
Accompanying the first recommendation of the Department of Correction (House, No. 203). Social Welfare. Dec. 6, 1923.

The Commonwealth of Massachusetts.

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

An Act authorizing the Compensation of certain Prisoners from the Earnings of the Institutions in which They are confined.

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. Chapter one hundred and twenty-
2 seven of the General Laws is hereby amended by in-
3 serting after section seventy-one the following new
4 section:—

5 *Section 71A.* Any prisoner confined in the state
6 prison, the Massachusetts reformatory or the re-
7 formatory for women may, in the discretion of the
8 warden or superintendent of such institution, re-
9 ceive compensation from the earnings of the insti-
10 tution in which he is confined, such compensation to
11 be graded by such warden or superintendent for the
12 time such prisoner may work; but in no case shall
13 the total compensation allowed to all prisoners in
14 any such institution under this section exceed in
15 amount twenty-five per cent of the earnings of such
16 institution. Compensation allowed hereunder shall
17 be based upon an amount of work or labor per-
18 formed by a prisoner at his option in excess of a

19 given amount fixed for him to perform for the bene-
20 fit of the state; and in such case, his compensation
21 may, in the discretion of the warden or superin-
22 tendent, be a sum equal to the value of the addi-
23 tional work or labor so performed or to the value of
24 the product or portion thereof produced by such
25 additional work or labor.

26 The commissioner of correction may adopt rules,
27 which shall be subject to the approval of the gov-
28 ernor and council, for establishing in the institu-
29 tions above referred to a system of compensation
30 for prison labor, for the prisoners confined therein.
31 Such rules shall provide for the payment of com-
32 pensation to each prisoner who shall meet the re-
33 quirements therein established; they may also pro-
34 vide how the credit shall be set up for the prisoner
35 for the value of such labor in excess of the cost of
36 his maintenance and the manner in which the value
37 of such earnings shall be paid to the prisoner or
38 held in trust for him by the warden or superin-
39 tendent until his release, and as to how such
40 amounts credited to a prisoner under this section
41 shall be subject to the deduction of fines, penalties
42 and forfeitures. Any difference in the rate of com-
43 pensation shall be based both upon the pecuniary
44 value of the work performed and also on the willing-
45 ness, industry and good conduct of such prisoner.

46 The warden or superintendent of each such in-
47 stitution may institute and maintain, subject to
48 rules as aforesaid, a uniform system of fines for
49 misconduct or other valid reason, to be imposed at
50 his discretion in addition to or in place of other
51 penalties and punishments and to be deducted from

52 such compensation standing to the credit of any
53 prisoner.

1 SECTION 2. Section seventy-two of said chapter
2 one hundred and twenty-seven is hereby amended
3 by inserting after the word "inclusive", in the
4 fourth and fifth lines, the following:— and the
5 amounts required for the compensation of prison-
6 ers under section seventy-one A, — so as to read as
7 follows:— *Section 72.* Bills for tools, implements,
8 machinery and materials purchased by, and the sal-
9 aries of persons employed in, the state prison, the
10 Massachusetts reformatory, the reformatory for
11 women, prison camp and hospital and the state
12 farm, under sections fifty-one to seventy, inclusive,
13 and the amounts required for the compensation of
14 prisoners under section seventy-one A, shall be paid
15 monthly by the commonwealth, upon schedules pre-
16 pared and sworn to by the warden or superin-
17 tendent and approved by the commissioner. Bills
18 for tools, implements, machinery and materials
19 purchased by, and the salaries of persons employed
20 in, the jails and houses of correction under said
21 sections shall be paid monthly by the county, upon
22 schedules prepared and sworn to by the master or
23 keeper and approved by the commissioner. The
24 schedule of bills for tools, implements and machin-
25 ery and of bills for materials and salaries shall be
26 kept separate from each other and from the sched-
27 ules of bills incurred for the maintenance of the
28 prison, reformatory, jail or house of correction.

