

MAINE STATE LEGISLATURE

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N I N E T Y - S E V E N T H L E G I S L A T U R E

Legislative Document

No. 1250

H. P. 1062

House of Representatives, March 9, 1955.

Referred to Committee on Correctional Institutions. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Childs of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-FIVE

AN ACT Relating to Age of Commitment to State School for Boys.

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

Sec. 1. R. S., c. 27, § 66, amended. The first sentence of section 66 of chapter 27 of the revised statutes is hereby amended to read as follows :

'The State shall maintain a reformatory in which all males over the age of 16 years, **except as provided in section 80**, and under the age of 36 years who have been convicted of or have pleaded guilty to crime in the courts of this State or of the United States, and who have been duly sentenced and removed thereto, shall be imprisoned and detained in accordance with the sentences or orders of said courts and the rules and regulations of said reformatory.'

Sec. 2. R. S., c. 27, § 67, amended. Section 67 of chapter 27 of the revised statutes is hereby amended to read as follows :

'**Sec. 67. Commitments for less than 3 years; to be of indeterminate duration.** When a male over the age of 16 years, **except as provided in section 80**, and under the age of 36 years is convicted by any court or trial justice having jurisdiction of the offense, of an offense punishable by imprisonment in the state prison, or in any county jail or in any house of correction, such court or trial justice may order his commitment to the reformatory for men, or sentence him to any other punishment provided by law for the same offense; provided, however, that any such person known by the court or trial justice having jurisdiction of the offense to have been previously committed to a state prison shall not be committed to said reformatory. When a male is ordered committed to the reformatory for men, the court or trial justice ordering the commitment shall

not prescribe the limit thereof, but no male committed to the reformatory as aforesaid shall be held for more than 3 years.

If through oversight, or otherwise, any person be committed to imprisonment in the said reformatory for men for a definite period of time, said commitment for that reason shall not be void; but the person so committed shall be entitled to the benefit, and subject to the provisions of this section, in the same manner and to the same extent as if the commitment had been in the terms required by this section. In such case the superintendent of the reformatory shall deliver to such offender a copy of sections 66 to 75, inclusive.'

Sec. 3. R. S., c. 27, § 80, amended. Section 80 of chapter 27 of the revised statutes is hereby amended to read as follows :

'Sec. 80. Proceedings, when department or superintendent does not receive a boy. When a boy is ordered to be committed to said school and the Department deems it inexpedient to receive him, or his continuance in the school is deemed injurious to its management and discipline, it shall certify the same upon the mittimus by which he is held, and the mittimus and boy shall be delivered to any proper officer, who shall forthwith commit said boy to the jail, house of correction or state prison, or if he has attained the age of ~~16~~ 15 years, to the State Reformatory for Men according to his sentence. The Department may discharge any boy as reformed; and may authorize the Superintendent, under such rules as it prescribes, to refuse to receive boys ordered to be committed to said school, and his certificate thereof shall be as effectual as its own.'