

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)

ACTS AND RESOLVES

OF THE

SEVENTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE

1903.

Published by the Secretary of State, agreeably to Resolves of June 28,
1820, February 18, 1840, and March 16, 1842.

AUGUSTA
KENNEBEC JOURNAL PRINT
1903

PUBLIC LAWS

OF THE

STATE OF MAINE.

1903.

in such action and held to respond to the judgment as in other cases, whether owned by the defendant or only in his possession. But if the beasts were lawfully on the adjoining lands, and escaped therefrom in consequence of the neglect of the person suffering the damage to maintain his part of the partition fence, their owner shall not be liable therefor.

—proviso.

Approved March 4, 1903.

Chapter 37

An Act relating to Houses of Correction.

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

Section 1. Chapter one hundred forty-one of the revised statutes, except sections twenty-three and twenty-four, is hereby repealed.

Chapter 141, R. S., except sections 23 and 24, repealed.

Section 2. A municipal or police court, or trial justice in his county, on complaint under oath may commit to jail or to the house of correction in the town where the person belongs or is found, for a term not exceeding ninety days, all rogues, vagabonds and idle persons going about in any town in the county, begging; persons using any subtle craft, jugglery, or unlawful games, or plays, or for the sake of gain pretending to have knowledge in physiognomy, palmistry, to tell destinies or fortunes or to discover lost or stolen goods; common pipers, fiddlers, runaways, drunkards, night walkers, railers, brawlers and pilferers; persons wanton or lascivious in speech or behavior, or neglecting their callings or employments, misspending what they earn and not providing for the support of themselves and their families; all idle and disorderly persons having no visible means of support, neglecting all lawful calling or employment; and all idle and disorderly persons who neglect all lawful calling or employment and misspend their time by frequenting disorderly houses, houses of ill fame, gaming houses or tippling shops.

Rogues, vagabonds, idle persons, etc., may be committed to jail on complaint to municipal judge or trial justice.

Section 3. A town, at its own expense, may build and maintain a house of correction. Until such house of correction is so built, the almshouse, or any part thereof may be used for that purpose.

Town may maintain a house of correction.

CHAP. 37

Overseers of poor shall have charge of house of correction.

Section 4. Such house of correction shall be in charge of the overseers of the poor of the town maintaining the same, who shall have the inspection and government of the same, and may establish from time to time, such rules and orders not repugnant to law, as they deem necessary for governing and punishing persons lawfully committed thereto. When an almshouse is used for a house of correction, the master thereof shall be master of the house of correction; but in other cases the overseers thereof shall appoint a suitable master, removable at their pleasure, and may fix his compensation. The overseers from time to time, shall examine into the prudential concerns and management of such house, and see that the master faithfully discharges his duty.

Overseers shall order supplies of suitable food and clothing to persons committed.

Section 5. Every person committed to such house of correction shall be supplied with suitable food and clothing, and if sick, with such medical attendance and care as the overseers order; and all expenses incurred for commitment and maintenance, exceeding the earnings of the person confined, shall be paid by the town where such prisoner has his legal settlement, or by his kindred as hereinafter provided.

Persons committed to custody may be set to work.

Section 6. The master of such house may set to work all persons committed to his custody, so far as they are able, during the time of their confinement; and if their deportment renders it expedient, he may impose shackles or fetters to prevent resistance or escape, without unnecessarily inflicting pain or interrupting labor.

Insubordination, supply of food may be abridged in cases of.

Section 7. If a prisoner is stubborn, disorderly, idle, refractory, or refuses to perform his appointed task in a proper manner, the master may abridge his supply of food until he complies with the reasonable requirements of the master and overseers.

Actual paupers may be subject to extension of confinement.

Section 8. Notwithstanding the payment of costs and expenses, if the prisoner has actually received relief as a pauper, the overseers of the poor where the house is, or of the town to which he belongs, on complaint to the justice or court by whom he was committed, may procure an extension of the confinement, for not more than thirty days at a time, by the judge or justice; and such application may be renewed, if occasion requires it, on like complaint; and in all cases the prisoners shall be brought before the justice or court to answer to the complaint.

Pauper notice shall be given to towns where prisoner has legal settlement.

Section 9. Such masters shall, within ten days after commitment of any person to such house of correction, give notice thereof to the overseers of the poor of the town where it is situated, and if the prisoner has actually received relief as a pauper, said overseers shall give the same notice thereof to the overseers of the poor of the town of his legal settlement, as is

required in other cases in which paupers become chargeable in places where they have no legal settlement.

Section 10. The master shall keep an exact account of the earnings of each prisoner, and of the expenses incurred for commitment and maintenance, specifying the time of his commitment and liberation, and present it, on oath, to the overseers of the poor of the town where such house is established annually and oftener if directed; and the town may recover the amount of such expenses after deducting the earnings of the prisoner, from the town where such prisoner has his legal settlement.

Earnings and expenditures shall be accounted for.

Section 11. If there are kindred, obliged by law to maintain the prisoner as provided in chapter twenty-four, such master, or the town obliged to pay his account, has the same remedy against such kindred, as is provided in that chapter for towns incurring expense for relief and support of paupers.

Remedy against kindred.

Section 12. Persons shall be committed to work houses, or houses of correction, only upon conviction of the offenses, acts, or conditions for which such commitments are by law authorized, before some municipal or police court, or trial justice.

Persons shall be committed only on conviction.

Approved March 4, 1903.

Chapter 38.

An Act relating to Work Houses.

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

Section 1. Chapter twenty-one of the revised statutes is hereby repealed.

Chapter 21, repealed.

Section 2. Any town may erect or provide a work-house for the employment and support of persons of the following description; all poor and indigent persons, maintained by or receiving alms from the town; all able bodied persons not having estate or means otherwise to maintain themselves, who refuse or neglect to work; all who live a dissolute and vagrant life and exercise no ordinary calling or lawful business sufficient to gain an honest livelihood; and all such persons, as spend their time and property in public houses, to the neglect of their proper business, or by otherwise misspending what they earn, to the impoverishment of themselves and their families, are likely to become paupers. Any work-house may, by vote of the town,

Work house may be provided by any town.

—persons who may be committed.