

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1857.

PART SECOND.

AUGUSTA:
STEVENS & BLAINE, PRINTERS TO THE STATE.
1857.

THIRTY-SIXTH LEGISLATURE.

SENATE.]

[No. 15.]

STATE OF MAINE.

THE Committee on the State Prison, to whom was referred "so much of the Governor's Address as relates to the State Prison, together with the reports of the Warden and Inspectors of said Prison," and a "Resolve making an appropriation for improving the buildings at the State Prison," have had the several papers under consideration, and ask leave to

REPORT:

That in obedience to an order of the Legislature, a part of the Committee visited the Prison on the fourth of March last, and examined into its affairs, as far as their authority and limited time permitted. From what they could learn, they were satisfied that the police of the Prison is properly and judiciously managed, and the prisoners humanely treated.

The rations and clothing allowed them, were in their opinion sufficient to render them comfortable. Perhaps it may not be improper to allude to the mode of punishment used at the Prison. Until recently, it has been inflicted by solitary confinement in cells constructed for the purpose. These cells are cold and damp, and confinement in them for any considerable length of time, cannot fail to operate injuriously on the health of the persons confined.

especially on those predisposed to pulmonary and rheumatic complaints.

If some other mode of punishment could be substituted, it should be done, and this solitary confinement dispensed with. During their visit to the Prison, they had an opportunity of examining that "instrument of the inquisition" which the Inspectors felt constrained to notice at such length in their report. After a careful examination of this notorious machine, the Committee feel constrained to say, that they find in it nothing that very strongly smacks of the "dark ages" or of "monarchical governments." The principle upon which it operates, is the same all of us have seen, and perhaps felt in our school-boy days, when some vexed school mistress has tied together the wrists of some unlucky urchin with a tow string, and suspended his arms by drawing the string over the back of a chair, which, in their opinion, is not much of a "thumb screw operation."

With regard to the financial condition of the Prison, its present indebtedness, and the expense of supporting it, the Committee have examined the reports of the Warden and Inspectors, and the books kept at the Prison, and although from the manner of keeping those books, it is difficult to ascertain the precise condition of its affairs, yet, they have been able to ascertain the following facts, to wit:

That there is due from the State for the Prison, about the sum of ten thousand five hundred and seventy-three dollars. And there is due to the Prison about the sum of thirteen hundred and seventy-eight dollars; of which sum the Committee are of opinion, so much may be realized, as to reduce the debt of the Prison to the sum of ten thousand dollars, as will appear by the annexed statement marked A.

And as to the expense of supporting the Prison, it appears from an examination of the reports and the books, that the expense of supporting it from March 17th, 1856, to Feb. 11th, 1857, (short of eleven months,) including salary of officers, and repairs of the buildings, amounts to the sum of eight thousand nine hundred and

eighty-five dollars sixty-four cents, as will more particularly appear by the statements annexed, marked B and C.

It is time that the statements in regard to the "Departments" contained in the reports, convey the idea, that there is a balance coming from them for the labor of convicts, of more than two thousand dollars, while the very statements themselves, closely examined, show that such is not the fact. The impression received from the face of the different statements, is altogether fallacious, and the attempt made by successive officers to make the expense of the Prison appear much smaller than it really is, by over-estimating the value of the stock on hand, should be entirely discountenanced.

The accounts at the prison should be so kept as to give a clear view of its affairs without the particular explanation of the officers. They are not so kept, and in that particular a reform is needed.

It has appeared to the Committee, that in order to a better understanding of the affairs of the prison at the capitol as well as at the prison, it might be expedient to make the clerk in some measure an independent officer, and let him report his doings to the Governor and Council; and they have prepared a bill for that purpose, which will be found attached to this report.

The debt of the prison is stated in the reports to have been in March, 1856, ten thousand one hundred and seventy-one dollars; and although there has been paid towards it the last year the sum of five thousand and fifty-four dollars, it is now about ten thousand dollars, and probably increasing. It is desirable that this should be liquidated as soon as practicable, and the Committee recommend that the sum of eight thousand dollars be appropriated towards that debt. As the expenses of the Prison are greater than has been generally understood, the Committee do not think it advisable to erect any additional buildings, or in any way increase the expenses the present year. They suppose that besides what may be obtained from the labor of the convicts, at least the sum of two thousand dollars will be needed to carry on the prison, and they therefore report herewith a resolve for the appropriation of the sum of eight

thousand dollars, as before mentioned toward the debts, and of two thousand dollars toward the expenses, which they think ought to pass ; and that the Resolve before reported by them for appropriating the sum of fifteen hundred dollars, ought not to pass.

DAVID C. MAGOUN, *per order*.

April 3, 1857.

A.

Debts due from the State Prison, February 11, 1857.

Amount due on notes, as per list,	.	.	\$ 6,024 29
Add note to Stedman & Co.. omitted,	.	.	409 00
Interest on the above, estimated,	.	.	600 00
			<hr/>
			\$ 7,033 29
Amount due on accounts, as per list, including Trufry's			
bill,	.	.	3,540 12
			<hr/>
			\$10,573 41

Debts due to the Prison.

Individual notes, as per list,	.	.	\$ 364 33
Accounts, per list,	.	.	1,013 88
			<hr/>
			\$1,378 21
Estimated by the Committee to be worth 50 per cent—			
may be worth,	.	.	\$573 41
			<hr/>
Leaves the prison in debt, February 11, 1857,			\$10,000 00

STATE PRISON REPORT.

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B.

STATEMENT OF THE DEPARTMENTS.

Receipts and Expenditures.

Departments,	From March 17 to Dec. 31, 1856.		From Dec. 31, 1856, to Feb. 11, 1857.	
	Received.	Paid.	Received.	Paid.
Wheelwright,	\$ 4,955 55	\$ 3,679 77	\$ 595 96	\$ 404 52
Subsistence,	435 26	4,451 11	-	231 83
Expense,	-	1,853 88	2 10	310 50
Clothing,	195 75	1,233 53	79 00	226 86
Fuel and lights,	-	846 46	7 37	599 22
Lime quarry,	1,068 29	236 76	18 26	7 50
Shoe-making,	2,444 40	355 20	252 30	-
Basket-making,	764 64	93 15	18 30	52 87
Blacksmith,	3,236 35	1,268 72	216 28	479 03
Team,	99 83	578 69	217 00	61 80
	\$13,200 07	\$14,597 27	\$1,406 57	\$2,374 13
		13,200 07		1,406 57
Expenses over receipts, March 17 to Dec. 31, 1856, \$1,397 20				
Expenses over receipts, Dec. 31, 1856, to Feb. 11, 1857,				\$967 56

C.

Expense of the State Prison, from March 17, 1856, to February 11, 1857.

Expense of departments over receipts, March 17, '56, to Dec. 31,	\$ 1,397 20
Dec. 31, '56, to Feb. 11, '57,	967 56
	<u>\$ 2,364 76</u>
Officers salaries, March 17 to Dec. 31, '56,	\$4,627 56
Dec. 31, '56, to Feb. 11, '57,	677 97
	<u>\$ 5,305 53</u>
Engine House, March 17 to Dec. 31, 1856,	\$1,420 17
Dec. 31, '56, to Feb. 11, '57,	3 02
	<u>\$ 1,423 19</u>
Building and repairs, March 17, '56, to Dec. 31,	\$981 83
Dec. 31, '56, to Feb. 11, '57,	8 45
	<u>\$ 990 28</u>
Convicts discharged, March 17, '56, to Dec. 31,	\$323 62
Dec. 31, '56, to Feb. 11, '57,	119 50
	<u>\$ 443 12</u>
	<u>\$10,526 88</u>

*Expense of the State Prison, from March 17, 1856, to
February 11, 1857, (Continued.)*

Received from visitors,	\$ 118 05
Expended on engine house,	1,423 19
	<hr/>
	\$1,541 24
Leaves expense of the prison, over labor of the convicts, .	\$8,985 64
	<hr/>
	\$10,526 88

STATE OF MAINE.

RESOLVE in favor of the Maine State Prison.

Resolved, That there be paid out of the Treasury of the State,
2 the sum of eight thousand dollars, to be appropriated by the
3 Warden of the Maine State Prison, towards the payment of the
4 debts due from said Prison, and a further sum of two thousand
5 dollars, to be appropriated by the said Warden, to pay the ex-
6 penses of the Prison; and that the Governor with advice of
7 Council, be authorized to draw his warrant on the Treasurer in
8 favor of the Warden for the before mentioned sums.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND FIFTY-SEVEN.

AN ACT in relation to the Clerk of the State Prison.

*Be it enacted by Senate and House of Representatives in th
Legislature assembled, as follows :*

SECTION 1. The Clerk of the State Prison shall be ap-
2 pointed by the Governor and Council, and shall hold his office
3 during their pleasure, not for a longer time, however, than
4 four years, without a re-appointment; he shall be sworn and
5 give bonds, to the acceptance of the Governor and Council, in
6 the sum of two thousand dollars, for the faithful discharge of
7 his duties.

SECT. 2. He shall perform the duties of Commissary of the
2 Prison, shall, at the request of the Warden, assist in purchasing
3 supplies, and other articles for the use of the Prison, and shall
4 also assist in making sale of the goods and other articles man-
5 ufactured at the Prison.

SECT. 3. He shall enter, upon his account books, the bills

2 or invoices of all purchases made for the Prison, with the price
3 paid for each article; he shall also enter upon such books every
4 article sold from the Prison, the price for which it was sold,
5 and the name of the purchaser; and, when a contract is made
6 for the labor of any of the convicts, he shall record the contract
7 on such books. When any goods or other articles, purchased
8 for the Prison are delivered thereat, he shall compare them
9 with the bill or invoice of the purchase, and if he finds the
10 quantity less than that named in the bill or invoice, he shall
11 charge the deficiency to the Warden, and immediately notify
12 him of the fact.

SECT. 4. He shall attend all meetings of the Warden and
2 Inspectors, when by them requested, and shall make and keep
3 all such records in relation to the Prison and its affairs as they
4 direct.

SECT. 5. He shall, on the last days of March, June, Sep-
2 tember and December, in each year, make a true and perfect
3 copy of all entries made upon his books relative to purchases,
4 sales and contracts, for the three next preceding months, certify
5 such copy under oath, and transmit the same to the Governor
6 and Council, for their inspection; and the Governor shall, an-
7 nually in each year, during the second week of the session of
8 the Legislature, transmit to it such certified copies for exam-
9 ination.

SECT. 6. Whenever a vacancy occurs in the office of Clerk,

2 the duties of the office shall be performed by the senior In-
3 spector until the vacancy is filled.

SECT. 7. The Clerk shall receive, as a compensation for his
2 services, a salary of seven hundred and fifty dollars per annum,
3 to be paid quarterly; and the Governor is authorized to draw
4 his warrant on the Treasurer therefor.

SECT. 8. All acts and parts of acts, inconsistent with this
2 act, are hereby repealed.



STATE OF MAINE.

IN SENATE, April 3, 1857.

ORDERED, That 350 copies of the foregoing Report, Resolve and Bill, be printed for the use of the Legislature.

ATTEST :

JOSEPH B. HALL, *Secretary*.