and
6 fed on bread and water so long as he remains refractory or
7 refuses to labor. Any person so punished shall not be
8 eligible to receive a permit to be at liberty until three
9 months from the date of such punishment.'

Sect. 8. Section 12 of said Chapter 181 is hereby amended
2 to read as follows :

'Sect. 12. If a prisoner serving sentence at the county
2 farm escapes or attempts to escape or goes away from said
3 farm without permission he shall when recaptured be re-
4 turned, subject to such rules and regulations as said board
5 of parole and superintendent shall deem necessary to keep
6 him at the farm; or said board may issue an order signed
7 by a majority of it for his transfer to the county jail and
8 said order or a duly attested copy thereof shall be a valid
9 warrant for the sheriff and jailer of Cumberland county to
10 receive and retain such prisoner at hard labor at the county
11 jail for the term of his original sentence to the county farm.

Sect. 9. Section 13 of said Chapter 181 is hereby amended
2 to read as follows :

'Sect. 13. The county commisioners, in addition to the
2 salary allowed them by law, shall be reimbursed by the
3 county treasurer for such necessary expenses as are in-
4 curred for travel to and from the county farm or in connec-
5 tion with the business thereon. They may provide prisoners
6 with clothing whenever they shall deem it necessary, and

7 may, with the approval of the parole board, furnish them
8 transportation to their homes.'

Sect. 10. An additional section is hereby added to said
2 Chapter 181 to read as follows:

'Sect. 14. A board of parole is hereby established for said
2 county farm, to consist of five persons, appointed by the
3 Governor, with the advice and consent of the Council (ap-
4 pointed by the county commissioners of said county) for
5 terms of five years. They shall be so appointed that the
6 term of one member of the board shall expire on the first
7 day of July in each year. Any vacancy occurring during a
8 term shall be filled by the appointment of a person to hold
9 office for the remainder of the term of the person whose
10 place he fills. Any member of the board of parole may be
11 removed by the Governor and Council (by the county com-
12 missioners) for cause after hearing upon charges preferred
13 in writing. The board of parole shall be non-partisan
14 politically. The members shall serve without compensation
15 except their travelling and other necessary expenses which
16 shall be audited by the county commissioners and paid by the
17 county treasurer in the same manner as other county expen-
18 ditures. Regular meetings of the board shall be held
19 monthly at the farm, or oftener if required; the board shall
20 establish such rules and regulations governing its proceed-
21 ings and the parole of the prisoners from the farm not in-
22 consistent with law as they shall deem necessary; shall pre-
23 scribe records of prisoners' conduct to be kept by the super-

24 intendent, and shall advise and consult with him from time
25 to time as to the best methods of discipline.'