

SENATE . . . . . No. 153.

---

Commonwealth of Massachusetts.

---

SENATE, Mar. 29, 1900.

The committee on Prisons, to whom was referred the petition of Benjamin F. Russell and others that certain officers of the State Prison and the Massachusetts Reformatory may be retired from active duty and pensioned (accompanied by bill, Senate, No. 31), report the accompanying bill.

Messrs. SOULE of the Senate, and BARTLETT and ROBINSON, of the House, dissent.

For the Committee,

FRANK A. PATCH.

## Commonwealth of Massachusetts.

---

In the Year One Thousand Nine Hundred.

---

### AN ACT

Relative to pensioning Officers of the State Prison  
and Massachusetts Reformatory.

*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. With the approval of the commis-  
2 sioners of prisons, the warden of the state prison  
3 as to officers of said institution, and the superin-  
4 tendent of the Massachusetts reformatory as to  
5 officers of said institution, may retire the follow-  
6 ing named officers from active service and place  
7 such officers upon a pension roll: Any officer of  
8 said prison or reformatory who has arrived at the  
9 age of sixty-five years and has been employed in the  
10 prison service of the Commonwealth, with a good  
11 record, for not less than fifteen years; any officer  
12 of said prison or reformatory who has been em-  
13 ployed in said service, with a good record, for not  
14 less than twenty years and is, in the judgment of  
15 said warden or superintendent as the case may be,

16 incapable of fully discharging his duty as an  
17 officer; and any officer of said prison or reform-  
18 atory who, without fault of his own, has become  
19 permanently disabled by injuries sustained in the  
20 performance of his duty and is certified by the  
21 physician of the institution in whose services such  
22 injuries were received, as being so disabled, either  
23 mentally or physically.

1 SECTION 2. The words prison service as used  
2 in section one of this act shall be construed to  
3 mean service in the state prison or Massachusetts  
4 reformatory; and any officer of one of the said  
5 institutions shall, for the purposes of this act, be  
6 credited with all the time he has served as officer,  
7 with a good record, in either of them. The  
8 words good record shall be construed to mean  
9 that the officer has not been discharged for mis-  
10 conduct from either of said institutions, or that,  
11 if so discharged, it was afterwards found that he  
12 was not at fault; and the restoration to duty or  
13 reappointment in the institution from which he  
14 was discharged shall be sufficient evidence of the  
15 exoneration of any officer.

1 SECTION 3. Any officer who is retired as pro-  
2 vided in section one shall be allowed a pension  
3 equal to one-half the salary he was receiving at  
4 the time of his retirement. Said pension shall be  
5 paid in monthly instalments, from the appropria-  
6 tion made for the support of the institution from  
7 whose service he is retired.

1 SECTION 4. The said warden and superin-  
2 tendent, respectively, may call upon any officer  
3 who is retired as herein provided for such tem-  
4 porary service as he is fitted to perform; and  
5 during such temporary service said officer shall  
6 be paid the full rate of compensation instead of  
7 the half rate named in section three.

1 SECTION 5. This act shall take effect upon its  
2 passage.