

HOUSE No. 93

Accompanying the recommendations of the Department of Correction (see House, No. 92). Public Institutions. January 4.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Twenty-Two.

AN ACT

Providing for the Construction of a new State Prison.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. The attorney general, the treasurer of the
2 commonwealth and the commissioner of correction are
3 hereby appointed a commission to select a suitable tract
4 of land on which to erect a new state prison. The land
5 so selected shall contain not less than fifty nor more than
6 five hundred acres and shall be chosen with reference to
7 its convenience of access, suitability for farm cultivation
8 and freedom from inconvenience to the surrounding
9 territory.

1 SECTION 2. Upon the selection of such suitable site,
2 the commission may, with the approval of the governor
3 and council, purchase, lease or take by right of eminent
4 domain on behalf of the commonwealth, sufficient land

5 for the purpose outlined in section one. A sum not to
6 exceed twenty-five thousand dollars may be expended in
7 the purchase of such site, and if an agreement is not
8 reached by the commission, all the general provisions of
9 law with respect to the taking of land by eminent domain
10 shall apply.

1 SECTION 3. Upon the acquirement by the common-
2 wealth of the site hereinafter referred to, the commis-
3 sioner of correction shall proceed to erect thereupon a
4 modern, sanitary state prison, sufficiently strong for the
5 retention of all classes of criminals, but allowing never-
6 theless for the proper classification of inmates and the
7 application of the most approved and up-to-date systems
8 of penology. The prison shall also be constructed with
9 special reference to its utility and with respect to the ef-
10 ficient management of its industries. Detailed plans and
11 specifications shall be submitted to and approved by the
12 governor and council, and so far as possible, inmate labor
13 shall be utilized in the construction of the institution.
14 The contract or contracts for the construction of the
15 prison or buildings appurtenant thereto shall be entered
16 into by the warden of the state prison, as the officer in
17 direct charge of such construction, and he is hereby au-
18 thorized to execute such contracts on behalf of and in
19 the name of the commonwealth of Massachusetts, subject
20 to the approval of the commissioner of correction.

1 SECTION 4. When the buildings are ready for occu-
2 pancy the commissioner of correction shall so notify the
3 governor, and if said buildings are accepted by him he
4 shall issue his proclamation establishing the state prison
5 and fixing the date at which it shall be established.

1 SECTION 5. Upon the establishment of the state prison
2 as herein provided, the governor shall issue a warrant
3 directing the warden of the state prison to remove from
4 the state prison at Charlestown to the new state prison
5 all prisoners held in said state prison at Charlestown and
6 the warden shall remove said prisoners as directed in
7 said warrant.

1 SECTION 6. Every prisoner removed from the state
2 prison at Charlestown to the new state prison as afore-
3 said shall serve in said new state prison the remainder of
4 the term of his sentence to the state prison in the same
5 manner as if he had been originally committed thereto,
6 and the removal or the transfer of a prisoner as afore-
7 said shall not in any way impair the validity of his sen-
8 tence or affect or abridge the authority of the warden to
9 detain him in custody according to its terms.

1 SECTION 7. From and after the date of the establish-
2 ment of the new state prison as fixed by the governor
3 under the provisions of section four, all sentences to the
4 state prison shall be to the new state prison.

1 SECTION 8. From and after the date of the establish-
2 ment of the state prison as aforesaid all laws relating to
3 the state prison at Charlestown and to prisoners confined
4 therein shall be in full force and effect in relation to the
5 new state prison and to prisoners confined therein.

1 SECTION 9. In order to meet the expenses incurred
2 under the provisions of this act, the commissioner may
3 expend such sums as may be appropriated therefor by
4 the general court on recommendation of the governor, in
5 accordance with chapter thirty of the general laws.

1 SECTION 10. The commissioner of correction shall,
2 subject to the approval of the governor and council, forth-
3 with sell all real estate belonging to the commonwealth
4 of Massachusetts, formerly used as a state prison, and all
5 dwelling houses occupied in connection with said state
6 prison in that part of Boston known as Charlestown, and
7 the proceeds of the sale of the real estate and of all prop-
8 erty belonging to the commonwealth therewith connected,
9 which has not been removed to the new state prison,
10 shall be paid into the treasury of the commonwealth to
11 be applied from time to time for the payment or redemp-
12 tion of any notes given under authority of the preceding
13 section of this act, and if the proceeds of such sale should
14 not be sufficient for the payment or redemption of said
15 notes, the deficiency shall be supplied from the ordinary
16 revenue of the commonwealth, and any excess of such
17 proceeds shall accrue to said ordinary revenue.