

# MAINE STATE LEGISLATURE

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DOCUMENTS

PRINTED BY ORDER OF

THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1846.



*AUGUSTA:*

WM. T. JOHNSON, PRINTER TO THE STATE.

1847.

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# TWENTY-SIXTH LEGISLATURE.

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No. 9.

SENATE.

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## ANNUAL REPORT OF THE WARDEN OF THE STATE PRISON.

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*To the Honorable the Senate  
and House of Representatives :*

Agreeably to law, the undersigned most respectfully submits the following, as the annual report of the Maine State Prison for the term of one year and four months, ending 30th of April, 1846.

There are now confined in the Prison, 60 convicts and they are employed as follows, viz :

In the Quarry,	12	In the Smith Shops,	4
“ Shoe Shop,	24	“ Wheelwrights’ Shops,	7
“ Tailors,	3	In the Hospital,	3
Washers,	2	Lumpers,	2
Waiters,	1		—
Cooks,	2	Aggregate,	60

The last annual report was made to the Legislature, 31st of December, 1844. By reference to that report, it will be seen there was then in confinement, 75 prisoners, and a decrease since that time, of fifteen in number, or twenty per cent. We should be glad to believe that crime had also decreased in the same proportion. It must be a happy reflection, when we are informed that our State, numbering 500,000 inhabitants, has in our State Prison, no more than 60 prisoners. Other States, we are sorry to say, are not so fortunate. Some of them have in their State Prisons, some three

and four, and even as high as fifteen hundred prisoners, besides a large number in Houses of Correction.

The condition of our Prison as it regards health and comfort, never was better. Our former anticipations in this matter are fully realized. Now all of the convicts have good warm and dry beds to sleep in. The new Prison has been in operation about eighteen months, and the comfort which the prisoners must have enjoyed during the two cold winters, is worth all the expense of erecting it.

The finances of the Prison are in a good condition, as much so as could reasonably be expected, when we take into account, that it is sixteen months since my last report, which includes two winters. In the winter, our expenses are much more than in the warmer part of the year. In looking at the general account, a large item of expense will be seen in the article of wood. Before the erection of the new Prison our expenses in winter were more than in summer, and since that time have been increased, as we consume a larger quantity of wood in the new Prison, fires being kept during the night, to warm the prisoners. The price of wood for the last year has been much higher than for many years. There is another cause for enhancing our expenses, which is the scarcity and high price of potatoes, as well as that of corn, &c.

In my last report, I then ventured to predict that the Prison would not need an appropriation for any thing, including officers' salaries; but the reasons just given, I trust, will be sufficient to show that we have needed and received the salary of officers. In addition to the above reasons, is one more, and a stronger one. At the time I last reported, a large portion of our convicts were under contract to Samuel Bigelow, of Boston, for five years. After having them some five or six months, he failed, and his contract was stopped, leaving a debt due the Prison for the labor of convicts.

A suit was instituted, and prosecuted to judgment, against Bigelow and his bondsman, a part of which, only as yet, has been received. If this contract had been carried out in good faith, as we had reason to believe it would, we should not have needed even the salaries of the officers.

The Prison now owes \$8,395 00, and has due \$12,089 78,

leaving a balance in favor of Prison, of \$3,694 78. Some portion of this sum will not be collected, as in all such demands a portion will be worthless. A large portion of the Prison liabilities are due to individuals trading with the Prison, which are arranged for and all its debts are paid at maturity. We have in stock and tools on hand, at this time, \$17,437 89, which is an increase from last year of \$4,215 59. The Prison has paid all its expenses during the last sixteen months, and \$1,822 80 towards officers' salaries.

The question is now asked, as it has been before, if the Prison pays its way, why call for the salary of officers? The answer is, the surplus of \$3,694 78, added to \$17,437 89 in stock, and the new Prison of \$13,177 44, you have the sum of \$34,310 11, and about \$9,000, occasioned by fire, &c., in 1841; in this you have \$43,310 11. The State has paid in appropriations and subordinate officers at the Prison, since 26th of April, 1839, the sum of \$41,014 59. The stock on hand, on the 26th of April, 1839, was \$9,554 28, to be added, which is \$50,568 87; from this deduct \$43,310 11, and you have \$7,258 76, total loss or expense more than income, in seven years and four days, since the present incumbent took charge and has been in charge since, except one year.

There are some \$2,000 00 more to be deducted from the \$7,258 76, that the Prison has in property on hand, such as new lime kiln sheds, and other repairs of real estate about the Prison, and making over the entire fence about the yard, &c., &c. Then the whole expense will be \$5,258 76. I have thought proper to be thus particular in making plain this statement, as some persons who look at the tables or general account, do not readily understand them. I have no doubt that the Prison will be able to go along this year, by receiving the salary of officers from the State. I am in hopes to reduce the liabilities of the Prison this year, and shall endeavor to square them all off, by the collection of dues from those indebted to the Prison. I am of the opinion that the Prison will soon cease to be a drain upon the treasury, although it cannot be expected to pay as well with our small number of convicts, as it

would with a much larger number. We are thankful that the number is small, yet the same number of officers is required to take care of 60 that it would, if there were 160 prisoners.

There is now pending in the Massachusetts' court, a suit brought by the Prison, for non-fulfillment of contract made in 1840. If this case is decided in favor of the Prison, which we have reason to suppose it will, it will make quite a difference, as the sum in suit is some \$1,700 00, besides several hundred dollars already paid out in prosecuting that suit. If on the other hand, it should be decided against the Prison, it will make the difference of cost, interest, &c.

I have nothing new to advance to the Legislature, as I believe we now have as good a Prison as there is in the Union, though not so costly. I am so informed by persons who have made it their business to examine all, and they give ours the preference. I am fully satisfied now, that our Prison is no longer a disgrace to the State, except to those who are unfortunate enough to be confined in it. It is clean, healthy and comfortable, and but one thing lacking to make it more comfortable, and that is the Hospital to which I alluded in my last report. The Hospital now used is unfit and always must be, located as it is. It needs fresh air.

Perhaps I should apologise to the Legislature for the omission in not making my report as heretofore, on the 31st December, 1845. It will be recollected that an act passed at the last session of the Legislature closing the political year on the 30th of April, as the time of the meeting of the Legislature was altered to May and as the law requires the Warden of the Prison to report to the Legislature. I failed to attend to that duty in December last, therefore my report contains sixteen months' operations of the Prison, instead of twelve months as heretofore. I found when it was too late that the political year ended on the 31st of December, last year, and on the 30th of April after that time. I am not aware that any evil grows out of the omission, as the Legislature were not in session to receive my communication, and a considerable expense must have accrued in taking an account of stock in December last, without any profit to the State. The subordinate officers of the Prison

are faithful and attentive to duty and take an interest in its welfare and discipline. I am happy to say that nothing has transpired since my stay at the Prison, between the subordinate officers and the Warden and Inspectors, of an unpleasant kind, but all has been harmony.

The Inspectors are frequent in their visits, vigilant in their duty, always rendering aid to the Warden in the discharge of his duty, which enables him to be the more serviceable to the unfortunate inmates.

I trust you will have the necessary information in regard to the treatment of the convicts, from the Inspectors, and as they are familiar with these matters, I leave it for them to inform you, through the Governor.

BENJAMIN CARR.

Thomaston, May 11, 1846.

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

1844.			1846.		
Dec. 31.	For stock and Tools on hand,	13,222 30	April 30.	By stock and Tools on hand,	17,437 89
	“ paid Officers’ salaries,	5,783 83		By cash received from visitors,	144 49
	“ “ Convicts discharged,	439 04		By cash received of convicts admitted,	6 45
	“ “ Clothing,	1,021 23		By rec’d and chg’d for Clothing,	335 76
	“ “ Fuel and Light,	1,183 79		“ “ Fuel and Lights,	24 16
	“ “ Lime Quarry,	1,034 25		“ “ Lime Quarry,	2,811 05
	“ “ Wheelwrights,	2,589 62		“ “ Wheelwrights,	3,889 60
	“ “ Building and Repairs,	684 61		“ “ Build’g & repairs	35 22
	“ “ Team,	779 12		“ “ Team,	669 83
	“ “ Subsistence,	3,954 72		“ “ Subsistence,	589 47
	“ “ Shoemaking,	9,776 97		“ “ Shoemaking,	10,678 14
	“ “ Expense account transporting Con- victs, &c.	1,215 68		“ “ Expense account,	101 24
	“ “ Blacksmithing,	943 19		“ “ Blacksmithing,	1,944 52
		<u>\$42,628 35</u>		By Balance,	3,961 03
					<u>\$42,628 35</u>

BENJAMIN CARR.

LINCOLN, ss.—May 11, 1846.

Personally appeared, Benjamin Carr, and made oath that the above account is true 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.

BENJ. F. BUXTON,  
 GEORGE A. STARR,  
 STEPHEN BARROWS, } *Inspectors.*



### Convicts.

Number of Convicts, December 31, 1844, . . . . .	75	Whole number of commitments since July 2, 1824, . . . . .	881
Received since, . . . . .	29	Discharged on expiration of sentence, . . . . .	654
	—	Pardoned, . . . . .	134
	104	Died, . . . . .	26
Discharged on expiration of sentence, . . . . .	38	Escaped and not retaken, . . . . .	7
Pardoned, . . . . .	4	Present number, April 30, 1846, . . . . .	60
Died, . . . . .	2		— 881
	— 44		
	—		
Remaining number, April 30, 1846, . . . . .	60		

STATE PRISON.

### Crimes.

Rape, . . . . .	1	Murder sentence commuted, . . . . .	1
Assault with intent to kill, . . . . .	1	Murder awaiting sentence of death, . . . . .	1
Larceny, . . . . .	37	Murder in the second degree, . . . . .	1
Arson, . . . . .	4	Forgery, . . . . .	3
Burglary, . . . . .	5	Lewd and lascivious cohabitation, . . . . .	1
Adultery, . . . . .	4		—
Passing counterfeit money, . . . . .	1		60

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## Convicts in the State Prison, April 30, 1846.

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County.	Names.	Sentence.	Crimes.	When committed.	Place of Birth.	Age.	No.com.
Lincoln,	Akers, Nathaniel	Life.	Arson.	Sept. 24, 1841.	Gorham.	30	3
do.	Alexander, James	5 years.	Larceny.	Oct. 29, 1844.	Northport.	40	2
Cumberland,	Allen, John T. G.	2 years.	do.	Oct. 11, 1845.	Deerfield.	32	
Waldo,	Ball, Benjamin	15 years.	do.	Dec. 1, 1834.	Boston.	31	3
Washington,	Brannick, William	Life.	Burglary.	Aug. 1, 1842.	Ireland.	28	
Cumberland,	Blackstone, Edward	4 years.	Adultery.	Dec. 3, 1842.	England.	60	2
Penobscot,	Brown, Joshua,	2 years.	Larceny.	Oct. 11, 1844.	Greene.	24	
Cumberland,	Brown, George jr.	4 years.	do.	March 26, 1844.	Portland.	24	
Lincoln,	Cremer, Israel	10 years.	Arson.	Sept. 25, 1843.	Waldoborough.	35	
Penobscot,	Cornelius, Thomas	4 years.	Larceny.	Oct. 26, 1843.	N. Brunswick.	28	
Cumberland,	Cole, Isaiah	5 years.	do.	March 26, 1844.	Philadelphia.	29	2
do.	Carleton, George W.	3 years.	Adultery.	May 5, 1844.		41	
York,	Cole, Elisha	5 years.	Passing counterfeit money.	Oct. 11, 1845.	Buxton.	41	
Cumberland,	Dyer, Martha A.	10 years.	Larceny.	Oct. 17, 1839.	Pittsfield.	38	
do.	Davis, James	5 years.	do.	June 29, 1844.	Portland.	18	3
Penobscot,	DeBoice, James	3 years.	do.	June 25, 1845.	Woodstock.	21	
do.	Donegan, William	2 years.	do.	Oct. 30, 1844.	Ireland.	36	5
Oxford,	Delano, Nathan B	2 years.	Burglary.	Nov. 15, 1845.	Livermore.	18	
Penobscot,	Drew, Smith	2 years.	Larceny.	June 25, 1845.	Hampden.	18	
Kennebec,	Daly, James	1 year, 6 months.	do.	Jan. 3, 1846.	Augusta.	22	
Oxford,	Briggs, Philip H.	1 year.	do.	June 27, 1845.	Minot.	20	
Penobscot,	Bailey, George	1 year, 6 months.	do.	Nov. 3, 1845.	Italy.	35	
Kennebec,	Fogg, Elijah	Life.	Arson.	Oct. 20, 1838.	Gorham.	28	
Lincoln,	Fox, Robert	2 years.	Forgery.	Sept. 17, 1844.	England.	45	
Waldo,	Fletcher, Stephen	3 years.	do.	Dec. 21, 1844.	Prospect.	23	
Cumberland,	Finney, Edward	1 year.	Lewd & lascivious cohab'n.	July 10, 1845.	Ireland.	30	
Waldo,	Green, Henry	6 years.	Larceny and Arson.	April 1, 1844.	Ireland.	19	
Penobscot,	Graffam, Oliver	3 years.	Adultery.	Dec. 20, 1845.	Baldwin.	29	
Somerset,	Hill, John	Life.	Arson.	June 25, 1842.	England.	53	

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Kennebec,	Hilton, John	5 years.	Larceny.	Aug. 27, 1844.	Alna.	47	
Penobscot,	Horton, William	1 year, 6 months.	do.	Nov. 3, 1845.	England.	23	
do.	Hurd, Newhall	1 year.	do.	June 25, 1845.	Hampden.	18	
Cumberland,	Hunt, William H.	1 year, 6 months.	do.	Oct. 25, 1845.	New York.	19	
Waldo,	Kennedy, Michael	4 years.	do.	April 2, 1844.	Ireland.	35	6
Washington,	Lysle, Samuel	4 years.	do.	Oct. 9, 1843.	England.	20	
Penobscot,	Leavett, Eliphalet	5 years.	do.	Oct. 26, 1843.	N. Hampshire.	31	
Kennebec,	Lewis, John E.	2 years.	do.	Aug. 26, 1845.	England.	27	
Penobscot,	Mahoney, Charles	2 years.	do.	Feb. 19, 1846.	Ireland.	38	
Me. Dis.U.S	Moore, John	2 yrs. & \$25 fine.	Assault to kill.	Oct. 21, 1845.	N. York.	27	
Cumberland,	Nickerson, Freeman	3 years.	Larceny,	March 22, 1845.	Cape Cod.	45	2
Washington,	Owen, Walter	1 year.	Adultery.	Aug. 4, 1845.	Lubec.	23	
Cumberland,	Owen, Thomas jr.	5 years.	Larceny.	May 29, 1846.	Portland.	19	
do.	Pinkham, Nicholas	Life.	Rape.	May 2, 1846.	Freeport.	60	
do.	Richardson, Oliver D.	12 years.	Larceny.	July 1, 1843.	Otisfield.	37	5
Lincoln,	Richards, Nathan	7 years.	Burglary.	Sept. 25, 1843.	Wayne.	27	3
Penobscot,	Spencer, Isaac	Life.	Murder, commuted.	Feb. 21, 1836.	Orono.	21	
Washington,	Sharkey, Thomas	Life.	Burglary.	Aug. 1, 1842.	Ireland.	22	
Lincoln,	Smith, Robert	5 years.	Adultery.	Aug. 9, 1844.	Ireland.	23	
Kennebec,	Stevens, Russell F.	2 years.	Larceny.	April 29, 1846.	Boston.	24	
Cumberland,	Sweetser, Charles	2 years.	do.	March 29, 1846.	Portland.	19	
Waldo,	Starr, Arthur	4 years.	do.	April 1, 1844.	Ireland.	29	2
Penobscot,	Sawyer, Henry	5 years.	do.	Feb. 19, 1846.	Saco.	38	2
Cumberland,	Thorn, Thomas	To be hanged.	Murder.	May 17, 1843.	Long Island.	24	
York,	Thompson, Otis	2 years.	Larceny.	Nov. 7, 1844.	Portland.	17	
Somerset,	Wheeler, Samuel	2 years.	do.	April 11, 1845.	Canaan.	32	2
Oxford,	Willis, Isaiah	4 years.	Forgery.	May 31, 1845.	Middleboro'.	67	
Cumberland,	Wilson, James	2 years.	Larceny.	March 22, 1845.	Derby.	50	
do.	Murray, James	5 years.	do.	March 29, 1846.	Ireland.	23	
Waldo,	Crossley, James	1 year.	do.	Feb. 23, 1846.	England.	47	
Penobscot,	Varney, Richard	Life.	Murder, 2d degree.	Dec. 20, 1845.		27	
Cumberland,	White, Lewis	5 years.	Larceny.	June 29, 1844.	Portland.	17	2

STATE PRISON.

# STATE OF MAINE.

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IN SENATE, June 9, 1846.

Laid on the table, and 300 copies hereof ordered to be printed for the use of the Senate, and 50 additional copies for the use of the Warden of the State Prison.

DANIEL T. PIKE, *Secretary.*