

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-THIRD LEGISLATURE

OF THE

S T A T E O F M A I N E ,

A. D. 1843.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840, and March 16, 1842.  
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AUGUSTA:

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

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1843.

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RESOLVES

OF THE

STATE OF MAINE,

1843.

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CHAP. 178. in full discharge of the accounts and demands to which they severally refer.

[*Approved March 21, 1843.*]

## STATE OF MAINE.

The joint standing committee on the state prison, to which was referred the report of the warden and inspectors, have had the same under consideration, and ask leave to

### REPORT :

That on examination of the Inspector's report, they find the accounts of the prison with the state for the transactions of the past eleven months, ending the 31st day of December, 1842, as follows :

|                                                                                                                                            |             |
|--------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| For amount of articles purchased in the various departments of labor ;                                                                     |             |
| for expenditures in and about the prison ; for payment of officers' salaries, and all disbursements, (excepting the warden's salary,) from |             |
| January 28th, 1842, to December 31, 1842,                                                                                                  | \$15,595 28 |
| For amount of stock and tools on hand January 28, 1842,                                                                                    | 7,552 61    |

\$23,147 89

|                                                                                                                 |             |
|-----------------------------------------------------------------------------------------------------------------|-------------|
| The state is credited with the amount received from sales of manufactures, and for cash received from visitors, | \$10,866 14 |
| For amount of stock and tools on hand December 31, 1842,                                                        | 13,119 88   |

\$23,986 02

Leaving balance in favor of the state,

838 13

\$23,147 89

Your committee do not deem it expedient to give in detail the result of their examination of the reports submitted, as the same have been printed and laid before this legislature for individual inspection.

The attention of your committee was especially called to the present condition of the prison, and on solicitation of the inspectors, a portion were prevailed on to visit and examine the cells for the purpose of ascertaining whether the evils complained of did really exist ; and on personal examination they are compelled to say that not only are the statements in regard to the bad construction of the cells true, but the half has not been told.

By referring to reports submitted to preceding legislatures, it will be seen that this evil has been frequently adverted to in order that some measures might be adopted for the amelioration of the condition of our unfortunate fellow beings, who are from time to time confined within the walls of this prison. From some cause unknown to your committee, the state has not thought proper to make any alteration of the

original plan, which your committee cannot better give than in the following language from the inspector's report. CHAP. 178.

"These cells were built when it was thought that solitary confinement alone, was most effectual for suppressing crime and producing that moral reform for which the criminal is confined.

"This plan of punishment was attempted to be carried into practice, but the effect of such confinement upon the health of the convict, was such, that it was long since abandoned, and the present plan of constant labor through the day, and solitary confinement during the night, was instituted.

"Language can hardly convey an adequate idea of these cells. In order to understand their *many* and great *imperfections*, they should be seen, be entered, and thoroughly examined. A simple statement of their bad qualities, it is hoped, will satisfy all, that they are not suitable places for the confinement of human beings.

"The inspectors in their recent examination, found the walls and bedding of these cells, wet from the melting frost with which for weeks the walls of the cells had been covered.

"The ventilation of the cells is bad; the only entrance to them is through a hole in the top 20 by 24 inches, and a ladder the only convenience for descending into them; for a proper inspection no plan could be worse, as the light of heaven is almost wholly excluded. On account of the darkness of the cells, the prisoner can receive but very little advantage from books, with which they are furnished, agreeably to the requirements of law, but the books and bedding are in a short time rendered of no value from a constant exposure to the damp atmosphere of the cells, and the state is obliged to furnish new books and bedding, at great expense, to supply this unavoidable loss.

"In these cold, damp, and badly ventilated cells, are the convicts confined, during the long cold nights of winter, without fire, sleeping on damp straw beds, and covered with damp clothing, and this situation rendered worse, if possible, from the fact that during the day they are employed in warm and dry work shops. The effect of such a situation upon the health of the prisoners must be perfectly apparent."

From examinations made by your committee, they are of opinion that the present is a very favorable time to commence the remodeling of the prison; and although the embarrassed condition of the treasury will not warrant the recommendation of a large appropriation for this purpose, yet they are fully persuaded that humanity and common decency require that something should be done to relieve the sufferings of the prisoners; nor can they doubt that the final result will prove a pecuniary advantage to the state.

It is proposed that the alterations, if made, shall be in conformity with the Auburn plan, and your committee recommend the erection of the outer building the present season. For this purpose, such being the present prosperous condition of the prison finances, it will only be necessary to appropriate the sum of two thousand dollars, which is less

CHAP. 178.

than the average annual appropriations. With this sum, it is anticipated, the outer building can be erected, and the whole business affairs of the prison continued in healthy operation. In view of this your committee recommend the appropriation of the above named sum, and the authorizing the warden, under supervision of the inspectors, to commence the work immediately; and therefore beg leave to submit the following resolves.

JOSHUA PATTERSON, *Chairman.*

**Chapter 178.**

Resolve in favor of the state prison.

Warden authorized, &c. to erect a new building.

Construction.

Capacity.

Model.

Appropriation, \$2,000.

How expended.

Governor to draw his warrants as inspectors may deem necessary.

*Resolved,* That the warden of the Maine state prison, be authorized and instructed, under the advice and direction of the inspectors, to commence and continue till completed, the construction of a substantial and well lighted building, the walls of which shall be of refuse lime-stone and the roof of wood. The building, when completed, shall be of sufficient capacity to contain one hundred and eight cells, which cells shall be constructed upon the Auburn plan, and in conformity, as near as may be, to the model deposited in the office of the secretary of state; said building to be connected with the main building or warden's house, and to cover the cells of one wing of the prison as now situated.

*Resolved,* That there be appropriated and paid out of the state treasury, to the warden of the state prison, a sum not exceeding two thousand dollars, to be expended under the direction and supervision of the inspectors, in carrying into execution the provisions of the foregoing resolve; and the governor is hereby authorized to draw his warrant, for the whole or any part of said sum, as in the opinion of said warden and inspectors may be required.

[*Approved March 21, 1843.*]

**Chapter 179.**

Resolve authorizing the land agent on the part of the state to agree upon a reference to determine the west line of townships number two, in the eleventh range of townships west from the east line of the state.

Preamble and resolutions for the settlement of boundaries of certain townships.

*Whereas* a dispute has arisen between the proprietors of the township number two in the 12th range, and the state, respecting the dividing line between the said township number two in the twelfth range, and the said township number two in the eleventh range, owned by the state, therefore

*Resolved,* That the land agent be, and is hereby authorized to