

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1843.

AUGUSTA:

WM. R. SMITH & Co., PRINTERS TO THE STATE.



1843.

TWENTY-THIRD LEGISLATURE.

No. 12.]

[SENATE.

ANNUAL REPORT

OF THE

WARDEN OF THE STATE PRISON.

[WM. R. SMITH & Co....Printers to the State.]

REPORT.

*To the Honorable, the President of the Senate
and the Speaker of the House of Representatives.*

In compliance with the requirements of law, the undersigned has the honor to submit the following

ANNUAL REPORT.

The whole number of convicts, Dec. 31, 1842, is 57, and they are employed as follows, viz :

In the Blacksmith Shop,	4	Waiters,	1
“ Shoemakers,	28	Lumpers,	3
“ Wheelwrights,	9	Barbers,	1
“ Tailors,	4	In Hospital,	4
“ Cooks,	2		—
“ Washers,	1	Aggregate,	57

In submitting this report, I do it with some degree of satisfaction, believing as I do, that the Legislature, and in fact the public generally, are anxious to know the condition of the institution and that of the unfortunate inmates therein contained. The convicts are generally healthy, as much so as could be expected, considering the cells are so uncomfortable at this inclement season of the year. I am happy to be able to say that the conduct of the prisoners for the year past, has been unusually good, and but slight punishments have been inflicted.

When the undersigned made his annual Report, at the close of the year 1840, he stated that for the first time since the erection of the Prison, it had paid all of its expenses and saved the sum of \$1,165 76 to the State. However, as the charge of the Prison went into other hands for the year 1841, and the Inspectors for that year labored hard and long to show that the Warden and Inspectors of 1840 had misrepresented the facts, and made

a statement that the Prison "never had nor never could" be made to pay its expenses, a committee of the last Legislature was authorized, and did call upon certain officers of the State Prison of last year, including the clerk, to appear before them with the books and papers of the Prison. And upon a full examination of the facts, that committee fully confirmed the statement made by the Warden and Inspectors of 1840; and further, the Prison, for the year 1841, sustained a loss of more than \$9,000.

When the undersigned took charge of the Prison the second time, January 28, 1842, he was still of the opinion that the Prison could be made to pay all of its expenses. Therefore, when the present Inspectors commenced taking the account of stock for Dec. 31, 1842, the Warden suggested the propriety of their appraising such property as they might find on hand, (the same being on hand when he took charge) precisely the same as did the commissioners of 28th January, 1842, and also all other property purchased since, at its original cost, leaving out all expenses of delivering it at the Prison. This being done, the Prison certainly is entitled to as much credit as the stock will show, when, it will be recollected, that the expense of going to Boston and other places to purchase stock and transport it, is considerable. All this expense being rejected, the Prison operations for 1842 will stand as well as represented, at least.

On an examination we find the Prison has paid all of its expenses during the last eleven months, including all the officers' salaries (except the Warden) and leaves a bonus to the State of \$838 13, besides \$409 21 paid to individuals in settlement of their accounts, that should have been reported in last year's operations; adding the same to last year's loss, makes a loss to the State, of last year, \$9,528 86, and a gain of this year to the State of \$1,247 54.

This may seem strange to persons unacquainted with the affairs at the Prison; but I trust, will be credited, when it is recollected that there are three good and competent Inspectors to look after the Warden, to see if he has vouchers for all charged, and that nothing can be allowed in any other way, and

that too under the scrutiny of a faithful clerk, whose duty it is to enter in the Prison books all such sums, and produce such vouchers for inspection. I trust I shall be pardoned for thus fully explaining this affair, when it is recollected that the Inspectors for 1841, went so far out of their way to hunt up affairs, for which they had no authority, and for which there was no foundation. This is the first opportunity the undersigned has had to contradict the unjust imputations made upon him by the Inspectors for 1841, when they say the Prison "never has nor never can pay its expenses."

Now gentlemen, I will predict that the Prison will for the next year, pay a revenue to the State of at least \$1,500, including all the officers' salaries, except the Warden's, unless some unforeseen loss shall happen to it. We shall need no appropriation for the year 1843, further than for officers' salaries, and if indebted persons pay the Prison, for which they owe, \$8,287 58, we shall not need all the salary, as the Prison owes only \$4,181 26, leaving a balance due the Prison of \$4,106 32. It may well be supposed that some portion of the last mentioned balance will prove worthless, as the bankrupt law is still in operation, and some few of the creditors of the Prison have taken advantage of it. Nearly all the stock and tools represented to be on hand by the Inspectors, Dec. 31, 1842, are available property, and will be sold during next year, deducting the tools, which must always be had and reckoned as property on hand. The shops are all better stocked than at any former period, and it will be seen, mostly paid for. The appropriation made last winter was much needed, and used to pay the losses of last year, occasioned by the fire, &c. I would suggest the propriety of furnishing an engine with suction hose for the use of the Prison, as such an expense might save the State much property, as we are continually exposed to that destructive element, fire. The first of December a fire was discovered in one of the shops at eleven o'clock in the evening, but by the vigilance of the night watch, who discovered it in season, and the prompt aid of the officers at the Prison, it was subdued with but little or no loss.

If, however, a few moments more had elapsed, an engine might have been necessary to have saved the buildings, &c.

The workshops are good and convenient, and the convicts comfortable while at work ; but when called from their daily labor, what is their situation ? They are jambed into a sort of dungeon or cell, constructed of granite rock, 9 or 10 feet deep, 9 by 5 wide, let down from the top through a kind of trap door, where they remain until called for to perform their daily labor the next day, having no means by which to warm themselves while in these cells, except their bed clothes, which are often damp, at this inclement season of the year. How different would be the feelings of their humane overseer while closing upon the unfortunate convicts the door of a well constructed cell, in which they could be made warm and comfortable through the night, from what they now are, knowing as he does, that through the day these, his fellow beings, have toiled willingly and hard to remunerate the State for taking care of them, while they are justly suffering the penalty of the law which they have broken. Certain I am, if the Legislature of Maine, knew how much misery and unhappiness these bad constructed cells causes the convicts, they would provide a remedy immediately, especially when it can be done with but trifling expense.

I hardly know whether to say anything to the Legislature on the reconstruction of the cells or not. I have at former periods made known the necessity of an alteration, and it has also been urged in strong terms by my predecessors, and many of the Inspectors, but without effect. However, believing as I do, that the State certainly should attend to this duty, I will ask leave to suggest the propriety of being authorized to commence this reform during this year. If the State ever intends to make an alteration, and upon the Auburn plan, it seems to me that now is the time. Now the number of convicts is small. They could all be secured at night in one wing and the Hospital, while the other wing of cells could be taken away, and the wall of the outer Prison, which will contain the cells, could be built with rock taken from the Prison quarry by those convicts who have no

mechanical trade, and by the Prison team. All the work except that of masons, could be done by the Prison carpenters, blacksmiths, &c. By building this outer wall permanently, leaving only one large door through which all the granite for the cells would pass as fast as the cells were completed, they could be occupied with perfect safety while the other or last wing of cells could be taken away. And if in closing there should be a lack of granite, which might be the case, the balance could be had from the State quarry on Georges' river, with but trifling expense. I am of the opinion that some eight or ten thousand dollars would be sufficient to do all the work, payable as the work progresses, in the course of two or three years, so that the State would hardly feel the expense. There is always a number of convicts who have no trade when they enter the Prison, and some of them for such short terms that it is almost impossible to learn them a trade. These are called Lumpers, and could be employed at quarrying the rock, so that it will be perceived that all our mechanical business can still go on as usual, while the cells are building. If this is not done it will be necessary to introduce some other business or trade into the Prison. A sufficient quantity of lime rock has been quarried to supply all of the Prison customers for the next year, unless the demand for lime should increase. Although business of all kinds is depressed, yet it will be perceived that there has been much manufactured stock sold.

In closing this report, I am happy to be able to add that the several subordinate officers connected with the Prison, are generally industrious and attentive to their duty, which renders the burthen of the Warden much lighter and much more satisfactory, when he believes they feel an interest in the welfare of the Prison, and an interest for the State. Finally, for the year past, everything has transpired to make the duty of the Warden pleasant and interesting, than otherwise. All of which is respectfully submitted.

BENJAMIN CARR, *Warden.*

Maine State Prison, January 2, 1843.

Dr.**The State of Maine in account with the State Prison.****Cr.**

9

1842.			1842.		
Jan. 28.	For amount stock and tools on hand } as per Commissioners,	7,552 61	Dec. 31.	By amount of stock and tools on } hand, per Inspectors,	13,119 88
"	" paid for Transporting Prisoners,	400 00	"	" amount rec'd from Blacksmith- } ing, purchases deducted,	573 63
"	" " Convicts discharged,	181 52	"	" am't rec'd from Lime Quarry, } purchases deducted,	359 94
"	" " Fuel, sales deducted,	684 15	"	" am't rec'd from Wheelwrights, } purchases deducted,	464 92
"	" " Clothing, sales deduct'd } Team, " "	356 09	"	" am't rec'd from Shoemaking, } purchases deducted,	1,403 73
"	" " Building and repairs, } sales deducted,	176 43	"	" am't rec'd from visitors,	71 76
"	" " Subsistence, sales ded'd	1,518 83			
"	" " Sundry expenses,	583 46			
"	" " Officers salaries, ex- } cept Warden,	3,650 84			\$15,993 86
"	" " Balance in favor of } Prison,	838 13			
		<u>\$15,993 86</u>			

STATE PRISON.

	For am't due individuals on Books,	2,879 55		By balance brought down,	838 13
	" " " " Notes,	1,301 71		" am't received of State Treasurer,	5,968 00
	" balance in favor of State,	10,912 45		" " due from individuals on books	6,725 95
				" " " " " notes,	1,561 63
		<u>\$15,093 71</u>			
					<u>\$15,093 71</u>

LINCOLN, ss.—January 2, 1843. Then personally appeared BENJAMIN CARR, Warden of the State Prison, and made oath that the above account is true according to the best of his knowledge and belief.

BEFORE ME,

GEORGE A. STARR, *Justice of the Peace.*

Examined and compared with vouchers and found correct.

JOHN MERRILL, }
GEO. A. STARR, } *Inspectors.*
BENJ. F. BUXTON, }

STATE OF MAINE.

IN SENATE, Jan. 11, 1843.

ORDERED, That 300 copies of the foregoing Report be printed for the use of the Legislature, and 50 additional copies for the use of the Warden.

ATTEST:

JERE HASKELL, *Secretary.*