

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

STATE OF MAINE

ENACTED BY THE

Seventy-Seventh Legislature

1915

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Seventh Legislature

1915

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thousand dollars if its annual income from invested funds, after deducting interest paid on its indebtedness, does not exceed two thousand dollars.' CHAP. 206

Approved March 24, 1915.

Chapter 206.

An Act to Establish a State Reformatory for Women.

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

Section 1. The State shall establish and maintain a reformatory in which all women over the age of sixteen years who have been convicted of or have pleaded guilty to crime in the courts of the 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.

State shall establish and maintain a Reformatory for Women.

Section 2. Immediately after the passage of this act, the Governor shall, with the advice of the Council, appoint five persons, of whom at least two shall be women, all of whom shall be inhabitants of this State, to be trustees of such Reformatory. The terms of office of such trustees shall be five years, subject to removal by the Governor and Council for cause, and they shall be so appointed that the term of one of them shall expire on the first Tuesday of February in each year. Any person appointed to fill a vacancy in the Board of Trustees shall hold office for the remainder of the term of the person whom he or she succeeds.

Appointment of Trustees.—term of office.

—filling vacancies.

Section 3. Said Board of Trustees shall have the general superintendence, management and control of said reformatory, of the grounds and buildings, officers and employees thereof, of the inmates therein, and of all matters relating to the government, discipline, contracts and fiscal concerns thereof, and may make such rules and regulations as may seem to them necessary, for carrying out the purposes of said institution. Such Board of Trustees shall constitute a Board of Parole and shall have the power to parole or discharge inmates as herein-after provided.

Duties of Board of Trustees.

—shall constitute Board of Parole.

Section 4. The Board of Trustees shall appoint from among its members a president and a secretary, who shall hold office for such length of time as such Board may determine. They shall appoint a woman superintendent who shall hold office during the pleasure of the Board, and shall fix the compensation of such superintendent and the compensation of all other officers and employees.

Organization of the Board.

—shall appoint woman superintendent.

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Duties of superintendent.

Supervision of matters relating to government and discipline.

—make rules and regulations for government of institution.

—other duties prescribed by trustees.

—power to appoint and remove subordinates.

Trustees shall report to Governor.

Commitment of women to the Reformatory.

—sentence.

—sentence not void, when.

Section 5. The superintendent shall, subject to the direction and control of the Board of Trustees,

1st. Have the general supervision and control of the grounds and buildings of the institution, the subordinate officers and employees and inmates thereof, and all matters relating to their government and discipline.

2nd. Make such rules, regulations and orders, not inconsistent with law, or the rules, regulations or directions of the Board of Trustees, as may seem to her proper or necessary for the government of such institutions and its officers and employees, and for the employment, discipline and education of the inmates thereof.

3rd. Exercise such other powers and perform such other duties as the Board of Trustees may prescribe.

Such superintendent shall also have the power to appoint and remove all subordinate officers and employees.

Section 6. On or before the first day of October in each year, the trustees shall furnish a report to the Governor and Council containing the history of the institution for the year, and a complete statement of all accounts, with all the funds, general and special, appropriated or belonging to said institution, with a detailed statement of disbursements.

Section 7. When a woman over the age of sixteen years is convicted before any court or trial justice having jurisdiction of the offense, of an offense punishable by imprisonment in the State Prison, or in the county jail, or in any house of correction, such court or justice may order her commitment to the Reformatory for Women, or sentence her to the punishment provided by law for the same offense. When a woman is sentenced to the Reformatory for Women, the court or trial justice imposing the sentence shall not prescribe the limit thereof, unless it be for a term of more than five years; but no woman committed to the Reformatory upon a sentence within prescribed limit, as aforesaid, shall be held therein for more than five years if sentenced for felony, nor for more than three years if sentenced for a misdemeanor. If the sentence imposed upon any woman be for more than five years, she shall be so held for such longer term.

If, through oversight, or otherwise, any person be sentenced to imprisonment in the said Reformatory for Women for a definite period of time, said sentence shall not for that reason be void; but the person so sentenced shall be entitled to the benefit, and subject to the liabilities of this act, in the same manner and to the same extent as if the sentence had been in the

terms required by this act. In such case said trustees shall deliver to such offender a copy of this act.

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Section 8. The judge or magistrate committing a woman pursuant to this act, shall cause the superintendent of the Reformatory to be immediately notified of such commitment, and shall cause a record to be kept of the name, age, birthplace, occupation, previous commitments, if any, and for what offense, the last place of residence of such woman, and the particulars of the offense for which she is committed. A copy of such record shall be transmitted with the warrant of commitment to the superintendent of such institution, who shall cause the facts stated therein and such other facts as may be directed by the Board of Trustees to be recorded in such form as the Board of Trustees shall determine.

Report of commitments shall be kept by Supt. of the Reformatory.

Section 9. Such judge or magistrate shall, before committing any such woman, inquire into and determine the age of such woman at the time of her commitment, and her age as so determined, shall be stated in the mittimus. The statement of the age of such woman in such mittimus shall be conclusive evidence as to such age in any action to recover damages for her detention or imprisonment under such mittimus, and shall be presumptive evidence thereof in any other inquiry, action, or proceeding relating to such detention or imprisonment.

Age of woman committed shall be determined and stated in mittimus.

Section 10. If any woman committed to said Reformatory is, at the time of her commitment, the mother of a nursing child in her care and under one year of age, or is pregnant with child which shall be born after such commitment, such woman may retain such child in said Reformatory until it shall be two years of age, when it must be removed therefrom. The Board of Trustees may cause such child to be placed in any asylum for children in this State and pay for the care and maintenance of such child therein at a rate not to exceed two and one-half dollars a week, until the mother of such child shall have been discharged, or may commit such child to the care and custody of some relative or proper person willing to assume such care. If such woman, at the time of such commitment, shall be the mother of and have under her exclusive care, a child more than one year of age, which might be otherwise left without proper care or guardianship, the magistrate committing such woman shall cause such child to be committed to such asylum as may be provided by law for such purposes, or to the care and custody of some relative or proper person willing to assume such care.

Child of woman committed may be retained until two years of age.

Children over two years of age shall be supported at public expense till mother is discharged.

—care of children over one year of age provided for.

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Commitment of children subject to provisions of Ch. 196, P. L., 1913.

Trustees may issue liberty permit in certain cases.

—permit may be revoked.

Re-arrest may be made and return made for unexpired term.

Penalty for aiding or abetting the escape of an inmate.

—may detain or arrest an escaped inmate without warrant.

Any commitment of a child under the provisions of this section to the custody of any asylum for children or to any relative or other person, shall be subject to the provisions of section five of chapter one hundred ninety-six of the Public Laws of nineteen hundred thirteen.

Section 11. When it appears to the Trustees that a woman who has been sentenced to the Reformatory for Women has reformed, they may issue to her a permit to be at liberty providing that some suitable employment or situation has been secured in advance for such woman, and upon such other conditions as the Trustees shall prescribe during the remainder of the term for which she might otherwise be held in said Reformatory, and they may revoke said permit at any time before its expiration; but no such permit shall be issued to any woman who has been sentenced for more than five years. If a permit so issued to any woman be revoked, or if a woman escapes from the Reformatory, the Board of Trustees may cause her to be re-arrested and returned thereto for the unexpired portion of her term, dating from the time of her escape or the revocation of her permit. Any inmate ordered returned to the Reformatory may, on the order of the superintendent or other officer of the institution, be arrested and returned to the Reformatory, or to any officer or agent thereof, by any sheriff, constable, police officer, state agent for the protection of children or other person, and may also be arrested and returned by any officer or agent of the Reformatory.

Whoever advises, induces, aids or abets any woman committed to said Reformatory or to the charge or guardianship of said Trustees to escape from the Reformatory, or from the custody of any person to whom such woman has been entrusted by said Trustees or by their authority, or knowingly harbors or secretes any woman who has escaped from said Reformatory, or from the custody, authority or control of said Trustees, or from any person to whom such woman has been entrusted by said Trustees or by their authority, or elopes with any such woman, or without the consent of said Trustees marries any such woman during the term of her commitment, shall be fined not more than five hundred nor less than one hundred dollars, or be imprisoned not exceeding one year; and any woman who has so escaped may be arrested and detained, without warrant, by any officer authorized to serve criminal precepts, for a reasonable time to enable the superintendent or a Trustee of said Reformatory, or a person authorized in writing by such superintendent or Trustee and provided with the mittimus by which such woman was committed, or a certified copy thereof, to take

such woman for the purpose of returning her to said Reformatory; but during such detention she shall not be committed to jail, and the officer arresting her shall be paid by the State a reasonable compensation for her arrest and keeping.

Whenever any inmate of the Reformatory for Women, not having been sentenced thereto by the court of the county wherein such Reformatory for Women shall be established, shall be convicted in such county of any misdemeanor or felony committed while an inmate of the said Reformatory for Women, the cost and expenses of trying such convicted inmate, and of her maintenance after conviction and sentence, if to the county jail of such county, shall be paid by the county from which the said convicted inmate was sentenced, and the costs and expenses of the trial of such convicted inmate shall, in the first instance, be paid by the county wherein such Reformatory for Women shall be established, whose commissioners are thereupon authorized to draw their warrant upon the treasurer of the county, from which said convicted inmate was sentenced to the said Reformatory for Women, for the amount so paid by the said county wherein such Reformatory for Women shall be established, for said costs and expenses which warrant it shall be the duty of the treasurer upon whom it may be drawn to pay forthwith.

Section 12. Nothing herein contained shall be construed to interfere with the power of the Governor to grant a pardon or commutation in any case.

Section 13. The Board of Trustees shall determine the kind of employment for women committed to the Reformatory and shall provide for their necessary custody and superintendence. The provisions for the safe keeping or employment of such women shall be made for the purpose of teaching such women a useful trade or profession, and improving their mental and moral condition.

The Board of Trustees of the Reformatory for Women may transfer temporarily to the State Prison any female committed to the Reformatory for Women who may be incorrigible, or whose presence in the Reformatory for Women may be seriously detrimental to the well-being of the institution. The Trustees may subsequently by written requisition, require the return to the Reformatory for Women of any female who may have been so transferred.

Section 14. The Board of Trustees shall, subject to the approval of the Governor and Council, select and purchase a suitable site for such Reformatory, consisting of not less than two hundred acres of land. Part of the acreage purchased shall

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—compensation of officer making arrest.

County from which inmate was sentenced shall bear expense of trial for misdemeanor or felony committed while an inmate of the Reformatory.

Governor may grant pardon.

Employment of women committed to be determined by Trustees.

May transfer inmates to the State Prison when necessary.

Trustees, with approval of Governor and Council, may select location for Reformatory.

CHAP. 206 be land that is arable or may be made so, to the end that, so far as practicable, the food for the inmates of the Reformatory may be produced on such land.

Trustees shall cause building to be erected on site purchased.

Section 15. The Board of Trustees shall proceed as soon as practicable after the purchase of the site to erect thereon and properly furnish and equip suitable buildings and structures to accomplish the objects set forth in this act.

Compensation of Trustees for services rendered.

Section 16. The Trustees shall receive for their services in the performance of their duties connected with the purchase of the site and the construction and equipment of the buildings, and for the term of service subsequent to the commencement of the operation of the said institution and the receiving therein of inmates committed, the sum of five dollars per day when actually employed, and expenses necessarily incurred by them.

Superintendent of construction of the Reformatory shall be appointed by Trustees.

Section 17. The Board of Trustees shall have power to appoint a superintendent of construction for the building of the said Reformatory and to employ such other persons as it may deem necessary to secure the speedy and economical construction of the said Reformatory and the improvement of the said site. The plans and specifications approved and adopted by the Board of Trustees shall provide for buildings which shall be constructed on the cottage system and in such manner as to admit of the proper classification of the inmates according to their mental and moral condition and the care, instruction and employment which they should respectively receive. Additional buildings may be erected from time to time as the needs of the institution shall require, and as the Legislature shall appropriate funds for their construction.

—cottage system plan for building.

—erection of additional buildings.

Expenditures above \$500 shall be by competitive bids.

Section 18. In the construction of said buildings or the improvement of the said site, no contract involving an expenditure of more than five hundred dollars shall be made unless the same be duly advertised and competitive bids thereon received.

Bills shall be audited by State Auditor.

Section 19. All bills contracted by the Board of Trustees, as aforesaid, in purchasing a site and improving the same and in erecting, repairing and equipping suitable buildings and operating the institutions shall be audited by the State Auditor and paid by the State Treasurer in the manner provided by law.

Appropriations to carry out this act.

Section 20. Twenty thousand dollars shall be appropriated under this act to be used and expended for the purposes herein named during the year nineteen hundred fifteen and the sum of thirty thousand dollars during the year nineteen hundred sixteen.

—inconsistent acts repealed.

Section 21. All acts and parts of acts inconsistent with this act are hereby repealed.