

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)

N I N E T Y - S E C O N D L E G I S L A T U R E

Legislative Document

No. 344

S. P. 139

In Senate, February 1, 1945.

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

ROYDEN V. BROWN, Secretary.

Presented by Senator Leavitt of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-FIVE

**AN ACT Relating to Transfer of Inmates from the Reformatory for Men
to the State Prison and to the State School for Boys.**

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

Sec. 1. R. S., c. 23, § 73, amended. Section 73 of chapter 23 of the revised statutes is hereby amended to read as follows:

'Sec. 73. Incurrigible inmates; proceedings for transfer to state prison. Any person committed to the reformatory for men, whose presence therein may be seriously detrimental to the well-being of the institution or who wilfully and persistently refuses to obey the rules and regulations of said institution, may be deemed and declared an incurrigible. **Such person may be transferred from such institution to the state prison at Thomaston on recommendation of the superintendent of the reformatory duly approved by the commissioner of institutional service. Provided, however, that such person shall not be detained at the state prison any longer than the term he would have served at the reformatory for men. Upon complaint being made to any judge of any municipal court in the county, he may upon hearing bind over any person so accused to the term of the superior court next to be holden within such county, and if indictment is returned therefor, then upon conviction said incurrigible may be sentenced to the state prison for not less than 1 year nor more than 5 years. Upon**

~~conviction of such person committed to the reformatory for men as such incorrigible and sentence as above provided said person shall be discharged from said reformatory for men and be relieved from serving the balance of his sentence in said reformatory.'~~

Sec. 2. R. S., c. 23, § 73-A, additional. Chapter 23 of the revised statutes is hereby amended by adding thereto a new section to be numbered 73-A, to read as follows:

'Sec. 73-A. Transfer of inmates to state school for boys. Upon recommendation of the superintendent of the reformatory and approval by the commissioner of institutional service, an inmate of the reformatory, who is not more than 17 years of age and who in the opinion of the commissioner would be more benefited by a transfer, may be transferred to the state school for boys. Provided, however, such person shall not be detained at said school for a period longer than the sentence imposed at the reformatory for men.'