

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)

FIFTH REVISION.

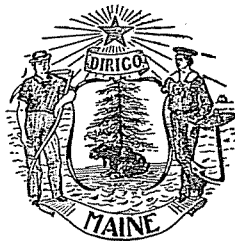
THE
REVISED STATUTES

OF THE

STATE OF MAINE,

PASSED SEPTEMBER 1, 1903, AND TAKING EFFECT JANUARY 1, 1904.

BY THE AUTHORITY OF THE LEGISLATURE.



AUGUSTA :
KENNEBEC JOURNAL PRINT,
1904.

TITLE TWELVE.

Public Institutions for the Punishment and Reform of Criminals
and the Care and the Cure of the Insane.

- CHAP. 141. The state prison. . . .
 142. Workhouses. Houses of correction.
 143. The state school for boys. The Maine industrial school for girls.
 144. The insane hospitals.

CHAPTER 141.

THE STATE PRISON.

SEC. 1. The state prison at Thomaston, in the county of Knox, shall continue to be maintained as the prison and penitentiary of the state, in which convicts, lawfully committed thereto, shall be confined, employed and governed as hereinafter provided.

Location.
R. S., c. 140, § 1.

SEC. 2. Punishment in the state prison by imprisonment shall be by confinement to hard labor, and not by solitary imprisonment, except as a prison discipline for the government of the convicts, as hereinafter mentioned. (a)

Solitary imprisonment, as discipline,
R. S., c. 140, § 2.
See §§ 10, 39.

SEC. 3. Convicts, sentenced to hard labor in the state prison, for life or for any term not less than one year, by any court of the United States held within the state, shall be received into the prison by the warden thereof, when delivered by the authority of the United States, and there kept in pursuance of their sentences.

Convicts of United States courts shall be received.
R. S., c. 140, § 3.

SEC. 4. The supervision of the state prison is vested in the governor and council, but its government and direction are in a board of three prison and jail inspectors, one warden, one deputy warden, one clerk, eleven guards, one of whom shall perform the duties of commissary, and such number of overseers and aids as the inspectors determine to be necessary.

Supervision and officers.
R. S., c. 140, § 4.
1885, c. 232.

SEC. 5. The inspectors and warden shall be appointed by the governor with the advice and consent of the council, and be commissioned to hold their offices during the pleasure of the executive, but not longer than four years under one appointment; one of the inspectors shall in his commission be designated as chairman. The warden shall give bond to the state in the sum of ten thousand dollars, with sufficient sureties, approved by the governor and council, conditioned that he will account for all moneys that come to his hands as treasurer of the state prison; that he will not be concerned in trade or commerce during his continuance in office; and that he will faithfully perform all the duties incumbent on him as warden of said prison; which bond shall be filed in the office of the secretary of state.

Board of inspectors and warden.
R. S., c. 140, § 5.
—appointment.
—warden's bond.

(a) 71 Me., 241; 74 Me., 161.

CHAP. 141.

Subordinate
officers.
R. S., c. 140, § 6.

—their
appointment.
—removal.

—bonds.

Duty of the
inspectors,
in reference
to the state
prison.
R. S., c. 140, § 7.

Shall audit
and settle
the warden's
accounts.
R. S., c. 140, § 8.
See c. 2, § 23.

Adjudicate
on alleged
improper
conduct of
warden, or
subordinates.
R. S., c. 140, § 9.
71 Me., 259.

Disorderly
prisoners,
punishment.

SEC. 6. The other officers before mentioned, shall be subordinate to the warden, and shall be appointed by warrant under his hand and seal, subject to the approval of the inspectors at their next meeting, to whom the warden shall make report thereof; they shall hold their offices during the pleasure of the inspectors and warden; but the inspectors, without the concurrence of the warden, may remove any such officer for negligence or unfaithfulness in the discharge of his duties, and appoint another in his place; and if the warden thinks that a subordinate officer ought to be removed, and the inspectors will not consent thereto, he may appeal to the governor and council, who, after reasonable notice to the inspectors, may make such removal and appoint some suitable person. The deputy warden and clerk shall give bond to the state with sufficient sureties, the former in the sum of five hundred dollars and the latter in the sum of one thousand dollars, to be approved by the inspectors, and conditioned for the faithful performance of their duties; which bonds shall be filed in the office of the secretary of state.

SEC. 7. The inspectors shall meet at stated times at the prison, once at least in every three months and oftener if necessary, to inspect its concerns, the manner of keeping the books and accounts, and the register of punishments kept by the warden; and shall from time to time carefully examine the same, and keep a record of their doings; one of them at least shall visit the prison once in each month to examine into all its concerns, and see that its laws and regulations are observed, and the duties of the several officers faithfully performed, and to advise with the warden, when thereto requested; and each of them shall at all times have free access to all parts of the prison, and be allowed to inspect and examine all the books, accounts and writings, pertaining to the prison, or its business, management and government. And the inspectors, as soon as may be after each stated meeting, or oftener if necessary, shall transmit to the governor and council a transcript of the record of their doings, and such other information relative to the concerns of the prison, as they deem proper.

SEC. 8. The inspectors, on the first day of each December, shall audit, correct and settle the accounts of the warden with the prison and the state, for the year ending on the preceding day, and make report thereof to the governor and council, to be laid before the legislature; which report shall exhibit an account of the stock of different kinds on hand at the beginning and at the close of the year; the several sums expended for materials, provisions, fuel, clothing, bedding, lights, tools and other articles; the amount of manufactures of each kind, and of all other articles sold from the prison; the profit or loss upon each branch of business; and all other particulars necessary to give the legislature a full understanding of the fiscal and other concerns thereof; and shall, at the same time, furnish an estimate of the probable income and expense of the prison for the ensuing year.

SEC. 9. They shall inquire into any improper conduct, imputed to the warden or any subordinate officer in relation to the concerns of the prison; and, for that purpose, may issue subpoenas for witnesses, and compel their attendance and the production of papers and writings; may examine witnesses under oath, administered by the chairman; and may adjudicate on such alleged improper conduct, in like manner and with like effect as in cases of arbitration.

SEC. 10. They shall examine into all disorderly conduct among the prisoners, and when it appears to them that a convict is disorderly, refractory or disobedient, they may order any punishment other than corporal

which they deem necessary to enforce obedience, not inconsistent with humanity, and authorized by the established rules and regulations of the prison.

SEC. 11. They shall, from time to time, establish such rules and regulations, consistent with law, as they deem necessary and expedient for the direction of the officers, agents and servants of the prison, in the discharge of their duties, and fix and regulate their compensation when not established by law; shall establish rules for the government, instruction and discipline of the convicts, and for their clothing and subsistence; and for the custody, preservation and management of the public property; and as soon as may be after the establishment of the same by the inspectors, they shall cause a copy thereof to be laid before the governor and council, who may approve, annul or modify them, and establish such other rules, consistent with law, as they see fit; the governor shall communicate all rules, thus approved, to the next legislature; and the inspectors shall cause a copy thereof to be certified by the clerk and delivered to the warden.

SEC. 12. The inspectors shall visit all the jails at least once in every three months, and inquire into the management of the same, give such advice in relation thereto as they deem useful and proper; classify all convicts in said jails, having regard to age, character and offenses; and for that purpose may order the county commissioners of either of the counties to make such alteration in their several jails as the inspectors deem necessary, in order to classify the convicts therein, and persons charged with crime; and if said commissioners, after such order, neglect or refuse to make such alteration, or to provide for the classification of convicts and persons charged with crime, the inspectors may cause said convicts and persons charged with crime to be removed to any jail where such alteration or provision for classification has been made, and the expense of the removal and keeping of such convicts or persons shall be paid by the county from which such convict or person is removed, and they may require the keeper of said jail to keep a calendar, with such statistics in relation to his jail as they may deem useful for future reference. Said inspectors may remove prisoners from jails where no arrangements have been made for the labor of convicts, to some work-jail, and when any jail has a larger number of convicts, either in custody or at labor than can be well accommodated, they may remove a portion of them to any other jail where better accommodations can be afforded. Any jail where arrangements have been made or shall be hereafter made for the labor of convicts committed for any special crime, or class of crimes, at any special kind of labor, shall be deemed a work-jail. For the removal of convicts as aforesaid, the inspectors may issue precepts to any officer qualified to serve precepts in criminal cases in his county, to cause such removal, whether such service is performed in whole or in part in one or more counties, and the expense of removal shall be paid by the county in which such convicts were sentenced. The inspectors shall make a report of the condition of all the prisons to the governor and council by the thirtieth day of November annually.

SEC. 13. The warden shall not carry on or be concerned in trade or commerce during his continuance in office; he shall reside constantly within the precincts of the prison, and have the care, custody and charge thereof, and of the convicts therein, in conformity to their sentences, and of the lands, buildings, machines, tools, stock, provisions and every other kind of property belonging to or within its precincts. He shall be the

CHAP. 141.

R. S., c. 140, § 10.
71 Me., 254, 260.Shall es-
tablish regu-
lations.
R. S., c. 140, § 11.
71 Me., 253, 259.—fix compen-
sations not
established
by law.
See c. 116, § 1.Powers and
duties of in-
spectors in
reference to
jails.
R. S., c. 140, § 12.
1895, c. 21.—may remove
prisoners
from one jail
to another.—may issue
precepts for
removal.—shall report
to governor
and council.Warden
shall not be
concerned
in trade or
commerce.—his duties.
R. S., c. 140, § 13.

CHAP. 141.

treasurer of the prison, receive, pay out and be accountable for all moneys granted for its maintenance, or derived from the manufactures or other concerns thereof; make in the books of the prison regular entries of all its pecuniary and other concerns, and, on the first days of March, June, September and December of each year, he shall render to the inspectors a fair account of all the expenses and disbursements, receipts and profits of the prison, with sufficient vouchers therefor, and a statement of its general affairs, for the quarter past, including the number of convicts received and discharged during the quarter, and the number remaining; and he shall also, on the same days, render, under oath, a similar account and statement, examined and approved by the inspectors, to the governor and council, with whom he shall settle all his accounts, whenever required.

See § 18.

His government in the prison.
R. S., c. 140, § 14.
71 Me., 254, 259.

SEC. 14. He shall inspect and oversee the conduct of the convicts, and cause all the rules of the prison to be strictly and promptly enforced; he shall give the inspectors immediate information of any officer who refuses or neglects to enforce the discipline established, and they shall forthwith remove any officer guilty of such neglect. He may punish any convict for disobedience, disorderly behavior or indolence, as directed by the inspectors or prescribed in the rules, and shall keep a register of all such punishments, and the causes for which they are inflicted.

Warden shall keep a record of each convict's conduct, and recommend a deduction of sentence.
R. S., c. 140, § 15.
1889, c. 184.

SEC. 15. He shall keep a record of the conduct of each convict, and for every month, during which it thereby appears that such convict has faithfully observed all the rules and requirements of the prison, the warden may recommend to the executive, a deduction of seven days from the term of said convict's sentence, except those sentenced to imprisonment for life. *Provided, however,* that this section shall not lessen the deduction, to which any convict under sentence on the thirteenth day of April in the year eighteen hundred and eighty-nine, would be entitled under the provisions of law then existing.

Submitted, quarterly.
R. S., c. 140, § 16.
71 Me., 254.

SEC. 16. The record, with the recommendation of deduction provided in the preceding section, shall be submitted by the warden to the governor and council once in three months.

Shall execute all precepts within the prison walls.
R. S., c. 140, § 17.
50 Me., 291.
74 Me., 289.

SEC. 17. The warden or his deputy shall serve, execute and return, all processes within the exterior walls of the prison yard, and they shall be directed to him or his deputy accordingly; and for the doings of his deputy, both the warden and the deputy shall be answerable. The warden shall have command of all the force for guarding the prison, and of all officers and persons employed under him in overseeing, guarding and governing it. For serving executions and returning processes, like fees shall be taxed as for sheriffs. The warden, on demand of an officer having a writ commanding him to replevy from the warden's possession, any goods or chattels of a private individual, not a prisoner, shall expose them outside of the prison yard, so that they may be replevied. The officer shall pay the warden a reasonable charge for removal, and tax the same in his fees on the writ.

—command the guard, officers and employees.
—how he shall obey a writ of replevin.

Shall take bills of supplies.
R. S., c. 140, § 18.

SEC. 18. The warden shall take bills of the quantity and price of supplies furnished for the prison, at the time of delivery, and exhibit them to the clerk, who shall compare them with the articles delivered; and if they are found correct, he shall enter them, with the date, in a book kept for that purpose; in like manner bills shall be taken and entered of all services rendered for the prison; and if any such bill is found incorrect, the clerk shall omit to enter it and immediately give notice to the warden, that the error may be corrected. Vouchers for all expenditures shall be taken in duplicate, and one copy of each shall be filed at the prison and the other with the governor and council.

—and bills of services.

—vouchers shall be in duplicate.

SEC. 19. All sales of limestone, granite or other articles from the prison, and the letting to hire of such of the convicts as the inspectors deem expedient, and all other contracts on account of the prison, shall be made with the warden, in the manner prescribed by the inspectors. No such contract shall be accepted by the warden, unless the contractor gives satisfactory security for its performance; and no officer of the prison shall be directly or indirectly interested therein.

CHAP. 141.

Warden shall contract for sale of articles from the prison, and for the labor of convicts, and shall require security.
R. S., c. 140, § 19.

SEC. 20. When the warden receives from any sheriff a warrant requiring him to remove a convict to the prison, he shall, by himself or such other person as he appoints or contracts with for that purpose, forthwith cause such warrant to be executed in the least expensive manner consistent with security of the convict; and he shall file said warrant, with his return thereon, in his office, and cause a copy of it to be filed in the office of the clerk of the court from which it issued.

Service of the warrant for the removal of convicts.
R. S., c. 140, § 20.
See c. 136, § 11.

SEC. 21. When, during the conveyance of any such convict to the state prison in pursuance of his sentence, it is necessary or convenient to lodge him for safe keeping in any jail until the residue of such conveyance can be conveniently performed, the keeper of such jail shall receive and safely keep and provide for him, until called for by the person employed to convey him as aforesaid, into whose custody he shall be delivered; and said jail keeper shall be allowed his reasonable charge and expenses incurred thereby, to be paid from the state treasury. When the warden believes that there are more convicts in the state prison than can be confined there securely, he shall certify the fact to the governor and council, who may authorize him to transfer them, so far as is necessary, to some jail; and the jailer thereof shall receive such compensation from the state treasury as he and the warden agree upon; but when the accommodations of the prison shall be so increased that they can be safely confined therein, the warden shall remove them from such jail to the state prison. The time during which they were so confined in jail shall be deducted from their sentences.

When convicts may be temporarily lodged in jails, at the state's expense.
R. S., c. 140, § 21.

SEC. 22. Actions, founded on any contract made with the warden in his official capacity, may be brought by or against the warden for the time being; and actions for injuries done or occasioned to the real or personal property of the state, and appropriated to the use of the state prison, or under the management of the warden thereof, may be prosecuted in his name; and no such action shall abate by the retirement, removal or death of the warden, but his successor, upon notice, shall assume its prosecution or defense. Neither the warden's person nor property shall be taken or attached in such suit, nor shall any execution issue against him on any judgment therein, but it shall stand as an ascertained claim against the state. And when a new warden is appointed, all the books, accounts and papers belonging to the prison, shall be delivered to him, and he shall be vested with all the powers of his predecessor and be subject to all his obligations with regard to all contracts, and debts due to or from the prison.

Of actions by or against the warden, officially.
R. S., c. 140, § 22.

—he may sue for injuries to state property.

SEC. 23. The warden, under direction of the governor and council, may sell and convey any real estate, to which he acquires title in behalf of the state, in the adjustment of debts due to the prison.

He may convey certain real estate.
R. S., c. 140, § 23.

SEC. 24. When a controversy arises respecting any contract or claim on account of the state prison, or a suit is pending thereon, the warden may submit the same to the determination of arbitrators or referees approved by the inspectors.

Warden may refer controversies.
R. S., c. 140, § 24.

CHAP. 141.

Warden is exempt from arrest.
R. S., c. 140, § 25.

—how a creditor may proceed with an execution against the warden.

Powers, duties and liabilities of deputy warden.
R. S., c. 140, § 26.

If the office of warden is vacant, the deputy shall give bond and act as warden and treasurer, and receive warden's pay.
R. S., c. 140, § 27.

—warden pro tempore.

Duties of the clerk.
R. S., c. 140, § 28.

Overseers.
R. S., c. 140, § 29.

Neglect of subordinate officers, how punished.
R. S., c. 140, § 30.

Employment of convicts.
1887, c. 149.
§§ 1, 2, 3.

—carriage making.

SEC. 25. The warden shall not be arrested on any civil process or execution while in office; but execution upon any judgment against him personally, and not in his official capacity, may be issued against his goods and estate only; and if it is returned unsatisfied, the creditor may file with the governor and council a copy of such execution and return, and serve on the warden a copy of such copy attested by the secretary of state, with a notice under his hand of the day on which such copy was filed; and if the warden does not, within forty days after such service, pay the creditor his full debt, with reasonable costs for copies and service thereof, he shall be removed; and when he ceases to be warden, alias executions may be issued against his body and property as in other cases.

SEC. 26. When the office of warden is vacant, or the warden is absent from the prison, or unable to perform the duties of his office, the deputy warden shall have the powers, perform the duties and be subject to all the obligations and liabilities of the warden.

SEC. 27. If the office of warden becomes vacant when the governor and council are not in session, the inspectors may require the deputy warden to give bond to the state, in the sum of five thousand dollars, with sufficient sureties to be by them approved, conditioned for the faithful discharge of his duties as deputy warden and treasurer; and, from the time that the bond is approved, the deputy shall receive the salary and emoluments of the warden instead of his former pay, while he performs the duties of the office; if he does not give such bond when required, the inspectors may remove him, and appoint a warden pro tempore, who shall give bond similar to that required of the deputy warden, have the power and authority, perform the duties, and receive the salary and emoluments of the warden, until a warden is appointed and enters on the discharge of his duties; and in such case, until the warden pro tempore is so appointed and gives bond, the inspectors, or either of them, shall be vested with all the powers and duties of warden.

SEC. 28. The clerk shall keep an account of all supplies purchased for the use of the prison, and of all articles sold and delivered therefrom; assist in effecting sales and purchases under direction of the warden; attend meetings of the inspectors, when they request it; keep a record of their proceedings; and perform any other services directed by the inspectors or warden, pertaining to his employment and the superintending of the prison.

SEC. 29. Persons having suitable knowledge and skill in the branches of labor and manufactures carried on in the prison, shall, when practicable, be employed to superintend such branches as are assigned to them by the warden; and all of them and the other subordinate officers shall perform the services in the management, superintending and guarding of the prison, as prescribed by the rules, or directed by the warden.

SEC. 30. If any such subordinate officer is guilty of negligence or unfaithfulness in the discharge of his duties, or of a violation of any of the laws or rules for the government of the prison, the warden, with the approbation of the inspectors, may deduct from his wages a sum not exceeding a month's pay.

SEC. 31. No more than twenty per cent of all the male convicts in the prison, shall be employed at any time, in any one industry, or in the manufacture of any one kind of goods and so far as practicable, the industries upon which said convicts shall be employed, shall be the manufacture of articles not elsewhere manufactured in this state. The manufacture and repair of all kinds of wagons, carriages and sleighs except the manu-

facture of infants' carriages, shall be considered one industry within the meaning of this section. This section shall not apply to the manufacture by said convicts, of any kind of goods which were not on the first day of January in the year one thousand eight hundred and eighty-eight, elsewhere manufactured in the state.

SEC. 32. All articles and goods manufactured at the prison for sale shall be distinctly labeled or branded with these words "Manufactured at the Maine State Prison."

SEC. 33. The inspectors and warden shall appoint some suitable person physician and surgeon of the prison, who shall visit the same daily, and whenever requested by the warden, to attend and prescribe for sick convicts, and to examine all convicts claiming to be ill, and determine their ability to work. He shall see that proper attention is paid to the clothing, regimen and cleanliness of those in the hospital, and advise when illness of any convict requires his removal thereto; and upon such advice and in other cases when he deems it necessary, the warden shall cause any sick convict to be forthwith removed to the hospital, there to receive such care and attention and to be furnished with such medicines and diet, as his situation requires, until the prison physician determines that he may leave it without injury to his health. He shall attend convicts in the insane department of the prison under the direction of the superintendent of the insane hospital at Augusta.

SEC. 34. If a pestilence or contagious sickness breaks out among the convicts in the prison, the inspectors and warden may cause any of them to be removed to some suitable place of security, where they shall receive all necessary care and medical assistance; and to be returned as soon as may be to the prison, to be confined according to their sentences, if unexpired.

SEC. 35. If any officer, or other person employed in the state prison or its precincts, voluntarily suffers, aids or connives at the escape of a convict therefrom, he shall be imprisoned in the state prison for any term not greater than the whole term for which the convict was sentenced; and if he negligently suffers any convict confined therein to be at large out of the precincts of the prison, or the cell or apartment assigned to him, or to be conversed with, relieved or comforted, contrary to law or the rules of the prison, he shall be fined not exceeding five hundred dollars.

SEC. 36. Whoever forcibly rescues or attempts to rescue any convict sentenced to the state prison, from the legal custody of any officer or other person, or from the state prison, jail or other place where he is legally confined, or causes to be conveyed to such convict, into such jail, state prison or other place, any tool, instrument, weapon or other aid, with intent to enable him to escape, shall, whether an escape is effected or not, be imprisoned in the state prison not more than twenty years, or fined not exceeding five hundred dollars.

SEC. 37. If any officer, contractor, teamster or other person delivers or has in his possession, with intent to deliver to any convict confined in the state prison, or deposits or conceals, in any place in or about the prison or its precincts, or in any wagon or other vehicle going thereto, any article, with intent that any convict therein shall obtain it, without consent or knowledge of the warden or deputy warden, he shall be imprisoned in the state prison not more than two years, or be fined not exceeding five hundred dollars and imprisoned not more than six months.

SEC. 38. If a convict, sentenced to the state prison for a limited term of years, assaults any officer or other person employed in the government

—proviso.

Articles shall be labeled. 1887, c. 149, § 4.

Appointment and duties of prison physician. R. S., c. 140, § 31. 1897, c. 294. See c. 116, § 1.

—care of sick convicts.

—care of insane convicts.

Pestilence or contagious sickness. R. S., c. 140, § 32.

Punishment of officers for suffering an escape. R. S., c. 140, § 33.

—or for allowing convict to go at large.

Rescue, or aiding prisoners to escape. R. S., c. 140, § 34.

Conveying, or attempting secretly to convey, any article to a convict. R. S., c. 140, § 35.

Penalty for convict assaulting an

CHAP. 141.

officer, etc.
R. S., c. 140, § 36.
74 Me., 162.

—warden
shall certify
to attorney of
Knox county.

Punishment.
R. S., c. 140, § 37.
See § 2.
71 Me., 254.

If resisted,
officers shall
use force.
R. S., c. 140, § 38.
71 Me., 260.

Warden to
keep arms
and ammuni-
tion, etc.
R. S., c. 140, § 39.
71 Me., 260.

Work-jail.
R. S., c. 140, § 40.

Measures
to retake
convicts,
escaping.
R. S., c. 140, § 41.

—aiding con-
victs to es-
cape, how to
be punished.

When term
commences.
R. S., c. 140, § 43.
71 Me., 246,
253, 259.

Convict's
property
shall be taken
care of by
warden.
R. S., c. 140, § 44.

Provision
for convicts,
on discharge.
R. S., c. 140, § 45.
1897, c. 220.

Fees from
visitors.
R. S., c. 140, § 46.

thereof, or breaks or escapes therefrom, or forcibly attempts so to do, he may, at the discretion of the court, be punished by confinement to hard labor for any term of years, to commence after the completion of his former sentence. The warden shall certify the fact of a violation of the foregoing provisions to the county attorney for the county of Knox, who shall prosecute such convict therefor.

SEC. 39. Solitary confinement, as a punishment for the violation of the rules of the prison, shall be inflicted upon the convict in a cell and he shall be fed on bread and water only, unless the physician certifies to the warden that the health of such convict requires other diet.

SEC. 40. If a convict sentenced to the state prison resists the authority of any officer, or refuses to obey his lawful commands, the officer shall immediately enforce obedience by the use of weapons or other effectual means; and if, in so doing, a convict thus resisting is wounded or killed by the officer and his assistants, they shall be justified.

SEC. 41. The warden shall constantly keep on hand a suitable and sufficient supply of arms and ammunition, at the expense of the state, and may require all officers and other citizens to aid him in suppressing an insurrection among the convicts in prison, and in preventing their escape or rescue therefrom, or from any other legal custody or confinement; and if, in so doing, or in arresting any convict who has escaped, they wound or kill such convict or those aiding him, they shall be justified.

SEC. 42. The four preceding sections apply to convicts and officers in the county jails having workshops attached thereto.

SEC. 43. When a convict escapes from the state prison, the warden shall take all proper measures for his apprehension; and may in behalf of the state offer a reward not exceeding fifty dollars for his apprehension and delivery. Whoever, not standing in the relation of husband or wife, parent or child, to the principal offender, conceals, harbors or in any way aids any convict escaping from the state prison, knowing him to be such; or furnishes such convict with food, clothing, weapon, matches or other article, or information that would aid him to escape recapture, shall be punished by imprisonment in the state prison for a term not exceeding the whole time for which the convict was sentenced, or by fine not exceeding five hundred dollars.

SEC. 44. No convict shall be discharged from the state prison, until he has served the full term for which he was sentenced, including the day on which he was received into it, unless he is pardoned, or otherwise released by legal authority.

SEC. 45. The warden shall receive and take care of any property that a convict has with him at the time of his entering the prison; when it is convenient, place the same at interest for his benefit; keep an account thereof, and pay the same to him on his discharge, or, in case of his death, to his representatives, unless otherwise legally disposed of.

SEC. 46. On the discharge of any convict who has conducted himself well during his imprisonment, the warden may give him from the funds of the prison a sum not exceeding ten dollars, and, if he requests it, a certificate of such good conduct; and shall take care that every convict on his discharge is provided with decent clothing.

SEC. 47. The warden may demand and receive of each person visiting the prison for the purpose of viewing the interior or precincts, a sum not exceeding twenty-five cents, under such regulations as the inspectors prescribe, which sum shall be expended, under direction of the teacher, in the purchase of school books for use of the prisoners.

CHAP. 142.

SEC. 48. The warden, on recommendation of the inspectors and with the approbation of the governor and council, may make such additional buildings or alterations within the prison or its precincts, as they deem necessary and proper.

SEC. 49. The governor shall annually appoint one of the council a committee, who shall, as often as the governor and council direct, visit the prison, make a thorough and careful examination into the condition of the prison and inmates, and its affairs and management, and report to them.

SEC. 50. The governor, on recommendation of the warden and inspectors, and with the approval of the council, may appoint and commission, to hold office during the pleasure of the executive, but not longer than two years under one appointment, a suitable person chaplain of the state prison; who shall, in accordance with the rules of the prison, perform religious services in the chapel every Sunday, visit the sick, labor diligently and faithfully for the mental, moral and religious improvement of the convicts, and aid them when practicable in obtaining employment after their discharge. With the assent of the inspectors, a Sunday school may be established, and persons from without, of proper character, may be admitted to assist in it.

SEC. 51. Besides the salaries and pay of the officers of the prison, there shall be appropriated, and annually paid out of the state treasury, fifty dollars for maintaining a school in the prison; fifty dollars for purchase of books for the use of convicts; the two sums last named to be expended by the warden under direction of the inspectors; and a sum not exceeding one hundred and fifty dollars for medicines.

SEC. 52. The governor, with the advice and consent of the council, may draw warrants on the state treasury in favor of the warden for all such sums as they, from time to time, deem proper, from appropriations for the support of the state prison.

Alterations may be made by warden, under the inspectors.
R. S., c. 140, § 47.

Governor shall appoint one of the council to examine prison.
R. S., c. 140, § 48.

Chaplain for the prison may be appointed.
R. S., c. 140, § 49.

—Sunday school.

Appropriations for school, books and medicines.
R. S., c. 140, § 50.
See c. 116, §§ 1, 11, 12.

Appropriations, how to be paid to the warden.
R. S., c. 140, § 51.

CHAPTER 142.

WORKHOUSES. HOUSES OF CORRECTION.

WORKHOUSES.

SEC. 1. Any town may erect or provide a workhouse 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 mispending what they earn, to the impoverishment of themselves and their families, are likely to become paupers. Any workhouse may, by vote of the town, be discontinued, or applied to other uses. Until such workhouse is thus provided the almshouse or any part thereof may be used for that purpose.

SEC. 2. Such workhouse shall be in charge of the overseers of the poor of the town maintaining the same, who shall have the inspection and government thereof, with power to appoint a master and needful assistants

Workhouse may be provided by any town.
R. S., c. 21, §§ 1, 19.
1903, c. 38, § 2.
See c. 27, § 28.

—persons liable to commitment.
11 Me., 210.
65 Me., 121.

—how workhouse may be discontinued.

Overseers of poor shall have charge.
1903, c. 38, § 3.