

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 141.

CHAP. 141.

An act relating to the Maine Industrial School for Girls.

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

SECT. 1. A parent or guardian of any girl between the ages of seven and fifteen years, or the municipal officers or any three respectable inhabitants of any city or town where she may be found may complain in writing to the judge of probate or any trial justice in the county, or to the judge of the municipal or police court for the city or town, alleging that she is leading an idle, vagrant or vicious life, or has been found in circumstances of manifest danger of falling into habits of vice or immorality, and request that she may be committed to the guardianship of the Maine Industrial School for Girls. The judge or justice shall appoint a time and place of hearing, and order notice thereof to any person entitled to be heard, and at such time and place may examine into the truth of the allegations of said complaint, and if satisfactory evidence thereof is adduced and it appears that the welfare of such girl requires it, he may order her to be committed to the custody and guardianship of the officers of said school during her minority, unless sooner discharged by process of law.

Complaint for commitment of idle and vicious girls.

Notice, hearing and commitment.

SECT. 2. The trustees of said school may bind to service or apprentice any girl committed to their charge, for a period not exceeding the term of her commitment, upon such conditions as they may deem reasonable and proper, to be set forth in the articles of service, and in said articles require the person to whom she is bound to report to them as often as once in six months her conduct and behavior, and whether she remains under his or her care, and if not, where she is. The trustees shall, as guardians of any girl so bound, take care that the terms of the contract are fulfilled, and the girl well treated; and the trustees, master or mistress and apprentice, shall have all the rights and privileges and be subject to all the duties and penalties provided by law in case of children apprenticed by overseers of the poor.

Trustees may bind to service any girl committed to their charge.

—duties and privileges.

SECT. 3. A person receiving an apprentice under the provisions of this act, shall not assign or transfer the indenture of apprenticeship, nor let out the services of the apprentice, without the written consent of the trustees. The trustees, at the request of the master or mistress, may cancel the indenture and resume the charge of the girl, with the same powers as before the indenture was made. On the death of a person to whom a girl is bound, his executor or administrator, with the written assent of the trustees, and also of the girl, may assign the indenture to some other person, and the

Indenture of apprenticeship not transferable without consent of trustees.

Trustees may cancel indenture.

—may assign indenture in certain cases.

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assignee shall have all the rights and be subject to all the liabilities and duties of the original master or mistress.

Idle and vicious girls may be committed for a term of time.

SECT. 4. A parent or guardian, upon complaint and hearing as aforesaid, and certificate of any judge or justice named in the first section, that a girl of the age herein limited, is a proper subject to be committed to said school, may commit her to the custody and guardianship thereof for a term to be agreed upon by the parent or guardian and the trustees, upon condition that the parent or guardian shall pay her expenses at a reasonable uniform rate to be fixed by said trustees; and the trustees shall have power to enforce such agreement.

—guilty of an offence punishable by fine may be committed to said school.

SECT. 5. On complaint to any justice or court of competent jurisdiction, that any girl of the age herein limited has been guilty of an offence punishable by fine or imprisonment, other than imprisonment for life, such justice or court may so far examine into the case as to satisfy himself whether she is a suitable subject for commitment to said school, and if he so decides, he may thereupon suspend the case and certify accordingly, and order her to be committed to the guardianship of said school during her minority, unless sooner discharged by process of law. Any girl so committed, if she remains under the guardianship of said school during the term of her commitment, or is sooner discharged, with a certificate of good behavior, shall not thereafter be examined or tried on the suspended complaint or for the offence therein charged. But if discharged for misbehavior, or if she escapes from said school, she may be tried therefor, and if found guilty punished according to law.

—not to be tried for offence, when discharged with certificate of good behavior.

—may be tried, when discharged for misbehavior.

SECT. 6. If any girl of the age herein limited is found guilty of any offence punishable with fine or imprisonment, other than imprisonment for life, she may be sentenced in the alternative to the aforesaid school, or if not received therein, or discharged therefrom for misbehavior, to such punishment as the law provides for like offences.

—if sentenced and not received or discharged, may be punished.

Trustees may refuse to receive or may discharge any girl committed.

SECT. 7. The trustees of said school may refuse to receive therein any girl committed to said school under the provisions of the fifth and sixth sections, or may discharge from said school any girl whose continuance, by reason of her vicious example and influence, or other misconduct, is in their opinion prejudicial to the school, or who for any reason ought not to be retained therein. Their refusal to receive such girl may be certified on the warrant of commitment, and she shall remain in the custody of the officer having the warrant, to be disposed of as prescribed in said fifth and sixth sections. If they discharge her, they are to set forth their reasons therefor in a warrant of discharge, and any proper officer may return her to the court which committed her, or commit her as provided in the alternative sentence.

—refusal to receive may be certified on warrant of commitment.

If discharged, proceedings in case of.

SECT. 8. All precepts issued in pursuance of the provisions of this act may be executed by any officer who may execute criminal process; and the fees of judges, justices and officers shall be the same as are allowed by law for similar services in criminal cases, and shall be audited by the county commissioners and paid from the county treasury.

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Precepts, how executed, and fees of officers.

SECT. 9. The judge or justice before whom any girl is brought under the provisions of this act, shall make a brief record of his proceedings, and transmit it with all the papers in the case to the clerk of the courts for the county, who shall file and preserve them in his office. Any girl ordered to be committed to the school may appeal from such order in the manner provided in case of appeals from trial justices, and the case shall be entered, tried and determined in the supreme judicial court.

Record of proceedings to be filed with clerk of courts.

May appeal, when ordered to be committed.

SECT. 10. When any such girl is convicted of any offence described in section six, and committed to said school, the court or justice before whom she is convicted shall certify on the mittimus her age, parentage, birth-place, and offence, and the city or town where she resided at her arrest, so far as he can ascertain such particulars; and this certificate shall be evidence of her true age until otherwise proved, and shall be sufficient in the first instance to charge such city or town with her expenses at said school, not exceeding one dollar a week.

Age, parentage, birth-place and offence, to be certified on mittimus, when committed.

Certificate, evidence to charge town with expenses.

SECT. 11. The officers of said school, upon the commitment of such girl, shall notify in writing the municipal officers or overseers of the poor of the city or town so liable, by mail or otherwise, of the name of such girl, the offence with which she is charged, and the duration of her sentence. Such notice addressed to such municipal officers or overseers and deposited postpaid in the post office at Hallowell, shall be sufficient; and at any time after three months from the giving of such notice, the officers of said school may sue for and recover of such city or town one dollar a week for the expenses of clothing and subsistence of such girl up to the time of suing therefor; and such city or town may recover the same of the parent or guardian of such girl, or of the city or town where she has her legal settlement.

Notice of commitment to be given to town.

Expenses, how recovered.

SECT. 12. The officers of said school shall cause the girls under their charge to be instructed in the branches of useful knowledge adapted to their age and capacity, and in household employments, needle-work, and such other modes of industry as may be suited to their sex, age, strength and disposition, and as may be best adapted to secure their improvement and future welfare; and in binding them out, the trustees shall have regard to the character of those to whom they are bound, that they may secure to the girls the benefit of good example, wholesome instruction, improve-

Girls committed and received at said school to be instructed in certain branches of useful knowledge.

CHAP. 142. ment in virtue and knowledge, and the opportunity to become intelligent, moral and useful members of society.

Penalty for aiding any girl to escape from said school.

SECT. 13. Any person who shall aid or abet any girl committed to said school to escape therefrom, shall upon conviction thereof pay a fine not exceeding one hundred dollars, nor less than fifty dollars, or suffer imprisonment in the county jail for a period not exceeding sixty days, at the discretion of the court trying the same.

Approved February 26, 1873.

Chapter 142.

An act to amend chapter twenty-six of the revised statutes relating to fires.

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

SECT. 1. Section twenty-nine of chapter twenty-six of the revised statutes is amended so as to read as follows :

Fires in cities and towns, duties of municipal officers to inquire into the origin of.

‘SECT. 29. Whenever any building, or vessel in port, or their contents are wholly or partially destroyed by fire, originating on the premises, unless the cause thereof shall be clearly accidental, it shall be the duty of the mayor of the city or the municipal authorities of the town or plantation where the fire occurs to give notice thereof at once to the sheriff of the county or his deputy, and said sheriff or deputy shall thereupon immediately summon three good and lawful men to appear at the place of the fire at a time to be fixed as soon as possible to inquire when, how and by what means the fire originated, and in case of the non-appearance of the person so summoned, the officer shall appoint some other person to complete said number and it shall be the duty of all persons so summoned to appear and act under such summons unless excused for reasonable cause.’

Jurors, how summoned.

SECT. 2. Sections thirty, thirty-one, thirty-two and thirty-three of said chapter are amended by substituting the words ‘sheriff or deputy’ in the place of “judge or justice,” wherever these words occur therein.

Fees of officers.

SECT. 3. The fees of the officer shall be the same as prescribed for the coroner in cases of inquest upon dead bodies, and the fees of the jurors shall be two dollars each for the inquest, with traveling fees the same as witnesses in court.

SECT. 4. This act shall take effect when approved.

Approved February 26, 1873.