

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)

EIGHTY-SECOND LEGISLATURE

H. P. No. 709

H. D. No. 153

House of Representatives, Feb. 17, 1925.

Referred to Committee on Judiciary and 500 copies ordered printed. Sent up for Concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Nichols of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-FIVE

AN ACT Relative to the Transfer of Incurrigibles and Inmates
Detrimental to the Well Being of the Institution and of
Inmates Escaping or Attempting to Escape, from the Re-
formatory for Women.

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

Section 1. Section seventy-one of chapter one hundred
2 forty-two of the Revised Statutes is hereby repealed, and
3 the following inserted in lieu thereof.

‘Sect. 71. Whenever in the judgment of the Board of
2 Trustees of the Reformatory for Women, any inmate there-
3 of committed thereto for the commission of a felony has be-
4 come incurrigible or the presence of any inmate thereof

5 committed for the commission of a felony has become detri-
6 mental to the well being of the institution, or whenever any
7 inmate thereof committed for the commission of a felony
8 has escaped or attempted to escape from the Reformatory
9 for Women, any member of the board of trustees or the
10 superintendent of the Reformatory for Women may petition
11 any justice of the supreme judicial court for her transfer to
12 the State Prison. The justice so petitioned shall set a time
13 for hearing and shall order notice given to such inmate at
14 least forty-eight hours before the time of hearing and shall
15 order the Superintendent of said Reformatory to bring such
16 inmate before him for hearing. After hearing the justice
17 may order said inmate transferred from the Reformatory
18 for Women to the State Prison, and shall in lieu of the
19 remainder of the sentence to the Reformatory for Women
20 fix the time for which said inmate shall be committed to
21 State Prison, but in no case shall the commitment to the
22 State Prison be for a longer term than the remainder of the
23 time which said inmate could be confined in the Reforma-
24 tory for Women under the original sentence thereto. No
25 appeal shall lie from the decision of any justice ordering a
26 transfer and fixing the time of commitment to the State
27 Prison under the provisions of this section. All fees and
28 costs to which any officer may be legally entitled for service
29 of process or otherwise in connection with such hearing, and
30 the expense of the transportation of prisoners shall be paid
31 by the State of Maine.

‘Whenever in the judgment of the Board of Trustees of the
2 Reformatory for Women, any inmate thereof, committed
3 thereto for any cause other than the commission of a felony,
4 has become incorrigible or the presence of any inmate there-
5 of, committed for any cause other than the commission of
6 a felony, has become detrimental to the well being of the
7 institution, or whenever any inmate thereof committed for
8 any cause other than the commission of a felony has escaped
9 or has attempted to escape from the Reformatory for Wo-
10 men, any member of the Board of Trustees or the Superin-
11 tendent of the Reformatory for Women may petition any
12 trial justice or the judge or recorder of any municipal court
13 having jurisdiction in the County of Somerset or in the
14 county where she is detained for her transfer to a county
15 jail, and the judge or magistrate shall set a time for hearing
16 and shall order notice given to such inmate at least forty-
17 eight hours before the time set for hearing and shall order
18 the Superintendent of the Reformatory for Women to bring
19 said inmate before him for hearing. After hearing, said
20 judge or said magistrate may order said inmate transferred
21 from the Reformatory for Women to the county jail in the
22 county from which said inmate was originally committed
23 and shall in lieu of the remainder of the indeterminate
24 sentence to the reformatory for women fix the time for
25 which such inmate shall be committed to such county jail.
26 In no case shall the time of commitment to such county
27 jail be for more than eleven months or less than six months

28 unless the remainder of the period of time for which such
29 inmate could be confined in the Reformatory for Women
30 under her original sentence thereto shall be less than six
31 months, in which case the commitment to the County Jail
32 shall be for no longer period of time than the remainder of
33 the time which such inmate could be confined in the Re-
34 formatory for Women under the original sentence thereto,
35 and in no case shall the commitment to such county jail
36 be for a longer time than the remainder of the time which
37 such inmate could be confined in the Reformatory for Wo-
38 men under the original sentence thereto. No appeal shall lie
39 from the decision of any judge or magistrate ordering such
40 transfer under the provisions of this section and fixing the
41 time of commitment to a county jail. All fees and costs
42 to which any officer or magistrate may be legally entitled for
43 service of process or otherwise in connection with such
44 hearing, and the expense of transportation of prisoners shall
45 be paid by the State of Maine, provided, however, that no
46 judge or recorder of a municipal court shall be entitled to
47 compensation for services rendered in connection with such
48 petition and hearing, beyond their salary as fixed by law.'

Sect. 2. All acts and portions of acts inconsistent here-
2 with are hereby repealed.