

# MAINE STATE LEGISLATURE

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# Acts and Resolves

As Passed by the

## Seventy-Eighth Legislature

OF THE

# STATE OF MAINE

1917

Including Acts and Resolves of the Special Session of the  
Seventy-Seventh Legislature held in 1916.

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

As Passed by the Seventy-Eighth Legislature

**1917**

[supplied from page 1 of volume]

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two hundred dollars; for clerks in the office of the recorder of the Portland municipal court, seven hundred eighty dollars; for clerks in the office of county attorney, six hundred dollars.'

Approved April 6, 1917.

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## Chapter 195.

An Act to Create a Board of Prison Commissioners.

**Preamble.** Whereas the management of the state prison vitally affects the peace, health and safety of the public and the provisions of the following act are deemed by the legislature to be essential to the proper administration of said prison and the judicious treatment, employment and liberation of the prisoners therein confined, and whereas the facts above recited constitute an emergency, in the opinion of this legislature, rendering the passage of said act immediately necessary for the preservation of the public peace, health and safety, now, therefore,

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

**Sec. 1. Board of prison commissioners created; tenure of office, vacancies, compensation, etc.; may appoint secretary, salary.** The governor, with the advice and consent of the council, shall appoint a board of prison commissioners consisting of three members, one to serve six years, one to serve four years and one to serve two years. Each member of the board shall receive five dollars for each day of actual service and necessary expenses. As vacancies occur by expiration of terms they shall be filled by appointment as above described and such appointment shall be for six years. Whenever a vacancy occurs by reason of death, incapacity or resignation, appointment shall be made as above described for the unexpired portion of such term. One of the members of said board shall be designated in his commission as chairman. The commission may appoint a secretary, who shall receive an annual salary of three hundred dollars. The word "commission" as used in this act shall mean the board of prison commissioners.

**Sec. 2. Duties of commission.** The commission shall have the general direction and control of the state prison, exclusive of any other board created by statute. It shall make and establish such rules and regulations, not inconsistent with law, as it may deem expedient for the direction of the officers of the prison in the performance of their duties; for the government, discipline, instruction and employment of the inmates; for the supply of food, clothing and bedding therein and for the custody and preservation of the property connected therewith.

**Sec. 3. Warden, chaplain and physician appointed by commission; warden to appoint others. Compensation, how fixed.** The warden, chaplain and physician shall be appointed by the commission and shall hold office during its pleasure. All other officers and employees of the prison shall be appointed and commissioned by the warden with the approval of the commis-

sion. The compensation of all officers and employees of the prison shall be established by the commission, subject to the approval of the governor and council.

**Sec. 4. Commission to act as advisory board in matter of pardons.** The commission shall be an advisory board of pardons. It shall consider carefully and thoroughly the merits of all applications for pardon and commutation of sentence referred to it by the governor and it shall make to him in writing, without publicity, a full report of the crime for which the applicant was sentenced, his physical and mental condition, his previous history and record, his domestic relations, his conduct while in prison and any other pertinent facts or circumstances, together with the conclusions and recommendations of said commission. No such report shall be made without the concurrence of a majority of its members.

**Sec. 5. Commission may authorize employment of prisoners on highways, etc.** Said commission may authorize the employment of able-bodied prisoners, sentenced for any term less than life, in the construction or improvement of highways or on other public works within the state under such arrangements as may be made with the state highway commission or other department of the state having such public works in charge, and said commission shall prescribe such rules and conditions as it deems expedient to insure the proper care and treatment of the prisoners while so employed and their safe-keeping and return. Prisoners while so employed shall not be required to wear clothing which will materially distinguish them from other workmen.

**Sec. 6. May require physical and mental examination.** The commission may require a physical and psychopathic examination of persons committed to the prison and shall keep a record thereof. At the request of the commission the superintendent and trustees of the state hospitals at Augusta and Bangor shall designate competent physicians employed at said hospitals to conduct such examinations and the actual expenses of physicians in making such examinations shall be paid from any funds in the state treasury available for the maintenance of the prison. The commission is authorized to transfer any prisoner to either of said hospitals for further study or observation of his mental condition if it is deemed advisable.

**Sec. 7. Reward may be offered for apprehension of prisoner violating parole.** The warden, with the approval of the commission, may offer a reward not exceeding one hundred dollars for the apprehension and return of any prisoner released on parole who shall have violated the conditions of his release, and upon satisfactory proof that the terms of said offer have been complied with the governor, with the advice and consent of the council, shall draw his warrant upon the treasurer for the payment thereof.

**Sec. 8. Parole board and board of prison and jail inspectors abolished. Commission given jurisdiction in matter of paroles.** The advisory board in the matter of paroles and the board of prison and jail inspectors are hereby abolished and all of the powers and authority conferred by law upon said boards are hereby transferred to the board of prison commissioners and all

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existing provisions of law applicable to either of said boards shall hereafter apply to said board of prison commissioners. The commission shall have exclusive jurisdiction in all cases in granting paroles.

**Sec. 9. Inconsistent statutes repealed.** Sections four, eleven and fifty-two of chapter one hundred and forty-two of the revised statutes and all other acts or parts of acts inconsistent herewith are hereby repealed.

**Sec. 10. Emergency clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.

Approved April 6, 1917.

## Chapter 196.

An Act to Amend Section Sixteen of Chapter One Hundred Seventeen of the Revised Statutes, Increasing the Salary of State Treasurer.

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

**R. S., c. 117, § 16, relating to salary of state treasurer.** Chapter one hundred seventeen, section sixteen, is hereby amended by inserting in the second line thereof between the word "thousand" and the word "dollars," the words 'five hundred' and by inserting after the word "dollars" in the second line the words 'and the said two thousand five hundred dollars shall be appropriated each year beginning with the year nineteen hundred seventeen and paid to the state treasurer and charged to the appropriation for his department', so that said section as amended shall read as follows :

**'Sec. 16. Increased from \$2,000 to \$2,500; authority for appropriation.** The treasurer of state shall receive an annual salary of two thousand five hundred dollars, and the said two thousand five hundred dollars shall be appropriated each year beginning with the year nineteen hundred seventeen and paid to the state treasurer and charged to the appropriation for his department; he shall receive no other fee, emolument or perquisite.

The chief clerk in the office of the treasurer of state shall be designated as "deputy treasurer of state" and shall receive an annual salary of eighteen hundred dollars.'

Approved April 6, 1917.

## Chapter 197.

An Act to Create a State Department of Health.

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

**Sec. 1. State department of health created—composition.** There is hereby created a state department of health which shall exercise all the powers and perform the duties now conferred and imposed by law upon the state board of health. The state department of health shall consist of a commissioner of health and a public health council. There shall also be directors