

MAINE STATE LEGISLATURE

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSIONS

A. D. 1851--2.

Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1852.

REPORT

OF THE

COMMISSIONERS

FOR THE ESTABLISHMENT OF A

STATE REFORM SCHOOL,

MAY 14, 1851.

Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1851.



R E P O R T .

To His Excellency, JOHN HUBBARD,
Governor of the State of Maine :

THE undersigned, having been appointed commissioners under a resolve of the legislature, entitled a "Resolve for the establishment and erection of a State Reform School," passed August 20th, 1850, respectfully

R E P O R T :

That on entering upon the discharge of the duties required of them by the resolve, they immediately instituted such inquiries, and engaged in the collection of such information as they deemed necessary to enable them satisfactorily to accomplish the object contemplated by the legislature.

They have sought, by personal observation, and by correspondence and consultation with persons whose reputations for judgment, experience and wisdom gave value to their opinions, to possess themselves of all the knowledge belonging to the subject, which might be required to direct them in the services they were called upon to perform.

The enterprise committed to their care is comparatively new. Until quite recently, institutions having for their object the employment and reformation of juvenile offenders, had not formed a prominent feature in the penal legislation of any of the states, nor to any considerable extent, had they been adopted by the governments of Europe. They were looked

upon, rather as the appropriate objects of private benevolence, than as institutions demanding the care and patronage of the state, and though countenanced and encouraged by some enlightened governments, received but little public pecuniary aid.

Under the harsh and revolting provisions of a criminal code, as impolitic as it was cruel and unjust, the distinctions of age and circumstances were too often overlooked, and the instruction and reformation of the offender neither attempted nor considered.

The stubborn and wayward boy was permitted to grow up into the depraved and vicious man; or if arrested in the incipient stages of crime by the strong arm of the law, was committed to the penitentiary or jail, to receive by association with confirmed and hardened criminals, new lessons in depravity and fresh incentives to guilt. Governments were supposed to have fulfilled their obligations, when the youthful offender was convicted and punished; the higher and more comprehensive duty of instructing and reclaiming him, was reserved for the enlightened and practical legislation of recent times.

In this state, much has been done to direct the minds and guard the morals of the young. The institutions of religion—the sabbath school—the common school—are every where accessible, and are constantly exerting a powerful influence in resisting the flood of juvenile depravity, which with the increase and concentration of our population, is spreading with alarming rapidity around us. But while the temples of knowledge and virtue stand always open, and the ministers at their altars are ever waiting to dispense their invaluable treasures “without money and without price” to those who seek them, it is notorious, that multitudes of children and youth, most in need of their ministrations, never enter their portals; that in all our cities, villages and towns, there is a large class of children, over whom neither moral, educational, nor wholesome parental influences are ever exercised. With so little to prepare

them against the temptations of the world, and constantly exposed to the corrupting influences which surround them, can we wonder, that they so often fall into evil habits, and become easy and willing victims to those criminal propensities, against the indulgence of which, the most careful culture cannot always guard? We need hardly go to the statistics of crime, which however abundantly establish the fact, to know, that by far the larger portion of arraigned or convicted criminals are from those, whose early education and training had been neglected or misdirected, and though instances are sometimes found, where the natural proclivity to vice is so strongly manifested, that no moral or mental culture can eradicate or overcome it, experience warrants the assertion, that when separated from the influences which moulded his character, and subjected to proper restraint and reformatory discipline, the youthful criminal may, in most cases, be reclaimed and saved.

To accomplish this desirable object—to rescue from the initiatory schools of iniquity, such of our youthful population as have entered upon a career of crime—to separate them from vicious associates and contaminating examples—to place them where habits of decency, of order, of industry and sobriety can be easily enforced—to teach them their duties to society and to God, and to inculcate better principles and higher aims than had been disclosed to them before, is the high and noble object of this, and other similar institutions.

It is an object well deserving the attention of a wise and paternal government, and will amply repay the efforts it may cost. It is striking at the root of an evil, against which society is constantly called upon to combat, and if successful, will do much to dry up and exhaust the most prolific source of vice and crime.

Recent investigations, instituted by the public authorities, both in this country and abroad, disclose an alarming increase of juvenile depravity. The researches and inquiries of the undersigned have abundantly proved, that in our own state,

the extent and magnitude of the evil have not been overstated ; that the representations which induced the legislature to provide for the establishment of a reform school in Maine, were neither unfounded nor exaggerated, and that in no other way within the scope of their legislative authority, can so much evil be averted, or so much good accomplished.

It has been said, that the enterprise contemplated by the legislature is, to some extent, new. They are entering, however, upon no untried experiment. Though recent, the efficiency of these institutions is believed to have been fully tested, and their happy adaptation to the necessities of a populous community, thoroughly demonstrated.

National institutions for the employment and reform of juvenile offenders are now in successful operation in England, Scotland and France. In Boston, New York and Philadelphia, they have existed for some years as local institutions ; they have now been adopted in all the states in which those cities are located, and sufficient means provided from the public treasuries for their continuance and support. Within the past year, in addition to our own, similar institutions have been authorized by the legislatures of New Jersey, Rhode Island, Ohio and New York, the latter being in addition to that formerly established, and to be located in the western section of the state. In Connecticut, a resolve for the same object received the sanction of the popular branch of its legislature, but was not perfected in the senate.

As regards the condition and usefulness of these institutions abroad, and in distant states, the undersigned can judge only from the reports which they have been able to procure. They are represented as fulfilling, to a remarkable extent, the expectations of their founders, and as producing results, which fully verify the most sanguine anticipations which were entertained concerning them.

The limits of this report forbid the insertion of any considerable extracts from the reports which have been examined ;

two or three, however, they will venture to give. The following is taken from a report to the government, upon the Parkhurst institution, in the Isle of Wight:—"All nations have an equal interest in the reformation of criminals. The frightful injury to society from permitting the juvenile delinquent to grow up into the confirmed villainy of manhood, should stimulate all governments to the immediate establishment of juvenile reformatory prisons."

From the report of the minister of Justice in France, upon the institution at Mettray, they also extract:—"I consider these institutions too well established and too rational not to be in all respects maintained wherever they exist, and established wherever they can be."

In a report upon a similar institution in Pennsylvania, they find the following:—"They have done immeasurable good, and have fully justified the high expectation which were entertained of them."

Of the establishment in New York, there is the following testimony:—"No disciplinary institution in our country promises to effect more for society than the house of refuge for juvenile delinquents." To what extent this promise has been fulfilled, the following extract from a presentment of the grand jury of that county, rendered to the criminal tribunal of which it formed a part, in June 1848, will show.

In speaking of the Juvenile House of Refuge, the jury say: "Here has been in active and successful operation one of the noblest and most beneficent reformatory systems ever devised by human philanthropy. The physical, moral and intellectual redemption of thousands, who were almost lost, has been achieved, and still the good work is going on faithfully and efficiently. The inmates are carefully instructed in the useful branches of a plain English education, and are employed in various handicrafts qualifying them to fill respectable stations in society, when they are fitted to return to its duties and its

privileges. The records abound with proofs and illustrations of the happy agency exerted by the refuge." Similar passages, extracted from these and other official reports, might be multiplied to any extent.

Of the inefficiency of the penitentiary and the jail to produce upon the young offender, that reformation of character, which in his case, should be the great end of punishment, and of the adaptation of proper reformatory institutions to effect this paramount object, the undersigned have met with numerous and pertinent illustrations.

They cannot be exhibited in a stronger light, than by placing in juxtaposition, the following statements in regard to each, founded upon incontestable authority.

"I assisted, says a magistrate connected with the police of a populous town, in the conviction of fourteen boys. They were all committed to penitentiaries or jails."

In an examination before a parliamentary committee, instituted three years since to inquire into the causes of the late increase of juvenile delinquency, and to suggest a remedy therefor, conducted by Lord Brougham as chairman, the same magistrate states, that he had traced the subsequent career of these youthful convicts, and gives their history as follows:—"One had died, one was not heard of, one was then in prison, and the remaining eleven had been sentenced to transportation for aggravated offenses."

He adds his conviction, that had these boys been subjected to proper discipline in a reformatory institution, many of them might have been saved.

A letter, written by a highly respectable and intelligent gentleman in Massachusetts, to one of the undersigned, states, that he had received a large number of boys from the House of Reformation at South Boston, as apprentices. He commenced receiving them as early as the year 1835, and had continued to take them from time to time, from that period to the present ;

without any exception, they had proved honest and faithful, were good apprentices, and such of them as had arrived at their majority, had made respectable and worthy men.

These are probably extreme cases; with the most ample allowance, however, they prove quite enough. The commissioners add, that in all the well conducted establishments to whose operations they have had access, the proportion reclaimed, is stated to exceed three fourths of the whole number committed.

The several establishments devoted to this object in the commonwealth of Massachusetts, the undersigned have personally visited and examined. The house of reformation at South Boston accommodates about one hundred boys, and is wholly supported by the city of Boston. It has been in existence many years, and notwithstanding some disadvantages under which it labors, its operations have been attended with signal success.

There are several other institutions of a similar character situated in the vicinity of that city, devoted to the employment and instruction of vagrant and vicious boys; they are all represented as eminently useful, and have given abundant proofs of the importance and value of their labors.

The State Reform School at Westborough, was established about three years since, and may be considered as in many respects, a model institution. Designed to afford a refuge and a home to its erring children, where all the influences which spring from wholesome restraint, mild government, healthful employment, and regular moral and intellectual culture can be steadily exerted, the state has spared no expense to render it an abode, at once fitting and attractive. Its location is pleasant and convenient, and the buildings well adapted to the wants of its inmates. Here, in this secluded and tranquil retreat, withdrawn from vicious associations, and surrounded by all the influences which serve to purify and elevate their moral natures, are congregated between three and four hundred con-

vict boys; they are collected from various sections of the state, and as the records show, must have been from among the worst class of its juvenile population. Many of them had been previously arrested, some of them several times imprisoned; most of them were habitual truants, and all had been following habits which would probably have led them to misery and crime.

At the date of the last annual report of the superintendent of this institution, four hundred and forty boys had been received. Of this number,

- 169 were without fathers;
- 108 were without mothers;
- 194 had intemperate fathers;
- 57 had intemperate mothers;
- 350 were without steady employment;
- 367 were truants from school;
- 172 had been previously arrested;
- 116 in prisons, some of them several times.

If it be true "that the boy is father to the man," what, but for the timely interposition of the state, would have been the present condition and future prospects of these boys?

The most carefully educated child may fall into temptation and guilt—the most exposed and neglected may escape; but these are the exceptions, not the rule; and from early training and habits, such as are here indicated, nothing but continued and increasing depravity could be reasonably anticipated.

In this institution, sufficient means are provided for labor, both upon the farm and within the building; for cleanliness, regularity, instruction in school, recreation, and the religious exercises of the Sabbath. The inmates seem cheerful, contented and happy, soon become attached to the establishment and their teachers, and are sufficiently interested in their labors and studies. The disposition manifested to escape is much less than might be expected; very few such instances have occurred, and after becoming well settled at the institution, they do not seem to think of it. About one hundred of its first

inmates have already left the institution, as apprentices to farmers and mechanics; and of these, the superintendent states that he has received the most favorable accounts; they are steady and industrious, and their conduct justifies the hope that their reformation is thorough and permanent.

To this institution, the undersigned had been led to look with more interest, as it was both larger in its accommodations, and more unrestricted in its means, than any other within their reach; it is, moreover, the first institution of its kind undertaken by a state government in New England, and might in that respect, be entitled to their especial consideration.

They derived from the examination the most unmingled satisfaction, and cannot but regard it as among the most useful, as it certainly is the most interesting, of the many noble public institutions which adorn that ancient commonwealth: and as time rolls on, developing more and more its immeasurable capacities for good, many a virtuous and worthy citizen, reclaimed in early life from degradation and vice by its kindly influences, will rise up to call it blessed.

Having thus possessed themselves of such information as they were able to command, the undersigned proceeded to execute the more important duties with which they were charged. Among the first of these was the selection of a site. The city of Portland had previously offered the gratuitous use of one of the islands in its harbor. They visited several of these, in company with the mayor and other members of the city government, and though they might have found a location upon one of them, combining many advantages, they were ultimately of opinion, that there would be inconveniences growing out of so insulated a position, more than sufficient to counterbalance any facilities it might afford. They visited a great number of farms, some of which were pointed out as possessing all the necessary requisites, and among others, that known as the "Carter farm," in the town of Cape Elizabeth. Attracted by the general appearance of the farm, and being directed to it

as one of the best in the State, they were induced to give it a minute and particular examination, and were so well satisfied with its superior adaptation to the purpose required, that they applied to the proprietor to ascertain the terms upon which it could be purchased. The price demanded was \$9,000, a sum which, though perhaps not above its value, they considered much beyond the amount they would be justified in paying.

As soon, however, as it was known that the commissioners regarded it as a suitable location, the public authorities of the city, with an unexpected and extraordinary degree of liberality, proposed to make the purchase from the funds of the city, and present it to the state, for the purpose indicated in the resolve. They did even more than this; they voted with entire unanimity, to authorize the purchase of any farm in the vicinity of Portland, which the commisssoners might select as best adapted to the purpose in view. The commissioners could not hesitate in their decision; and though they subsequently visited some other farms at the request of their owners, they returned entirely satisfied with the predilections they had originally entertained for the Carter farm. The farm lies upon the easterly side of the old post road from Portland to Saco, and extends eastwardly to the shore of Long creek, which forms its southeastern boundary; it is just within the limits of the town of Cape Elizabeth, about four miles from Portland, and in full view from the high grounds at either end of the city. The farm contains about one hundred and eighty acres of land, about thirty of which is in thrifty growing wood; the soil is fertile and easy, and the surface agreeably diversified; the water is pure, abundant and unfailing, and the whole farm has been kept, by careful husbandry, in good condition; there is a substantial and good sized brick dwelling-house of two stories, and three large barns, upon the premises, and the annual crop of grass is about one hundred and twenty tons; the elevated ground upon its southern line, where it is proposed to erect the building, commands a full view of the whole farm,

and an extensive and variegated prospect of the surrounding country.

Upon notifying the mayor that the commissioners had selected this farm as the site of the institution, the city authorities immediately effected the purchase, and a deed was subsequently executed from the city to the state, which is herewith placed in your hands. The commissioners, finding that but little progress could be made in the erection of the building until late in the season, have leased the farm and buildings during the present year for the sum of five hundred dollars. It may perhaps be thought, that the location upon which they have decided, is not as near to the geographical center of the state as might have been desired. There are many recommendations, however, in its favor. The city of Portland is now of easy access from all parts of the state, and by the several railroads which diverge from it, and the facilities afforded by steamers along the coast, may be reached more conveniently than any other point. The vicinity of a good market will render the labor of the inmates valuable and productive, and the proximity of the institution to a highly moral and intelligent community deeply interested in its success, will have a favorable influence. These considerations, independent of the noble donation made by the city, render the location suitable and proper.

Having finally decided upon a site, the commissioners next proceeded to the inquiry as to the size, materials, plan, &c., most proper, under the circumstances, for the building. The question presented itself, as to what extent they ought to go. The legislature, having directed that a suitable building should be erected, without defining or limiting its extent or cost, the commissioners were obliged to rely upon their own judgments, as to the probable accommodations that would be required, and the expense the legislature would be willing to incur. They had originally intended to provide for the accommodation of a small number at first, taking care to have the building so constructed as to admit of easy extension to meet the future wants

of the state. But the examination they made in other states, the inquiries prosecuted in our own, and an inspection of the returns procured by your excellency's direction, showing the number of minors committed to the jails in the several counties during the three preceding years, satisfied them, that the calculations they then made were altogether too limited.

They found also, that by diminishing the size of the building, they could not proportionably reduce the expense, and while they were anxious to avoid the expenditure of a large sum, they considered it for the ultimate interest of the state, to provide a building that should meet its wants for many years to come.

They concluded therefore, after much patient investigation, to procure a plan of a building, that would accommodate about three hundred inmates, incurring no expense for the interior fitting or furnishing, further than might be required for the first years of its operations. In doing this, they availed themselves of the services of Messrs. Dwight and Bryant, of Boston, the former having had much experience in the construction and management of such institutions, and the latter, an architect of high reputation. This plan has been perfected in all its details, and submitted to the inspection of the governor and council, under whose superintendence the commissioners were required to act, and it having met their approval, they advertised for proposals to construct it. These proposals will be received on or before the 21st instant, the right being reserved to the commissioners to retain them until the first of June, and to reject any or all of them, if the interest of the state requires them to do so.

The plan has been prepared with great care, and is arranged with a view to all the conveniences which such a building requires. It is believed to be, in every respect, adapted to the various wants of the institution, and while no considerable expense has been incurred for decoration or ornament, it is in good taste, and will be durable, appropriate and comfortable.

The estimates made by the architect, exclusive of exterior draining and the grading and levelling of the grounds, amount to the sum of fifty-eight thousand eight hundred dollars; this sum includes items to the amount of about three thousand dollars, which it is not proposed to include in the contract, but afterwards to add when the building shall have been erected. The commissioners estimate, that the expense of procuring water, grading and levelling the grounds, fitting and furnishing the superintendent's house and the rooms of the inmates, the school rooms, work shops, &c., will require the sum of ten thousand dollars. Of this, the commissioners estimate that twenty thousand dollars, in addition to the ten thousand appropriated last year, and now available, will be required the present season; the balance will not be needed until next year.

The undersigned are aware, that the sum required to construct and furnish the buildings, and to put the institution in operation, is large. They would not recommend it, did they not believe, with the legislature which authorized it, that the best and highest interest of the state require it. They believe, that the state will be reimbursed, even in a pecuniary sense, in the saving it will ultimately effect, and that in the moral culture, and the intellectual and industrial training of its vicious and criminal youth, it will reap an incalculable reward.

They have only to add, that in carrying out the design of the legislature, it is their sincere desire, as it will be their earnest endeavor, to establish an institution which shall be creditable to the state, and in keeping with the purpose for which it is intended—to expend the means with which they may be entrusted in a manner best calculated to accomplish the object contemplated by the resolve, and in the smallest measure that may be found consistent with the attainment of that end.

The “system for the government of the institution, and the laws necessary and proper to put the same into successful operation” which the commissioners were directed to prepare for the consideration of the legislature, have been carefully con-

sidered, and a draft, embodying their views, and embracing provisions applicable to our state, has been prepared, and will be seasonably placed in your hands.

The undersigned, in closing their report, beg leave to express their obligations for the many valuable suggestions received from the executive. They are also under obligations to many private individuals for the information communicated, and to the superintendents of all the reform institutions to whom they have applied. To the able and excellent superintendent of the Reform School at Westborough, they owe their special acknowledgments; he devoted to them much of his valuable time, and has rendered them the most essential assistance.

H. J. ANDERSON, }
 JOHN W. DANA, } *Commissioners &c.*
 HENRY CARTER, }

MAY 14, 1851.

STATE OF MAINE.

IN COUNCIL, May 15, 1851.

ORDERED, That 2,000 copies be printed for the use of the Legislature.

ATTEST:

JOHN G. SAWYER, *Secretary of State.*