

# SENATE . . . . . No. 50.

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To accompany the petition of Benjamin Derby, Jr., and others for legislation to provide for a system of pensioning the officers of prisons. Public Service.

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## Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Eight.

### AN ACT

Relative to retiring Prison Officers.

*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 prison commissioners may, with the  
2 approval of the governor and council, retire from active  
3 prison service and place upon a pension roll, any officer  
4 of the state prison, or of the Massachusetts reformatory,  
5 or of the state farm, or of the reformatory prison for  
6 women, or of any jail or house of correction, who has  
7 attained the age of sixty-five years or over, and who has  
8 been employed in prison service in Massachusetts with  
9 a good record, for not less than twenty years, or who is  
10 incapable of fully discharging his duty as an officer,  
11 either through illness or disease contracted in the prison

12 service, or who, without fault of his own, has become  
13 permanently disabled by injuries sustained in the per-  
14 formance of his duty; or who has performed faithful  
15 prison service for not less than thirty years: *provided,*  
16 *however,* that no officer of the state farm shall be so re-  
17 tired except upon the recommendation of the trustees of  
18 said institution; and *provided, further,* that no officer of  
19 any jail or house of correction shall be so retired except  
20 upon the recommendation of the sheriff and county com-  
21 missioners of the county, except in the county of Suf-  
22 folk, where the recommendation, as to officers of the jail,  
23 shall be made by the sheriff, and, as to the officers of the  
24 house of correction, by the penal institutions commis-  
25 sioner.

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

1 SECTION 3. Any officer who is retired, as provided  
2 in section one of this act, shall be allowed a pension equal  
3 to one-half of the salary he was receiving at the time of

4 retirement. The pension, in the case of an officer of the  
5 state prison, Massachusetts reformatory, state farm, or  
6 reformatory prison for women, shall be paid in monthly  
7 installments from the treasury of the Commonwealth;  
8 and in the case of an officer of a jail or house of cor-  
9 rection, said pension shall be paid in monthly install-  
10 ments from the county treasury.

1 SECTION 4. This act shall take effect upon its passage.

