

MAINE STATE LEGISLATURE

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Acts and Resolves

As Passed by the

Seventy-Ninth Legislature

OF THE

STATE OF MAINE

1919

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Ninth Legislature

1919

[supplied from page 3 of volume]

Chapter 59.

An Act to Amend Sections Twenty-five, Twenty-six, Twenty-eight, Thirty, Thirty-four, Thirty-eight and Forty-two of Chapter One Hundred and Thirty-seven, of the Revised Statutes, Relating to Indeterminate Sentences and Paroles.

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

Sec. 1. R. S., c. 137, §§ 25 and 26, 1917, c. 130, § 7; relating to indeterminate sentences to state prison, amended. Sections twenty-five and twenty-six of chapter one hundred and thirty-seven of the revised statutes are hereby amended by striking out the whole of said sections and substituting in the place thereof the following:

'Sec. 25. Judge to examine into causes of criminal character of prisoner. When any person shall be convicted of crime the punishment for which prescribed by law may be imprisonment in the state prison, the court imposing sentence shall not fix a definite term in said state prison, but shall fix maximum and minimum terms. The maximum sentence shall not exceed the longest term fixed by law for the punishment of the offense of which the person sentenced is convicted, and the minimum sentence shall not exceed one-half of the maximum term of imprisonment fixed by statute and shall not be less than six months in any case. The judge, before or at the time of pronouncing such sentences, shall ascertain by examination of the prisoner, and by such other evidence as can be obtained, any facts tending to indicate briefly the causes of the criminal character or conduct of such prisoner, which facts, and such other facts as shall appear to be pertinent to the case, he shall cause to be entered upon the minutes of the court.'

Sec. 2. R. S., c. 137, § 28; relating to court records in case of indeterminate sentences, amended. Section twenty-eight of said chapter is hereby amended by striking out the words "and also to the governor" in the fifth line thereof and also by striking out the last sentence of said section and substituting in the place thereof the following: 'Such record shall be delivered to the warden or superintendent at the time the prisoner is received into the institution,' so that said section, as amended, shall read as follows:

'Sec. 28. Copy of record need not be sent to governor. Whenever a person shall be convicted of a crime and sentenced to imprisonment pursuant to the provisions of sections twenty-five to forty-five, both inclusive, of this chapter, the clerk of the court shall make and forward to the warden or superintendent of the institution to which the convict is sentenced a record containing a copy of the information or complaint, the sentence pronounced by the court, the name and residence of the judge presiding at the trial, prosecuting attorney and sheriff, and the names and post-office addresses of the jurors and the witnesses sworn on the trial, together with a statement of any fact or facts which the presiding judge may deem

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important or necessary for a full comprehension of the case, and a reference to the statute under which the sentence was imposed. Such record shall be delivered to the warden or superintendent at the time the prisoner is received into the institution.'

Sec. 3. R. S., c. 137, § 30; relating to authority of advisory board in matters of paroles, amended. Section thirty of said chapter is hereby amended by striking out the whole of said section and substituting in place thereof the following:

'Sec. 30. Prison commissioners taking place of advisory board to make rules and regulations. The board of prison commissioners may adopt such rules as it may deem wise or necessary properly to carry out the provisions of sections twenty-five to forty-five, both inclusive, of this chapter and may amend such rules at pleasure. Provided, that prisoners, under the provisions of said sections, shall be eligible to parole only after the expiration of their minimum term of imprisonment.'

Sec. 4. R. S., c. 137, § 34; relating to arrangements for employment of paroled prisoners. Section thirty-four of said chapter is hereby amended so that said section, as amended, shall read as follows:

'Sec. 34. Bond to run to treasurer instead of governor. No prisoner shall be released on parole until the board of prison commissioners shall have satisfactory evidence that arrangements have been made for such honorable and useful employment of the prisoner as he is capable of performing, and some responsible person shall agree to act as his "first friend and adviser," who shall execute an agreement to employ the prisoner, or use his best efforts to secure suitable employment for him. Said "first friend and adviser" may, in the discretion of said board, be required to furnish a bond, or other satisfactory security, to the treasurer of state for the faithful performance of his obligation as such "first friend and adviser." All money collected upon such bond or security shall be turned over to the treasurer of state and credited by him to the general fund of the state.'

Sec. 5. R. S., c. 137, § 38; relating to duration of parole and final discharge, amended. Section thirty-eight of said chapter is hereby amended so that said section, as amended, shall read as follows:

'Sec. 38. Commission to be sole judge as to duration of parole; copy of final discharge to be filed with commission, instead of with governor. At the time of granting parole to any prisoner the board of prison commissioners shall determine the length of time the prisoner shall remain on parole, which time may be subsequently extended or reduced, but which shall not be more than four years in any case. After any prisoner has faithfully performed all the obligations of his parole for the period of time fixed, and has regularly made his monthly reports as required by the

rules providing for his parole, he shall be deemed to have fully served his entire sentence, and shall then receive a certificate of final discharge from the warden or superintendent in whose custody he is. A copy of such final discharge shall be kept on file by the clerk of the board.'

Sec. 6. R. S., c. 137, § 42; relating to clothing and railroad ticket to be furnished paroled prisoner. Section forty-two of said chapter is hereby amended by striking out the word "ten" in the second line thereof and substituting the word 'twenty,' so that said section, as amended, shall read as follows:

'Sec. 42. Value of clothing that may be advanced increased from ten to twenty dollars. Whenever any prisoner is released upon parole he shall receive from the state, clothing not exceeding twenty dollars in cost, and a non-transferable ticket, at his own expense, to the county where his "first friend" resides. The warden may, in his discretion, at the risk of the state, advance to any paroled prisoner the cost of a ticket as above provided and expenses not to exceed two dollars, and failure on the part of the paroled prisoner to return the money so advanced within sixty days may be declared a violation of parole warranting the return of the violator to prison.'

Approved March 12, 1919.

Chapter 60.

An Act to Amend Section Sixty-seven of Chapter Thirty-three of the Revised Statutes, as Amended by Chapters Two Hundred and Nineteen and Two Hundred and Forty-four of the Public Laws of Nineteen Hundred and Seventeen, Relating to the Licensing of Taxidermists.

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

R. S., c. 33, § 67, 1917, c. 219, am. § 67, 1917, c. 244; relating to the licensing of taxidermists, amended. Section sixty-seven of chapter thirty-three of the revised statutes, as amended by chapters two hundred and nineteen and two hundred and forty-four of the public laws of nineteen hundred and seventeen, is hereby amended by striking out all of said section and by substituting therefor the following section:

'Sec. 67. Residents to pay annual fee of \$5; unnaturalized, foreign born citizens to pay annual fee of \$25. The commissioner of inland fisheries and game may, in his discretion, upon application, issue a license to any bona fide resident of the State of Maine as a taxidermist, who, in his judgment, is skilled in that art, of good reputation and friendly to the inland fish and game laws of the state; resident citizens shall pay an annual fee of five dollars and unnaturalized, foreign born residents shall pay an annual fee of twenty-five dollars, for such license; taxidermists licensed as aforesaid may at all times have in their possession, at their