

# MAINE STATE LEGISLATURE

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THE  
REVISED STATUTES

OF THE  
STATE OF MAINE,

PASSED JANUARY 25, 1871;

TO WHICH ARE PREFIXED  
THE CONSTITUTIONS

OF THE  
UNITED STATES AND OF THE STATE OF MAINE:

WITH AN APPENDIX.

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BY AUTHORITY OF THE LEGISLATURE.



PORTLAND:  
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## TITLE TWELVE.

Public Institutions for the Punishment and Reform of  
Criminals, and the Care and Cure of the Insane.

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- CHAP. 140. The state prison.  
141. Houses of correction.  
142. The state reform school.  
143. The insane hospital.

## CHAPTER 140.

## THE STATE PRISON.

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Location.  
R. S. c. 140, § 1.

SEC. 1. The state prison at Thomaston, in the county of Knox, shall continue to be maintained as the prison and penitentiary of this state, in which convicts, committed thereto according to law, shall be confined, employed, and governed as hereinafter provided.

Of solitary imprisonment.  
R. S. c. 140, § 2.

SEC. 2. All punishment in the state prison by imprisonment shall be by confinement to hard labor, and not by solitary imprisonment, unless otherwise specially provided; but solitary imprisonment may be used as a prison discipline for the government of the convicts, as hereinafter mentioned.

SEC. 3. Convicts, sentenced to hard labor in the state prison, for life or any term not less than one year, by any court of the United States held within this state, shall be received into the prison by the warden thereof, when delivered by the authority of the United States, and there kept in pursuance of their sentences.

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Convicts sentenced by courts of the U. S., to be received.  
R. S. c. 140, § 3.

SEC. 4. The supervision of the state prison shall be vested in the governor and council, but its government and direction in two inspectors, one warden, one deputy warden, one person to perform the duties of clerk and commissary, and such number of overseers, not exceeding ten, as the inspectors determine to be necessary.

Supervision and officers.  
R. S. c. 140, § 4.

SEC. 5. The inspectors and warden shall be appointed by the governor with advice of council, and commissioned to hold their offices during the pleasure of the executive, but not more than four years under one appointment; one of the inspectors shall in his commission be designated as chairman. The inspectors and warden, before entering on their duties, shall take and subscribe the oaths of office, and the warden shall give bond to the state in the sum of ten thousand dollars, with sufficient sureties, approved by the governor and council, conditioned, that he will account for all moneys that come to his hands as treasurer of the state prison; that he will not be concerned in the business of trade or commerce during his continuance in office; and that he will faithfully perform all the duties incumbent on him as warden of said prison; which shall be filed in the office of the secretary of state.

Inspectors and warden.  
Appointment.  
Oaths.  
Warden's bond.  
R. S. c. 140, § 5.

SEC. 6. The other officers, before mentioned, shall be subordinate to the warden, appointed by warrant under his hand and seal, and subject to the approval or disapproval of the inspectors at their next meeting, to whom the warden shall make report thereof; they shall hold their offices during the pleasure of the inspectors and warden; but the inspectors, without the concurrence of the warden, may remove any of such officers for negligence or unfaithfulness in the discharge of their duties, and appoint others in their place; and if the warden thinks any subordinate officer ought to be removed, and the inspectors will not consent thereto, he may appeal to the governor and council, who, after reasonable notice to the inspectors, may make such removal and appoint some other suitable person. The subordinate officers shall take and subscribe the oaths of office, and the deputy warden, clerk and commissary, shall also give bond to the state with sufficient sureties, the former in the sum of five hundred dollars, and the latter in the sum of one thousand dollars, approved by the inspectors, conditioned for the faithful performance of their duties; which shall be filed in the office of the secretary of state.

Subordinate officers.  
Appointment.  
Removal.  
Oaths. Bonds.  
R. S. c. 140, § 6.

SEC. 7. The inspectors shall meet together at stated times at the state prison, once at least in every three months and oftener if necessary, to inspect its concerns, the manner of keeping the books and

Duty of the inspectors.  
R. S. c. 140, § 7.

CHAP. 140. accounts, and the register of punishments kept by the warden; and, from time to time, carefully examine the same, and keep a record of their doings; one of them at least shall visit the prison once in each month to examine into all its concerns, and see that its laws and regulations are duly observed, and the duties of the several officers faithfully performed, and to advise with the warden on its concerns, when thereto requested; and each of them shall at all times have free access to all parts of the prison, and be allowed to inspect and examine all the books, accounts, and writings, pertaining to the prison or its business, management and government. And the inspectors, as soon as may be after each stated meeting, or oftener if necessary, shall transmit to the governor and council a transcript of the record of their doings, and such other information relative to the concerns of the prison, as they deem proper.

To audit and settle the warden's accounts, &c.  
R. S. c. 140, § 8.  
1859, c. 70.

SEC. 8. The inspectors, on the first of December annually, shall audit, correct, and settle the accounts of the warden with the prison and the state, for the year ending on the last day of November preceding, and make report thereof to the governor and council, to be laid before the legislature; which shall exhibit an account of the stock on hand of different kinds at the beginning and at the close of the year; the several sums expended for materials, provisions, fuel, clothing, bedding, lights, tools and other articles; the amount of manufactures of each kind, and all other articles sold from the prison; the profits or loss upon each branch of business; and all other particulars necessary to give the legislature a full understanding of the fiscal and other concerns of the prison; and shall, at the same time, furnish an estimate of the probable income and expense of the prison for the ensuing year.

To adjudicate on alleged improper conduct of warden, &c.  
R. S. c. 140, § 9.

SEC. 9. They shall inquire into any improper conduct, alleged to be committed by the warden or any subordinate officer of the prison in relation to its concerns; and, for that purpose, may issue subpoenas for witnesses, and compel their attendance and the production of papers and writings; and may examine witnesses under oath, to be administered by the chairman; and may adjudicate on such alleged improper conduct in like manner and with like effect as in cases of arbitration.

May order refractory convicts to be punished.  
R. S. c. 140, § 10.

SEC. 10. They shall examine into all disorderly conduct among the prisoners; and when it appears to them that any convict is disorderly, refractory, or disobedient, may order such corporal punishment as they deem necessary to enforce obedience, not inconsistent with humanity, and authorized by the rules and regulations established for the government of the prison.

To establish regulations, &c.

SEC. 11. They shall, from time to time, establish such rules and regulations, consistent with the laws of the state, as they deem necessary and expedient for the direction of the officers, agents, and ser-

vants of the prison, in the discharge of their duties, or for their compensation not established by law, and may, with the approval of the governor and council, fix anew, or regulate from time to time, the compensation of the various officers of the prison, when they deem it for the interests of the state; shall establish rules for the government, instruction, and discipline of the convicts, and for their clothing and subsistence; and for the custody, preservation, and management of the public property; and as soon as may be after the establishment of the same by the inspectors, they shall cause a copy thereof to be laid before the governor and council, who may approve, annul, or modify them, and make and establish such other rules and regulations, consistent with the laws of the state, as they see fit; and the governor shall communicate all rules and regulations, thus approved, to the next legislature; and the inspectors shall cause a copy thereof to be certified by the clerk and delivered to the warden.

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R. S. c. 140,  
§ 11.  
1865, c. 326, § 3.

SEC. 12. The warden shall not carry on or be concerned in the business of trade and commerce during his continuance in office; he shall reside constantly within the precincts of the prison, and shall have the care, custody, and charge of the prison, and of the convicts therein, in conformity to their sentences, and of the lands, buildings, machines, tools, stock, provisions, and of every other kind of property belonging to or within the precincts of the same. He shall be the treasurer of the prison, receive, pay out, and be accountable for all moneys granted for maintaining it, or derived from the manufactures or other concerns thereof; make in the books of the prison regular entries of all its pecuniary and other concerns, and, on the first day of December of each year, he shall render to the inspectors a fair account of all the expenses and disbursements, receipts and profits of the prison, with sufficient vouchers therefor, and a statement of its general affairs, for the year then past, including the number of convicts received and discharged during the year, and the number remaining; and a similar account and statement, examined and approved by the inspectors, he shall also render, under oath, on the first day of December annually, to the governor and council, and settle all his accounts with them when they require it.

Warden not to  
be concerned  
in trade. His  
duties.  
R. S. c. 140,  
§ 12.  
1859, c. 70.

SEC. 13. He shall inspect and oversee the conduct of the convicts, and cause all the rules and regulations of the prison to be strictly and promptly enforced; give immediate information to the inspectors of any officer who refuses or neglects to enforce the discipline established, and they shall forthwith remove any officer guilty of such neglect. He may punish any convict for disobedience, disorderly behaviour, or indolence, as directed by the inspectors or prescribed in the rules and regulations, and shall keep a register of all such punishments, and the cause for which they are inflicted.

His govern-  
ment in the  
prison.  
R. S. c. 140,  
§ 13.

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Warden shall keep record of conduct and recommend deduction of imprisonment.  
Scale of deduction.  
1866, c. 20.

SEC. 14. He shall keep a record of the conduct of each convict, and for every month it appears by such record that such convict has faithfully observed all the rules and requirements of the prison, the warden may recommend to the executive a deduction from the term of such convict's sentence according to, but not exceeding the following rule and proportion: for a convict under a sentence of two years or less, one day for each month of good conduct; three years or less, and more than two years, two days; four years, three days; five years, four days; seven years or less, and more than five years, five days; nine years or less, and more than seven years, six days; ten years and less than fifteen years, seven days; fifteen years and less than twenty years, eight days; and for all other convicts, except those sentenced to imprisonment for life, ten days.

Warden shall submit record to governor and council every three months.  
1853, c. 16, § 2.

SEC. 15. The record, with the scale of deduction provided in the preceding section, shall be submitted by the warden to the governor and council once in three months.

To execute precepts, &c.  
R. S. c. 140, § 14.  
1862, c. 119.  
50 Me. 290.

SEC. 16. The warden or his deputy shall serve, execute, and return, all processes within the exterior walls of the prison yard, and they shall be directed to him or his deputy accordingly; and for the doings of his deputy, the warden and the deputy himself shall be answerable. The warden shall have the command of all the force for guarding the prison, and of all officers and persons employed under him in overseeing, guarding, and governing it. For serving executions and returning processes, like fees shall be taxed, as for sheriffs. The warden, on demand of any officer having a writ of replevin, commanding him to replevy from the possession of the warden, any goods or chattels of a private individual, not a prisoner, shall expose them outside of the prison yard, so that they may be replevied. The officer shall pay the warden a reasonable charge for removal and tax the same in his fees on the writ.

To take bills of supplies.  
R. S. c. 140, § 15.

SEC. 17. The warden shall take bills of the quantity and price of supplies furnished for the prison, at the time of delivery, and exhibit them to the clerk, who shall compare them with the articles delivered; if they are found correct, he shall enter them, with the date, in a book to be kept for that purpose; in like manner, bills shall be taken and entered of all services rendered for the prison; if any such bill is found incorrect, the clerk shall omit to enter it and immediately give notice to the warden, that the error may be corrected.

To make contracts.  
R. S. c. 140, § 16.

SEC. 18. All sales of limestone, granite, or other articles from the prison, and the letting to hire of such of the convicts, as the inspectors may deem expedient, and all other contracts on account of the prison, shall be made with the warden in the manner prescribed by the inspectors. No such contract shall be accepted by the warden, unless the contractor gives satisfactory security for the performance of it; and no officer of the prison shall be directly or indirectly interested in any such contract.



SEC. 19. When the warden receives from the sheriff of any county a warrant requiring him to remove a convict to the state prison, he shall, by himself or such other person as he appoints or contracts with for that purpose, forthwith cause such warrant to be executed according to its precept, in the least expensive manner consistent with the security of the convict; and said warrant, with his return thereon of the manner of executing it, he shall file in his office, and cause a copy of it to be filed in the office of the clerk of the court, from which it issued.

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Service of warrant for removal of convicts.  
R. S. c. 140,  
§ 17.

SEC. 20. When it is necessary or convenient, during the conveyance of any such convict to the state prison in pursuance of his sentence, that he should be lodged for safe keeping in any county jail till the residue of such conveyance can be conveniently performed, the keeper of such jail shall receive him and safely keep and provide for him, until called for by the person employed to convey him as aforesaid, into whose custody he shall be delivered; and the said jail keeper shall be allowed his reasonable charge and expenses incurred thereby, to be paid from the treasury of the state. The warden, when he believes there are more convicts in the state prison than can be confined there securely, shall certify the fact to the governor and council, who may authorize him to transfer them, so far as is necessary, to some jail; and the jailer thereof shall receive such compensation from the state treasury as he and the warden agree upon; but when the accommodation of the prison shall be so increased that they can be safely confined therein, the warden shall remove them from such jail to the state prison. The time they were so confined in jail shall be deducted from their sentence.

Convicts to be lodged in jails.  
R. S. c. 140,  
§ 18.  
1867, c. 95.

SEC. 21. All actions, founded on any contract made with the warden in his official capacity, may be brought by or against the warden for the time being; and any actions for injuries done or occasioned to the real or personal property belonging to the state, and appropriated to the use of the state prison, or under the management of the warden thereof, may be prosecuted in his name; and no such action shall abate by the warden's ceasing to be in office, but his successor, upon notice, shall assume its prosecution or defence. In said actions, the warden shall be a competent witness, and neither his person nor property shall be taken or attached in any such suit, nor shall any execution issue against him on any judgment therein, but it shall stand as an ascertained claim against the state. And when a new warden is appointed, all the books, accounts, and papers belonging to the prison, shall be delivered to him, and he shall be vested with all the powers, and subject to all the obligations with regard to any contracts, or any debts due to or from the prison, that his predecessor would have been, if no change had taken place in the office.

Of actions by or against the warden, &c.  
R. S. c. 140,  
§ 19.

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Warden may submit controversies to arbitration.

R. S. c. 140, § 20.

Warden exempted from arrest.

R. S. c. 140, § 21.

Powers, duties and liabilities of deputy warden.

R. S. c. 140, § 22.

If office of warden vacant, deputy to give bonds, and act as warden, &c.

R. S. c. 140, § 23.

Of the clerk and commissary.

R. S. c. 140, § 24.

Overseers.

R. S. c. 140, § 25.

SEC. 22. When any controversy arises respecting any contract or claim on account of the state prison, or any suit is pending thereon, the warden may submit the same to the determination of arbitrators or referees to be approved by the inspectors.

SEC. 23. The warden shall not be arrested on any civil process or execution while in office; but execution upon any judgment against him personally, and not in his official capacity, may be issued against his goods and estate only; and if it is returned unsatisfied, the creditor may file with the governor and council a copy of such execution and return, and serve on the warden a copy of such copy, attested by the secretary of state, with a notice under his hand of the day on which such copy was filed; and if the warden does not, in forty days after such service, pay the creditor his full debt, with reasonable costs for copies and service of them, he shall be removed; and when he ceases to be warden, alias executions may be issued against his body and property.

SEC. 24. When the office of warden is vacant, or the warden is absent from the prison, or unable to perform the duties of his office, the deputy warden shall have the powers, perform the duties and be subject to all the obligations and liabilities of the warden.

SEC. 25. If the office of warden becomes vacant when the governor and council are not in session, the inspectors may require the deputy warden to give bond to the state, in the sum of five thousand dollars, with sufficient sureties to be by them approved, with condition for the faithful discharge of his duties as deputy warden and treasurer; and, from the time the bond is approved, the deputy shall receive the salary and emoluments of the warden in lieu of his former pay, while he performs the duties of the office; if he does not give such bond when required, the inspectors may remove him, and appoint a warden pro tempore, who shall give bond similar to the one required of the deputy warden, have the power and authority, perform the duties, and receive the salary and emoluments of the warden, until a warden is duly appointed and enters on the discharge of his duties; and in such case, until the warden pro tempore is so appointed and gives bond, the inspectors, or either of them, shall be vested with all the powers and duties of warden.

SEC. 26. The clerk and commissary shall keep an account of all supplies purchased for the use of the prison, and of all articles sold and delivered therefrom; assist in effecting sales and purchases under the direction of the warden; attend the meetings of the inspectors, when they request it; keep a record of their proceedings; and perform any other services, pertaining to his employment and the superintending of the prison, directed by the inspectors or warden.

SEC. 27. Persons having suitable knowledge and skill in the branches of labor and manufactures carried on in the prison, shall,

when practicable, be employed to superintend the branches of labor assigned to them by the warden; and all of them and the other subordinate officers of the prison shall perform the services in the management, superintending, and guarding of the prison, prescribed by the rules and regulations, or directed by the warden. CHAP. 140.

SEC. 28. If any such subordinate officer is guilty of negligence or unfaithfulness in the discharge of his duties, or of a violation of any of the laws, or rules and regulations for the government of the prison, the warden, with the approbation of the inspectors, may deduct from the pay of such officer a sum not exceeding his pay for one month.

Neglect of subordinate officers, &c.  
R. S. c. 140,  
§ 26.

SEC. 29. The inspectors and warden shall appoint some suitable person to be a physician and surgeon of the state prison, who shall visit the prison, when requested by the warden, prescribe for sick convicts, see that proper attention is paid to the clothing, regimen, and cleanliness of those in the hospital, and advise when illness of any convict requires his removal thereto; and upon such advice, and in other cases when he deems it necessary, the warden shall cause any sick convict to be forthwith removed to the hospital, there to receive such care and attention, and be furnished with such medicines and diet, as his situation requires, until the physician determines that he may leave it without injury to his health.

Appointment and duties of physician.  
R. S. c. 140,  
§ 27.

SEC. 30. If any pestilence or contagious sickness breaks out among the convicts in the prison, the inspectors and warden may cause any of them to be removed to some suitable place of security, where they shall receive all necessary care and medical assistance; and be returned as soon as may be to the prison to be confined according to their sentences, if unexpired.

Provision in case of pestilence or contagious sickness.  
R. S. c. 140,  
§ 28.

SEC. 31. If any officer, or other person employed in the state prison or its precincts, voluntarily suffers, aids, or connives at the escape of any convict therefrom, he shall be punished by imprisonment in the state prison for any term of time not more than the whole term for which the convict was sentenced; and if he negligently suffers any convict confined therein to be at large out of the precincts of the prison, or the cell or apartment assigned to him, or to be conversed with, relieved, or comforted, contrary to law or the rules and regulations of the prison, he shall be punished by a fine not exceeding five hundred dollars.

Punishment of officers for suffering an escape, &c.  
R. S. c. 140,  
§ 29.

SEC. 32. If any person forcibly rescues or attempts to rescue any convict, sentenced to the state prison, from the legal custody of any officer or other person, from the state prison, jail, or other place where he is legally confined, or causes to be conveyed to such convict, into such jail, state prison, or other place, any tool, instrument, weapon, or other aid, with intent to enable such convict to escape, whether an escape is effected or not, he shall be punished by impris-

Rescue, or aiding prisoners to escape.  
R. S. c. 140,  
§ 30.

**CHAP. 140.** onment in the state prison not more than twenty years, or by fine not exceeding five hundred dollars.

Conveying, or attempting to convey, any article to a convict.  
R. S. c. 140, § 31.

**SEC. 33.** If any officer, contractor, teamster, or other person, delivers, or has in possession, with intent to deliver, to any convict confined in the state prison, or deposits or conceals, in any place in or about the state prison or its precincts, or in any wagon or other vehicle going thereto, any article, with intent that any convict therein should obtain it, without the consent or knowledge of the warden or deputy warden, he shall be punished by imprisonment in the state prison not more than two years, or by fine not exceeding five hundred dollars, and imprisonment not more than six months.

Penalty for convict assaulting an officer, &c. Warden shall certify to attorney of Knox county.  
R. S. c. 140, § 32.  
1865, c. 326, § 2.

**SEC. 34.** If any convict, sentenced to the state prison for life, assaults any officer or other person employed in the government thereof, or breaks or escapes therefrom, or forcibly attempts so to do, he may be punished by solitary imprisonment in the state prison not more than one year, and be afterwards held in custody on his former sentence; but if such offence is committed by a convict sentenced to the state prison for a limited term of years, he may be punished by solitary confinement in the state prison not more than three months, to precede the fulfilment of any former sentence, and, at the discretion of the court, may be further punished by confinement to hard labor for a limited period or during life, to commence after his solitary confinement, or the completion of his former sentence. The warden shall certify the fact of a violation of the foregoing provisions to the county attorney for the county of Knox, who shall prosecute such convict, that he may be punished as provided in this section.

Mode of punishment under the preceding section.  
R. S. c. 140, § 33.

**SEC. 35.** Every convict sentenced to solitary confinement as mentioned in the preceding section, or on whom it is inflicted as a punishment for the violation of the rules and regulations of the prison, shall be confined in a solitary cell and fed on bread and water only, unless the physician certifies to the warden that the health of such convict requires other diet.

In case of resistance, officers to use all needful force.  
R. S. c. 140, § 34.

**SEC. 36.** If any convict sentenced to the state prison resists the authority of any officer, or refuses to obey his lawful commands, he shall immediately enforce obedience by the use of weapons or other effectual means; and if, in so doing, any convict thus resisting is wounded or killed by the officer and his assistants, they shall be justified.

Warden to keep arms and ammunition, &c.  
R. S. c. 140, § 35.

**SEC. 37.** The warden shall constantly keep on hand a suitable and sufficient supply of arms and ammunition, at the expense of the state, and have power to require all officers and other citizens of the state to aid him in suppressing an insurrection among the convicts in prison, and in preventing their escape or rescue therefrom, or from any other legal custody or confinement; and if, in so doing, or in

arresting any convict who has escaped, they wound or kill such convict or those aiding him, they shall be justified therefor. CHAP. 140.

SEC. 38. When any convict escapes from the state prison, the warden shall take all proper measures for his apprehension; and for that purpose he may offer a reward not exceeding fifty dollars to be paid by the state for his apprehension and delivery. If any person, not standing in the relation of husband or wife, parent or child, to the principal offender, shall conceal, harbor, or in any way aid any convict, knowing him to be such, who escapes from the state prison; or shall furnish such convict with any food, clothing, weapon, matches, or any article whatever, or information that would aid such convict to escape recapture, he shall be punished by imprisonment in the state prison for a term not more than the whole time for which the convict was sentenced, or by fine not exceeding five hundred dollars.

Measures to retake convicts, escaping.  
Office of aiding convicts to escape, how punished.  
R. S. c. 140, § 36.  
1865, c. 326, § 1.

SEC. 39. When it appears to the warden that any convict in the prison has been before sentenced, by the authority of this, or any other state, or of the United States, to confinement in any state prison, he shall immediately give notice thereof to the attorney general or the county attorney of Knox county, who, by information or other legal process, shall make the same known to the supreme judicial court in the same county. Such court shall cause such convict to be brought before it to answer thereto, and if, by confession, verdict, or otherwise, according to law, it appears that such information is true, instead of the punishment for which he stands sentenced, he may, at the discretion of the court, be punished by imprisonment for life or any term of years; but, if not true, the convict shall be remanded to the state prison to be held on the original sentence.

Additional punishment, &c.  
R. S. c. 140, § 37.  
1865, c. 326, § 2.

SEC. 40. No convict shall be discharged from the state prison, until he has remained the full term for which he was sentenced, including the day on which he was received into it, and excluding the time he was in solitary confinement for any violation of the rules and regulations of the prison, unless he is pardoned, or otherwise released by legal authority.

When computation of term of confinement to commence.  
R. S. c. 140, § 38.

SEC. 41. The warden shall receive and take care of any property that a convict has with him at the time of his entering the prison; when it is convenient, place the same at interest for his benefit; keep an account thereof, and pay the same to him on his discharge, or in case of his death to his representatives, unless legally disposed of.

Convict's property to be taken care of by warden.  
R. S. c. 140, § 39.

SEC. 42. On the discharge of any convict, who has conducted well during his imprisonment, the warden may give him from the funds of the prison a sum not exceeding five dollars, and, if he requests it, a certificate of such good conduct; and shall take care that every convict on his discharge is provided with decent clothing.

Provision for convicts on their discharge.  
R. S. c. 140, § 40.

**CHAP. 140.** SEC. 43. The warden may demand and receive of each person visiting the prison for the purpose of viewing the interior or precincts, a sum not exceeding twenty-five cents, under such regulations as the inspectors prescribe, for which the warden shall account to the state.

Fees from visitors.  
R. S. c. 140,  
§ 41.

SEC. 44. The warden, on the recommendation of the inspectors and with the approbation of the governor and council, may make such additional buildings or alterations within the prison or its precincts, as they deem necessary and proper.

Alterations made by warden, under the inspectors.  
R. S. c. 140,  
§ 42.

SEC. 45. The governor shall annually appoint one of the council a committee, who shall, as often as the governor and council direct, visit the prison, make a thorough and careful examination into the condition of the prison and inmates, and its affairs and management, and report to them.

Governor to appoint one of the council to examine the prison.  
R. S. c. 140,  
§ 43.

SEC. 46. The warden shall invite all ordained clergymen of Thomaston to officiate as chaplains at the prison in rotation; and they shall, at stated times as directed by the inspectors and warden, perform religious services there; visit the sick, and use their best endeavors for the moral and religious improvement of the convicts. With the assent of the inspectors, a Sunday school may be established, and persons from without, of proper character, may be admitted to assist in it.

Warden to invite clergymen to act as chaplains.  
R. S. c. 140,  
§ 44.

SEC. 47. There shall be annually appropriated, and paid out of the treasury of the state, the sum of two hundred dollars to such of the clergymen of Thomaston as perform the duties mentioned in the preceding section; fifty dollars for the purpose of maintaining a school in the prison; fifty dollars for the purchase of books for the use of the convicts; the three sums aforesaid to be expended by the warden under the direction of the inspectors; one hundred dollars for the services of each inspector; two dollars a day for the services, and ten cents a mile to and from Augusta for the travel of the committee of the council; and a sum not exceeding one hundred and fifty dollars for the compensation of the physician and surgeon, and for medicines. The subordinate officers and other persons, employed in managing, guarding, and superintending the prison, shall, at stated times, receive the compensation established in the rules and regulations of the prison, or allowed by the inspectors and warden with the approbation of the governor and council; but the compensation of the subordinate officers hereinafter named shall not exceed the following rates by the year, viz:—the deputy warden, four hundred and fifty dollars; overseer of lime quarry, four hundred and fifty dollars; overseer of the wheelwright department, five hundred dollars; clerk and commissary, including his services as overseer and teacher of the school, five hundred dollars; overseer of the shoe department, five hundred dollars; overseer of the coopering department, three hundred dollars; overseer of the blacksmith department, five hundred

Appropriations for chaplains; school; books; inspectors; visiting committee of the council; surgeon and subordinate officers.  
R. S. c. 140,  
§ 45.

dollars; each of the guard, three hundred and fifty dollars. The warden may board the subordinate officers, overseers, and guards, at a price, to be fixed by the governor and council, not to exceed two dollars and fifty cents per week, to be deducted from their salaries. CHAP. 141.

SEC. 48. The governor with advice of council is authorized to draw warrants on the treasury of the state in favor of the warden for all such sums of money, as they, from time to time, deem proper, which are appropriated by the legislature for the support of the state prison. Appropriations to be paid to the warden.  
R. S. c. 140,  
§ 46.

## CHAPTER 141.

### HOUSES OF CORRECTION.

#### COUNTY HOUSES OF CORRECTION.

- SEC. 1. County commissioners to provide house of correction, appoint master, supply tools and materials for work, and establish rules. Jail to be used till such is provided.
2. Appointment, powers, duties and compensation of overseers.
  3. Supervision by overseers.
  4. Description of persons liable to be sent to house of correction, and the term of their confinement.
  5. Conditions of discharge at the end of the term.
  6. Provisions for extension in case of paupers.
  7. Master to give notice to the overseers of the poor where the house of correction is, and they, to the overseers of the town where the prisoner has his settlement.
  8. Employment and restraints of prisoners.
  9. Punishment by abridgment of food.
  10. Allowance to prisoners from their earnings.
  11. Provision for the sick and disabled.
  12. Master to render account of prisoners' earnings. Special allowance to him in certain cases.
  13. Master may demand sums due him of the prisoner, his parents, master or guardian, or the overseers of the town.
  14. Suit therefor against such parties within two years.
  15. Kindred of the prisoner liable to master or town.
  16. Expenses of prisoners committed by court, how paid.

#### TOWN HOUSES OF CORRECTION.

- SEC. 17. Town houses of correction and their object.
18. Overseers thereof.
  19. Of work houses appropriated to the like uses.
  20. Compensation of overseers and master.
  21. Duties of the overseers.
  22. Support of the prisoners.