

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE

1903.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1903.

CHAP. 147

file with qualifications of applicant.

—applicant failing to pass examination may again apply after six months.

—no extra fee.

Section 6, amended.

Compensation of examiners.

—proviso.

Act shall take effect September 1, 1903.

each application, the name of the applicant, and his qualifications and general standing as ascertained by such examination, and the secretary of the board shall furnish each applicant with a card, showing the proficiency he has attained in each branch or subject upon which he has been examined, whether a certificate is issued or not. Any applicant failing to pass the examination may again apply after six months, by showing to the board that he has diligently pursued the study of the law six months prior to the examination; if such second application is within one year after his first examination, he shall not be required to pay an extra fee for the second examination.'

Section 4. Section six of said act is hereby amended by omitting the words "as examiners in going to, holding and returning from, such examination" so that said section, as amended, shall read as follows:

'Section 6. The board of examiners shall receive as compensation for their services five dollars per day for the time actually spent, and the necessary expenses incurred in the discharge of their duties, to be certified by the clerk or one of the justices of the supreme judicial court; provided, however, that all compensation for services and expenses shall not exceed the amounts received as fees from applicants.'

Section 5. This act shall take effect September first, nineteen hundred and three.

Approved March 26, 1903.

Chapter 147.

An Act to amend Section five of Chapter one hundred thirty-seven of the Revised Statutes as amended by Section one of Chapter two hundred ninety-five of the Public Laws of eighteen hundred ninety-three, relating to Insane Criminals.

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

Section 1. Section five of chapter one hundred thirty-seven of the revised statutes as amended by section one of chapter two hundred ninety-five of the public laws of eighteen hundred ninety-three is hereby further amended, so as to read as follows:

'Section 5. The governor shall appoint in each county in the state a competent physician, who shall be a resident of the county, to act as an examiner of insane convicts in the county jail of the county. When a convict in the state prison or a county jail becomes insane, the warden shall forthwith notify the prison physician, or the jailer shall forthwith notify such examiner in the county, of the fact, and the prison physician

Examiner of insane convicts shall be appointed in each county.

—proceedings when an inmate of prison or jail becomes insane.

or such examiner, as the case may be, shall forthwith investigate the case and make a personal examination of the convict and if the prison physician or such examiner, as the case may be, finds such convict insane he shall forthwith certify such fact in writing to the governor and council, and the governor and council shall cause the removal of such insane convict to the insane department of the state prison or to either insane hospital until he becomes of sound mind. The fee of such examiner for each examination shall be _____ dollars. If such convict becomes of sound mind before the expiration of the term of his sentence he shall be returned to the prison or jail from which he was removed. If the term of his sentence has expired he shall be discharged free. Inmates of county jails and persons under indictment, becoming insane before final conviction, may be committed to an insane hospital by the judge of the supreme judicial, or superior court in the county where such person is to be tried or the case is pending, under such limitations as such judge may direct. The superintendent of the insane hospital at Augusta shall visit the insane department of the state prison not less than once each month to advise with the prison physician and warden as to the proper care, treatment and disposition of the convicts in said department. And whenever, in the judgment of said superintendent, any convict of the state prison who may be insane, can be better treated at the insane hospital at Augusta, he may recommend the transfer of said convict to said hospital, and report his conclusions to the governor and council, and thereupon they may order such transfer, and said convict shall be returned to the state prison whenever said superintendent shall consider it advisable to do so; if such person recovers after the expiration of his sentence he shall be discharged free. Whenever any convict in said department at the expiration of his term of sentence shall, in the opinion of said superintendent, prison physician and warden, be so far insane that his discharge will endanger the peace and safety of the community, they shall make a certificate setting forth briefly the facts of his sentence and its expiration and their opinion of his insanity, which certificate shall be by the warden recorded, and thereupon, upon said certificate, which shall be his warrant therefor, said warden shall transfer and commit said insane person to the insane hospital at Augusta. All expenses of said superintendent in connection with said department, as well as those of the commitment, removal and support of said convicts during the term of their sentences shall be paid by the state by order of the governor and council from state prison appropriations.'

—fee.

—if convict becomes of sound mind before expiration sentence, he may be returned to jail.

—superintendent of insane hospital shall visit insane department state prison monthly.

—he may recommend transfer of convict to insane hospital.

—if convict is insane at expiration of sentence he may be committed to insane hospital.

—expenses of superintendent, commitment, etc, to be paid by state.

Section 2. Section seven of said chapter as amended is hereby further amended, so as to read as follows :

Section 7, amended.

CHAP. 148

Persons insane when convicted may be sentenced to insane department of state prison.

—at expiration of term commitment if still insane, convict may be removed to insane hospital.

'Section 7. If a person convicted of any crime, in the supreme judicial court or either superior court, is found by the judge of such court to be insane when motion for sentence is made, the court may cause such person to be committed to the insane department of the state prison under such limitations as the court may direct; provided that the crime of which such person is convicted is punishable by imprisonment in the state prison; otherwise such commitment shall be to one of the insane hospitals; if at the expiration of the period of commitment to the insane department of the state prison such person has not become of sound mind in the opinion of the superintendent of the insane hospital at Augusta, prison physician and warden, he shall be removed by them to one of the insane hospitals. Persons committed by a judge of the supreme judicial or a superior court before final conviction, or after conviction and before sentence whether originally committed or subsequently removed thereto, and insane convicts after the expiration of their sentences, shall be supported while in the insane hospital in the manner provided by law in the case of persons committed by municipal officers, and the provisions of sections nineteen to twenty-two inclusive, of chapter one hundred forty-three of the revised statutes shall apply to such cases.'

Section 3. This act shall take effect when approved.

Approved March 26, 1903.

Chapter 148.

An Act to amend Chapter one hundred and one, Public Laws of eighteen hundred and eighty-seven, relating to Paupers.

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

Chapter 101, public laws of 1887, amended.

Section 1. Chapter one hundred and one of the public laws of eighteen hundred and eighty-seven is hereby amended by inserting after the word "found" in the second line the words 'in any town or,' so that said chapter when amended may read as follows:

—state shall reimburse for relief furnished persons having no legal settlement within the state.

—when relief is furnished by town, town obliged by law to furnish same.

'Chapter 101. Whenever persons who have no legal settlement within the state, and needing immediate relief, are found in any town, or in unincorporated places and are brought into an adjoining town obliged by law to care for and furnish relief to such persons, and relief is so furnished, the state shall reimburse said town for such relief so furnished, in the same manner and under the same restrictions as provided in section twenty-nine, chapter twenty-four of the revised statutes as amended,