

HOUSE No. 1670.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, May 22, 1908.

The committee on Public Charitable Institutions, to whom was referred the report of the State Board of Charity, under chapter 121 of the resolves of the year 1907, relative to the establishment of an industrial school for boys who are excluded by age limit from the Lyman School for Boys (House, No. 1530), report the accompanying bill.

For the committee,

JOHN H. PICKFORD.

Mr. Wm. H. O'Brien of Boston, of the House, dissents.

HOUSE OF REPRESENTATIVES, May 26, 1908.

The committee on Ways and Means, to whom was referred the Bill to provide for the establishment of the industrial School for Boys, report that the same ought to pass, in a new draft herewith submitted.

For the committee,

ROBERT LUCE.

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Eight.

AN ACT

To provide for the Establishment of the Industrial School
for Boys.

*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 governor with the advice and con-
2 sent of the council shall, during the month of June of
3 the current year, appoint a board of seven trustees, two
4 of whom shall be women, in whom and in their succes-
5 sors shall be vested the government and management of
6 a school for the industrial training, instruction and re-
7 formatory treatment of boys committed thereto. Said
8 institution shall be known as the industrial school for
9 boys. The trustees shall be appointed for a term of five
10 years from the first day of July next. Two members
11 shall retire each year for two years successively, and one
12 member a year for three years successively. The succes-
13 sor of each of said trustees shall be appointed in the
14 same manner during the month preceding the expiration
15 of his term. Said board shall be a corporation for the
16 purpose of taking, holding and investing in trust for the

17 Commonwealth any grant or devise of land, or any gift
18 or bequest of money or other personal property made for
19 the use of said school. Said trustees are hereby author-
20 ized to purchase, in behalf of the Commonwealth, real
21 estate, with such personal property as may be upon the
22 same, as a site for said school.

1 SECTION 2. With the approval of the state board of
2 charity the trustees may erect new buildings and alter
3 and repair those upon the property purchased. They may
4 also equip and furnish the same. Said trustees shall
5 have authority to make all contracts and employ all agents
6 necessary to carry out the provisions of this act. Their
7 reasonable expenses incurred in the performance of their
8 duties under the first two sections of this act shall be paid
9 from the appropriation for carrying out the provisions
10 thereof. For the purpose of carrying out the provisions
11 of the first two sections of this act the trustees of said
12 school may expend a sum not exceeding eighty-five thou-
13 sand dollars, but no expenditure shall be made under
14 said sections except for the purchase of a site for said
15 school and for plans until said state board shall certify
16 that in its opinion the entire cost of said land and build-
17 ings, of altering and repairing buildings upon the land
18 purchased, and of erecting and making ready for occu-
19 pancy any new building or buildings under the provi-
20 sions of this section, will not exceed eighty-five thousand
21 dollars, and the total expenditures made and liabilities
22 incurred under the provisions of said sections shall not
23 exceed that amount.

1 SECTION 3. When the buildings are ready for occu-
2 pancy the trustees shall so notify the governor, who shall
3 thereupon issue his proclamation establishing said school;

4 and thereafter, if it shall appear to any police, district
5 or municipal court or trial justice that any boy not less
6 than fifteen years of age who has been adjudged to be a
7 delinquent child, or any boy not less than fifteen nor
8 more than eighteen years of age who has been convicted
9 of any offence punishable by imprisonment other than
10 imprisonment for life, is a suitable subject for said
11 school, and that his welfare and the good of society re-
12 quire that he should be sent thereto for industrial train-
13 ing, instruction and reformatory treatment, the court may
14 issue a warrant of commitment to said school. So far as
15 they are applicable, except as herein otherwise provided,
16 all provisions of law in relation to commitments to the
17 Lyman school for boys shall extend to commitments to
18 said industrial school. A boy committed to said school
19 as aforesaid may be held therein until he attains the age
20 of twenty-one years, and the custody of such boy shall
21 be in and remain with said trustees until such age is at-
22 tained, excepting during such time as he shall be absent
23 from said school in the Massachusetts reformatory. Said
24 trustees may release from said school upon probation
25 any inmate thereof and may recall him from probation.
26 They may employ such agents as may be required for
27 the care of such probationers.

1 SECTION 4. Upon the request of the trustees of the
2 Lyman school, the trustees of said industrial school may
3 transfer to it any inmate of said Lyman school and may
4 transfer any inmate of said industrial school to said
5 Lyman school with the consent of its trustees. The
6 trustees for children of the city of Boston may transfer
7 to said industrial school any boy committed to the Suf-
8 folk school for boys after the passage of this act. Upon
9 application of the trustees, the prison commissioners may

10 remove to the Massachusetts reformatory any inmate of
11 said industrial school, and upon a further application
12 may return him to said school. A boy so removed to
13 said reformatory shall be subject to all laws relating to
14 the other inmates thereof until he is returned to said
15 school. With the consent of the trustees, the prison com-
16 missioners may remove to said industrial school any boy
17 under the age of seventeen years who is sentenced to the
18 Massachusetts reformatory. When a boy is removed or
19 returned under this act, all mittimuses, processes and other
20 official papers, or copies thereof, by which he is held, shall
21 be removed or returned with him; and he may be held in
22 the institution to which he is removed or returned until
23 the expiration of the term for which he was originally
24 committed. After the establishment of said industrial
25 school, no boy who is more than fifteen years of age shall
26 be committed to the Suffolk school for boys.

1 SECTION 5. The trustees shall have general charge of
2 said school and of all its interests. They shall, from
3 time to time, establish rules, regulations and by-laws for
4 for its government, the direction of its officers and the in-
5 struction and discipline of its inmates; and they shall
6 see that its affairs are conducted according to law and to
7 said rules, regulations and by-laws. They shall appoint
8 a superintendent who shall be the executive officer of the
9 school and, subject to the approval of the governor and
10 council, they shall fix his compensation.

1 SECTION 6. Said trustees and the state board of
2 charity shall have the same rights and powers, be charged
3 with the same duties and be subject to the same responsi-
4 bilities in regard to said industrial school and to the
5 officers and inmates thereof as by law are given to or im-

6 posed upon said board and upon the trustees of the
7 Lyman and industrial schools in regard to the Lyman
8 school for boys and its officers and inmates. Sections
9 six, seven and nine of chapter eighty-six of the Revised
10 Laws shall apply to the superintendent of said school;
11 and all other laws in relation to the duties, powers and
12 obligations of officers of said Lyman school, so far as
13 applicable, shall extend to officers of said industrial
14 school.

1 SECTION 7. For the purpose of meeting the expenses
2 incurred under the provisions of this act, the treasurer
3 and receiver general is hereby authorized, with the ap-
4 proval of the governor and council to issue scrip or cer-
5 tificates of indebtedness to an amount not exceeding
6 eighty-five thousand dollars, for a term not exceeding
7 thirty years. Said scrip or certificates of indebtedness
8 shall be issued as registered bonds or with interest cou-
9 pons attached, and shall bear interest at a rate not ex-
10 ceeding four per cent. per annum, payable semi-annually
11 on the first days of May and November. They shall be
12 designated on the face thereof as the Prison and Hos-
13 pital Loan, shall be countersigned by the governor, shall
14 be deemed a pledge of the faith and credit of the Com-
15 monwealth, and the principal and interest thereof shall
16 be paid at the times specified therein in gold coin of the
17 United States or its equivalent. Such scrip or certificates
18 of indebtedness shall be disposed of at public auction, or
19 in such other manner, and at such times and prices, and
20 in such amounts, and shall bear such rates of interest,
21 not exceeding four per cent. per annum, as shall be
22 deemed for the best interests of the Commonwealth, but
23 none of the same shall be sold at less than the par value
24 thereof. The sinking fund established by chapter three

25 hundred and ninety-one of the acts of the year eighteen
26 hundred and seventy-four, known as the Prison and Hos-
27 pital Loan Sinking Fund, shall also be maintained for
28 the purpose of extinguishing bonds issued under the au-
29 thority of this act; and the treasurer and receiver gen-
30 eral shall apportion thereto from year to year an amount
31 sufficient with the accumulations of said fund to ex-
32 tinguish at maturity the debt incurred by the issue of
33 said bonds. The amount necessary to meet the annual
34 sinking fund requirements and to pay the interest on
35 said bonds shall be raised by taxation from year to year.

1 SECTION 8. This act shall take effect upon its passage.

