

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

331

OF THE

FIFTY-SECOND LEGISLATURE

OF THE

STATE OF MAINE.

1873.

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1873.

PUBLIC LAWS
OF THE
STATE OF MAINE.

1873.

Chapter 132.

CHAP. 132.

An act to amend section three of chapter twenty-nine of the public laws of eighteen hundred and sixty-nine, relating to the militia.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section three of chapter twenty-nine of the public laws of eighteen hundred and sixty-nine, shall be amended by inserting after the word "years," in the thirteenth line, the words 'and the clothing furnished or paid for by the state, shall be the property of the state,' so that the section as amended shall read as follows :

Amendment.

'SECT. 3. These companies shall be armed, uniformed, and equipped at the expense of the state, according to the existing regulations of the United States army, under which clothing is issued to the enlisted men of the United States army, with the following modifications: The state shall supply a coat, cap, overcoat and pantaloons, to each soldier, but each company shall have liberty to choose and provide its own uniform, with the consent and approval of the governor, and in such case the price of the United States army uniform, not issued, shall be commuted to the soldier in money, such commutation to be paid by the paymaster general and receipted for upon the company rolls.' The above enumerated articles of clothing, or commutation in lieu thereof, shall be supplied once in three years, and the clothing furnished or paid for by the state shall be the property of the state.

Militia, how equipped &c.

Clothing &c., how supplied.

SECT. 2. Nothing in this act shall apply to pending cases.

Approved February 24, 1873.

Chapter 133.

An act to improve the jail system of the state.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The county commissioners of each of the several counties, at the charge of said several counties, may after this act takes effect, make or cause to be made such additions in workshops, fences and other suitable accommodations, in adjoining or appurtenant to the jails in the several counties as may be found necessary for the safe keeping, governing and employing of offenders legally committed thereto by authority of the courts and magistrates of this state, or of the United States.

County commissioners may provide workshops &c., for employment of offenders committed to jail.

SECT. 2. The commissioners of said counties may cause to be provided at the expense of their several counties, suitable materials

—may furnish materials, implements &c.

CHAP. 133.

—may establish
rules &c.

and implements sufficient to keep at work all the persons committed as aforesaid to either of the jails for their several counties, and may from time to time establish needful rules for employing, reforming and governing the persons so committed, for preserving such materials and implements, and for keeping and settling all accounts, of the cost of procuring the same, and of all labor performed by each of the persons so committed, and may make such contracts in behalf of their several counties as are necessary in carrying out the several provisions of this act.

—may make con-
tracts.

Sheriffs to have
custody of jails
and prisoners.

SECT. 3. The sheriffs of the several counties, as heretofore, shall have the custody and charge of said jails, and of all prisoners therein, and shall keep the same by himself, his deputy, as jailer, master or keeper, for whom he shall be responsible. The jailer, master or keeper shall appoint all subordinate assistants and employees for whom he shall be responsible and the pay of whom, including the jailer, shall be fixed by the county commissioners, and paid by their several counties.

—may appoint
assistants.

—may make
contracts.

SECT. 4. The sheriff, by himself or his deputy, he being keeper of the jail, with the consent of the commissioners, may make contracts in behalf of the several counties necessary and proper to be made, for the carrying on manufacturing or other industry, with like effect as when made by the commissioners themselves. The business shall at all times be open to the inspection of said commissioners, whose duty it shall be to examine the workings of their several jails at least once in every three months, audit all receipts and expenses thereof, and order all payments necessary from their several county treasurers.

County commis-
sioners shall
audit all receipts
and expenses.

Jailers shall fur-
nish books and
instruction to
prisoners.

SECT. 5. The jailer, at the expense of the county, shall furnish to each prisoner in his custody who is able to read, a copy of the bible, and such religious instruction on each successive Sabbath to all as he may be able to obtain without expense, and to such as may be benefited thereby, instruction in reading, writing and arithmetic, one hour each evening, except Sundays. It shall be his further duty to receive, from whatever source, by loan or contribution, any books or literature of a moral or religious tone, for their use, but to exclude those of opposite tendencies.

—shall receive
books by loan
&c.

Money for altera-
tions and im-
provements, how
raised.

SECT. 6. Said boards of commissioners in the several counties may, after the passage of this act, raise by loan to their several counties or otherwise, a sum of money not exceeding five thousand dollars, to make the alterations and improvements mentioned in the first section of this act, and to expend so much of said money as may be necessary for the purpose.

Court may sen-
tence convicts to
any jail where
provisions for
labor have been
made.

SECT. 7. The supreme judicial court, the superior court, any municipal or police court and any trial justice, may sentence any person convicted before such court or trial justice respectively, of an offense punishable by such with imprisonment, to either of the

jails in the several counties, where such improvement and provision for labor has been made as mentioned in the first section of this act, nearest or most convenient to the county where the offense is committed, and all sentences of imprisonment by any of the courts or tribunals in this state shall after the adoption of the provisions of this act, by any of the several counties, include imprisonment and labor. And the keeper of the jail to which such person shall be sentenced shall receive and detain such person or prisoner in the same manner as if committed by any court sitting in the county where such jail is situated.

Sentences to include imprisonment and labor.

SECT. 8. There shall be paid to the county to which a prisoner may be sentenced and committed, from any other county, by virtue of this act, by such other county, such sum as may be agreed upon by the county commissioners of said counties, for subsistence and detention, deducting the amount received for labor, and in case said commissioners do not agree upon the amount to be paid, representation may be made to the supreme court, or any justice thereof, of the facts, and the amount determined by such court or justice, either in term time or vacation.

Expense of prisoners, how paid.

SECT. 9. The present board of state prison inspectors, with one other to be appointed and qualified in like manner by the governor, shall constitute a board of prison and jail inspectors. Their powers and duties in regard to the state prison shall be as now provided by law for the present board. Their powers and duties in regard to the jails of the several counties shall be to visit them once at least every three months, and to inquire into the management and conduct of the same, to give such advice in relation to the same as may be regarded by them useful and proper, to classify all prisoners held under sentence in said jails, having regard to age, character and offenses, and for this purpose, may order the county commissioners of either of the several counties, to make such alteration in their several jails as said jail inspectors may deem necessary, in order to classify the prisoners therein, and persons charged with crime, and if said county commissioners neglect or refuse to make such alterations, or provide for the classification of prisoners and persons charged with crime, after having been so ordered or notified so to do, said inspectors may cause said prisoners and persons charged with crime to be removed to either of the several jails in the state, where such alteration or provision for classification as aforesaid has been made, and the expense of removal and keeping of such prisoners, or persons charged with crime, shall be paid by the county from which such prisoner or person charged with crime is removed, and may require of the keeper of said jail to keep a calendar, with such statistics, in relation to their prison as may be deemed by them useful for future reference.

Inspectors, appointment of.

—powers and duties of.

CHAP. 133.

Officers may serve precepts in one or more counties.

SECT. 10. Any officer of any county in this state, qualified to serve precepts in criminal cases in the county where he resides, may serve any precept required by this act, whether such service is performed in whole or in part in one or more counties, and the processes shall be issued and directed accordingly.

Compensation for labor of prisoners.

SECT. 11. Any person charged with crime, or awaiting sentence, while confined in any jail where provision for labor has been made as provided in this act, who may choose to labor, as provided for persons under sentence, shall receive therefor such sum of money as in the judgment of the county commissioners of said county he had earned.

Deduction of sentence for meritorious conduct.

SECT. 12. The keeper of the jail in the several counties, shall keep a record of the conduct of each convict, and for every month it appears by such record that such convict has faithfully observed all the rules and requirements of the prison, such convict shall be entitled to a deduction from his sentence according to and not exceeding the following rate and proportion: for a convict under sentence for two years, two days for each month of good conduct; for three years or less, and more than two years, three days per month; and for every day any convict shall be punished for disobedience of the rules of said jail, a record thereof shall be made, and two days deducted therefor from any commutations to which he may be entitled.

Offences punishable in the state prison for three years may be punished in the county jails.

SECT. 13. In all criminal cases in this state where the punishment as now provided by law may be imprisonment in the state prison not exceeding three years, such punishment may be inflicted by any court having jurisdiction of the offense or crime, in its discretion in either of the jails aforesaid.

Report of county commissioners and sheriff.

SECT. 14. The county commissioners and sheriff of said several counties, shall jointly or separately, in the month of December annually, make a report of the prisons under their charge, embracing therein its moral, intellectual and financial condition, which report shall be published in some newspaper published in said county. And the inspectors shall make a report of the condition of all the prisons in the state to the governor and council by the thirtieth day of November annually.

—of inspectors.

Compensation of inspectors.

SECT. 15. There shall annually be appropriated and paid out of the treasury of the state to each of said prison and jail inspectors, the sum of three dollars per day while employed in such service, together with all necessary traveling expenses.

SECT. 16. All acts and parts of acts inconsistent with this act, are hereby repealed.

Approved February 26, 1873.