

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1849.



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1850.

TWENTY-NINTH LEGISLATURE.

No. 21.]

[SENATE.

ANNUAL REPORT OF THE INSPECTORS OF THE STATE PRISON.

*To the Governor and Executive Council
of the State of Maine:*

The Inspectors of the Maine State Prison submit the following report for the year ending April 30, 1849.

The general operations of the prison have been carried on during the past year, without any material change either in the discipline of the convicts or in the different departments of labor; and notwithstanding the scarcity of money and the high price of provisions, the pecuniary situation of the prison is quite as good as usual.

The present number of convicts is sixty-seven; they are situated and employed as follows:

In Smiths' shop, . . .	7	Tailors,	5
Wheelrights, . . .	11	Washers,	2
Cooks,	2	Lumpers,	5
Waiters,	2	In solitary,	2
Sick in hospital, . . .	1		—
Shoemakers,	30	Total,	67

One great reason why the operations of the prison are not particularly affected by the state of money matters, is the great care that is taken to have every article manufactured of the very best material and in the most workmanlike manner. Without doubt more profit would for a short time result from a different course. By making poor work at a low rate, a larger amount would undoubtedly find sale, but in a short time the reputation of the work would be such as to render it difficult, if not impossible, to carry on the different departments of labor.

The present amount of stock is \$17,042.62, being larger by \$364.41 than at the close of the last year. A large portion of the above stock consists in manufactured articles, and with the amount due from individuals, will probably be quite sufficient to meet the ordinary expenses of the prison without drawing upon the treasury except for the amount of the officers' salaries.

A resolve was passed at the last legislature authorizing the construction of a new building for hospital and separate confinement, and for repairing the warden's dwelling-house, but as the resolve was not received at the prison till about the middle of October last, it was impossible for the warden to do anything in way of constructing, but he immediately made arrangements for having the materials furnished, so as to commence the work early this spring.

The inspectors are informed that a large portion of the granite is already quarried, and will be delivered at the prison in a few days, when the work will be immediately commenced.

The appropriation of \$2,000, made by the last legislature, will not be sufficient to complete the building and repairs. At the time the committee from the legislature visited the prison last season, it was estimated that the cost of materials would be about \$4,700, and that it would require that sum at least, in order to carry the resolve into execution.

Unless an appropriation is made to complete the work, the operations of the prison will be very much embarrassed, or the work must be suspended.

This alteration is very much needed, and the inspectors are of

opinion that it will be necessary in a short time to have still more rooms for separate confinement, as it will be almost impossible to carry on the operations of the prison with safety unless certain alterations are made in the law relating to convictions for murder and other aggravated offenses, without keeping quite a number of convicts in separate confinement, under the law authorizing such confinement where the safety of the officers, or other convicts, requires it.

The inspectors would again recommend an alteration in the law, so that murderers should not be allowed to associate with those who are confined for a short term for comparatively slight offenses. Such a distinction seems to be absolutely necessary ; even justice to convicts whose crimes are against property alone requires such a regulation, and the pecuniary interests would be promoted by such an arrangement.

If reformation is an object of confinement, surely but little can be expected so long as the cold-blooded murderer is looked upon, not as particularly guilty, but as unfortunate—so long as he is treated in such way as, if possible, to make him forget his crime, and he is allowed to associate with other convicts. It is impossible under the congregate or associate system to prevent convicts from communicating with each other. In most cases it will be the principal study of the murderer to sour the minds of other convicts towards the laws of the State and the officers of the prison. He is led to this course for the purpose of increasing the number and value of companions, in hopes that he may by his own plans and their assistance be enabled to effect an escape.

The inspectors are aware that great care and judgment are required in adopting laws for crimes and regulations for convicts in prison. This subject has received much attention from the advocates of the two systems of prison confinement known as the "separate system" and the "congregate or associate system." Each of these systems has its warm advocates, and much good has undoubtedly resulted from their investigations ; but in examining this subject many of the advocates of the congregate system seem either

willingly or inadvertantly to confound the terms "separate" and "solitary" as applied to prison discipline, and carry their notions of moral influences so far as almost to make the prisoner forget his crime and degradation and to look upon himself merely as an unfortunate individual; and they often go far towards making him forget that his residence is within the walls of a prison, by furnishing extensive libraries, establishing schools, and introducing singing and debating clubs. While all these comforts are allowed to prisoners—while they are scarcely permitted to hear of crime and its consequences—while they are led to believe that they are only required to go hand in hand with the officers, moving on the same level and enjoying about the same privileges—while they are permitted to consult their own feelings whether they will work or play, there is great danger that a premium is offered for crime.

While the inspectors would cheerfully recommend every measure calculated to improve the mind of the convict and call into action his better feelings, they cannot think that justice, either to society or the convict, requires that their condition while in prison should be better than that of a majority who are at liberty, and who in many cases are obliged to contribute towards the expense of their confinement.

The food of prisoners should be good and wholesome, but of plain quality, without luxuries; their clothing and bedding should be such as to prevent any suffering from cold, and their general health carefully regarded. They should be allowed the use of suitable books when not employed in their departments; but in the opinion of the inspectors, they should not be permitted to converse together; should not be allowed to form acquaintances, compare notes, concoct mischief, plan depredations and even murder to be carried into execution by the first one liberated; should not have opportunity for forming attachments so strong with companions in guilt, as to offer inducement after their discharge to commit crimes merely for the purpose of serving another term with their prison acquaintances.

The principal study of a convict sentenced for life, or for a long

term, is to make his escape—and in order to effect his purpose will leave no means untried ; and he will undoubtedly look to the assistance of his companions to carry his plans into execution, rather than to rely upon executive clemency on the score of good behavior, so long as they are permitted to be together. On this account, it appears that every interest would be promoted by having such convicts at least placed in separate confinement. In this way they would be better situated for reviewing their past life and laying a foundation for reformation, other convicts would be relieved from their contaminating influence, the officers of the prison relieved from a great care, and the State from much expense growing directly from their evil designs and intrigues.

The inspectors are aware that there is great diversity of opinion in relation to prison discipline. While one party is strongly urging constant separate confinement, as the best calculated to secure the public and reform the guilty, another as strongly advocates the congregate system, with full confidence that every convict is capable of being thoroughly reformed, if means are used to operate upon his better feelings. The one party believing that imprisonment is intended as a punishment for crime so far as the criminal is concerned, and for the protection of the public against the thief and the murderer, while the other as strongly contends that the only object of improvement is the reformation of the convict. While such is the feeling in relation to prison discipline, and while such vigorous efforts are made to abolish capital punishment, the protection of the public, duty to other convicts, and justice to the murderer, seem to require that he at least should be subjected to separate confinement. Surely, if reformation is the object of his imprisonment, it can as well be accomplished in separate confinement as elsewhere.

The inspectors have thus briefly alluded to this subject in order to call attention to the necessity of a change in the law. If capital punishment is to be abolished, and those now in our jails awaiting trial for murder should be sentenced to the prison, the comparative number of those under life sentence would be great, and their

influence over other prisoners would probably lead to disastrous results, and the expense of a sufficient guard to take care of them would more than pay for their support in separate confinement.

The annexed tables will show the situation of the various departments and general standing of the prison. The inspectors have no particular account of the appropriation of the last legislature for constructing the new building, as contracts, and bargains have been made for materials, and the whole amount will appear in the account of money due to the prison. If the amount is charged, it would be necessary to credit all contracts, or all the materials furnished on said contracts, a large part of which is not yet delivered.

The report of the chaplain will show what efforts have been made for moral improvement, and the inspectors would call attention to his suggestions in relation to an increase of books from the library.

The physician has not furnished a report, but by examining his book of entry the inspectors are satisfied that the health of the prisoners has been well looked after. There has been no death during the past year, nor has there been any protracted case of sickness.

By examination of the commissioners' account of stock taken in 1839, it appears that the whole amount of stock at that time was \$9,554 28. At that time all the accounts and notes were taken from the prison, leaving nothing but the above stock, which included the usual amount of tools and stock in expense account.

The present amount of stock and tools is \$17,042 62, and the balance due from individuals on notes and accounts is \$9,321 56. Add to these sums \$6,177 00, amount expended on the building erected a few years since, and it appears that the prison is better by \$22,986 76 than when the present warden took charge of it; in other words, that it has paid \$22,986 76 towards officers' salaries over the ordinary expenses of the prison.

In closing this report, the inspectors express their entire satisfaction as to the manner in which the warden has conducted the affairs of the prison. While he has carefully watched the pecuniary

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interests of the State in every way, he has in no instance been neglectful of his duties to the convicts.

The appearance of the books shows that the clerk has, as usual, been faithful in the discharge of his duties—and the conduct of all the subordinate officers has been exemplary.

BENJAMIN F. BUXTON, } *Inspectors of*
GEORGE A. STARR, } *Maine*
STEPHEN BARROWS, } *State Prison.*

MAINE STATE PRISON, }
April 30, 1849. }

CHAPLAIN'S REPORT.

To the Inspectors of the State Prison of Maine :

As my appointment to the chaplaincy is very recent, you will not expect a labored report. It must suffice, therefore, to present a few facts as they have occurred to me. The prison services are to me both agreeable and instructive. In addition to the sabbath school we have two services in the chapel on every sabbath. Owing to the prison regulations,—as well as some interest on the part of the prisoners themselves,—order, decorum and solemnity are maintained during these services. It is believed that the instruction imparted is adapted to them in all the variety of circumstances with which they are connected. And it is believed also, that we must rely upon the great fundamental principles of christianity for all permanent reformation in this depraved and unfortunate class of men. The chaplain visits the prisoners every week in their cells, where there is every facility of imparting and impressing religious truth. These visits are received with great apparent interest and kindness.

Many of the prisoners read not only religious books, but scientific. They would read much more if the State would furnish them books. As the prison is a State institution and under her fostering care, she will not, we trust, be unmindful of its wants. As other States in this Union have provided their prisons with good libraries, we hope our own will not be behind others in this respect, but manifest an interest in the prison by providing it with a good library. This, we believe, is due to the prison itself as well as to the dignity of the State.

Feeling a deep interest in the welfare of the prisoners and the need of divine aid, and desiring the prayers and co-operation of the good, I remain yours with deep respect,

EDWARD FREEMAN, *Chaplain of the
State Prison of Maine.*

Thomaston, May 1, 1849.

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Punishments.

1848.		
May	20. Geo. F. Kenney, for talking and laughing,—sentence,	2 days solitary.
"	27. Robert Becket, for disobedience and talking,	4 do.
June	11. James H. Frost, for talking,	2 do.
"	11. Joseph H. Johnson, for talking,	2 do.
"	29. Thomas Sharkey, for insolence, &c.,	3 do.
"	29. Wm. Bannick, for insolence, &c.,	5 do.
"	30. Isaac Spencer, for insolence,	7 do.
July	14. Robert Beckett, for insolence, &c.,	6 do.
"	19. Joseph T. Lander, for writing and idleness,	5 do.
Aug.	23. Joseph T. Lander, for writing and having tobacco,	3 do.
"	28. Charles Kenza, for writing in a clandestine manner,	5 do.
Sept.	7. O. D. Richardson, for noise in his cell,	3 do.
"	7. William Bell, for noise in his cell,	3 do.
"	21. Charles Kenza, for resisting the orders of an overseer,	11 do.
"	23. Henry Sawyer, for insolence,	2 do.
"	25. Isaac Spencer, for insolence,	12 do.
Oct.	4. Oliver Graffam, for singing,	3 do.
"	16. James Murray, for noise in his cell,	2 do.
"	17. George Buxton, for stealing hard bread,	2 do.
"	18. Henry Green, for insolence,	3 do.
"	31. Isaac Spencer, for noise and insolence,	8 do.
Nov.	2. Robert Beckett, for disorderly conduct,	4 do.
Dec.	4. Jonathan Chadwick, for noise in his cell,	2 do.
"	5. Hugh Hayden, for writing to convicts,	2 do.
"	5. George Buxton, for talking and insolence,	3 do.
"	8. William H. Storer, for disobedience,	1 do.
"	8. Charles Kenza, for writing to convicts,	7 do.
"	11. Wilmot H. Boyd, for swearing and threatening,	4 do.
"	19. Thomas Sharkey, for talking,	1 do.
"	19. Jonathan Chadwick, for talking,	1 do.
"	27. Manness Morse, for insolence,	4 do.
1849.		
Jan.	1. William Bell, for negligence and insolence,	2 do.
"	19. Wilmot H. Boyd, resisting and assaulting the Deputy Warden with a Club,	1 do.
Feb.	18. James H. Frost, for writing and refusing to give it up,	& chain & elog.
"	21. Nathaniel Akers, for talking,	1 day solitary.
"	21. George Moore, for talking,	1 do.
"	24. John Q. A. Trenholm, for talking,	1 do.
Mar.	16. Robert Beckett, for insolence,	4 do.
"	21. Isaac Spencer, for disobedience and insolence, &c.,	8 do.
"	26. Hugh Hayden, for attempting to sell his clothes,	1 do.
April	18. William Bell, for disrespectful language,	2 do.
"	26. William Bell, for disobedience and insolence,	8 do.

Statement of Receipts and Expenditures in the various Departments from April 30, 1848, to April 30, 1849.

<i>Wheelwrights' Department.</i>			
1848.			
April 30,	To stock and tools on hand,	5,836 58	
	To charged to department since,	2,375 49	
			8,212 07
1849.			
April 30,	By stock and tools on hand,	6,570 96	
	By credit to department,	3,300 95	
			9,871 91
	Balance in favor of department,		1,659 84
—			
<i>Shoemaking Department.</i>			
1848.			
April 30,	To stock and tools on hand,	3,075 56	
	To charged to department since,	2,654 18	
			5,729 74
1849.			
April 30,	By stock and tools on hand,	2,953 35	
	By credit to department,	4,567 38	
			7,520 73
	Balance in favor of department,		1,790 99
—			
<i>Blacksmiths' Department.</i>			
1848.			
April 30,	To stock and tools on hand,		1,683 37
	To charged to department since,		775 75
1849.			
April 30,	By stock and tools on hand,		1,503 78
	By credit to department,		1,938 96
—			
<i>Lime Quarry Department.</i>			
1848.			
April 30,	To stock and tools an hand,		3,115 02
	To charged to department since,		852 32
1849.			
April 30,	By stock and tools on hand,		2,081 77
	By credit to department,		1,701 94
—			
<i>Team Department.</i>			
1848.			
April 30,	To stock and tools on hand,		515 00
	To charged to department since,		802 17
1849.			
April 30,	By stock and tools on hand,		743 00
	By credit to department,		882 58

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Statement of Receipts and Expenditures—(Continued.)

<i>Subsistence Department.</i>		
1848.		
April 30,	To stock on hand,	288 95
	To charged to department since,	2,260 15
1849.		
April 30,	By stock on hand,	345 79
	By credit to department,	307 47
—		
<i>Fuel and Lights Department.</i>		
1848.		
April 30,	To stock on hand,	76 00
	To charged to department since,	1,273 88
1849.		
April 30,	By stock on hand,	539 00
—		
<i>Clothing Department.</i>		
1848.		
April 30,	To stock on hand,	1,015 06
	To charged to department since,	615 84
1849.		
April 30,	By stock on hand,	1,221 07
	By credit to department,	139 07
—		
<i>Expense Account Department.</i>		
1848.		
April 30,	To stock on hand,	1,072 67
	To charged to department since,	1,657 48
1849.		
April 30,	By stock on hand,	1,083 90
	By credit to department,	72 63

Receipts and Expenditures not included in the foregoing tables.

Received from state treasury,	6,857 25
“ visitors,	164 35
“ convicts admitted,	11 32
“ building and repairs,	1 20
Expended for officers’ salaries,	4,676 65
“ convicts discharged,	201 60
“ building and repairs,	416 56

Statement of Stock and Tools in various Departments.

1848.			
April 30,	Whole amount of stock and tools, .		16,668 21
1849.			
April 30,	Amount in Wheelwrights' department, .	6,570 96	
	“ Shoemaking department, .	2,953 35	
	“ Blacksmiths' department, .	1,503 78	
	“ Lime Quarry department, .	2,081 77	
	“ Team department, .	743 00	
	“ Subsistence department, .	345 79	
	“ Fuel and Lights department, .	539 00	
	“ Clothing department, .	1,221 07	
	“ Expense account department, .	1,083 90	
			17,042 62

Statement of Notes and Accounts.

1848.			
April 30,	Amount due from individuals on notes and accounts, .		15,146 63
	Amount due to individuals on notes and accounts, .		7,059 35
	Balance in favor of prison,		8,087 28
1849.			
April 30,	Amount due from individuals on notes, . .		1,102 87
	Amount due from individuals on accounts, . .		14,016 77
	Amount due to individuals on notes, . . .		1,803 02
	Amount due to individuals on accounts . . .		3,995 06
	Balance in favor of prison,		9,321 56

*Number of days occupied by Convicts in different Departments,
for the year ending April 30, 1849.*

In Quarry,	728	Waiters,	586
In Smiths' shop,	1,462	Lumpers,	529
In Shoe shop,	8,478	In hospital, (sick,)	500
Wheelwrights,	3,092	In solitary,	716
Tailors,	1,177	Sabbath, (in cells,)	3,070
Cooks,	554	Stormy, (in cells,)	24
Washers,	426	Holiday, in (cells,)	215

STATE OF MAINE.

IN SENATE, July 16, 1849.

ORDERED, That 1,000 copies of the foregoing Report, be printed
for the use of the Legislature.

DANIEL T. PIKE, *Secretary.*