

SENATE....

....No. 66.

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REPORT

ON

SUNDRY PETITIONS FOR THE ESTABLISHMENT

OF

HOUSES OF INDUSTRY

IN CONNECTION WITH FARMS.

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## Commonwealth of Massachusetts.

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IN SENATE, March 3, 1837.

The Joint Select Committee, to whom was referred the Petition of the Overseers of the Poor of the town of Lenox, and sundry other Petitions, from inhabitants of the counties of Berkshire, Franklin and Hampshire, praying for the establishment of Houses of Industry, in connection with Farms, in the several counties of the Commonwealth, for the accommodation of paupers, and that a portion of the surplus revenue may be appropriated to this purpose, have had the same under consideration, and report the accompanying Bill.

HARVEY CHAPIN, *Chairman.*



## Commonwealth of Massachusetts.

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In the Year One Thousand Eight Hundred and Thirty-  
Seven.

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### AN ACT

Concerning Paupers.

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

1 SEC. 1. No claim shall be allowed or admitted from  
2 any town, against the Commonwealth, for the relief or  
3 maintenance of paupers, which shall be incurred after  
4 the first day of September next.

1 SEC. 2. There shall be provided, previous to the  
2 first day of September next, in each county, at the ex-  
3 pense of the Commonwealth, a work-house, with a  
4 suitable quantity of land, shops and other accommoda-  
5 tions thereto adjoining, proper for the employment and  
6 correction of common beggars, vagrants, and poor per-  
7 sons who may be in need of relief and subsistence, and  
8 who may have no known legal settlement in the Com-  
9 monwealth.

1 SEC. 3. Immediately after the passing of this act,  
2 there shall be appointed by the Governor and Council,  
3 five persons, (no two of whom shall be residents of  
4 the same county,) to be commissioners of pauperism.  
5 And annually hereafter, in the month of January,  
6 there shall be appointed by the Governor and Coun-  
7 cil, one person, to be a commissioner of pauperism;  
8 and immediately on such person's accepting the ap-  
9 pointment, the senior commissioner, then at the board,  
10 shall retire therefrom.

1 SEC. 4. It shall be the duty of said commissioners,  
2 as soon as may be after their appointment, to provide,  
3 in each county, by purchase or otherwise, a work-  
4 house, with suitable appurtenances, as mentioned in  
5 the second section of this act. To enable them to  
6 effect this purpose, said commissioners may, if neces-  
7 sary, from time to time, present their accounts to the  
8 Governor and Council for allowance, and the Governor  
9 is hereby authorized to draw on the treasury of the  
10 Commonwealth for the payment of such sums as may  
11 be so allowed.

1 SEC. 5. It shall be the duty of said commissioners  
2 to appoint a master to each work-house, to determine  
3 the annual compensation for his services, and to re-  
4 quire from him a satisfactory bond for the faithful  
5 performance of his duties.

1 SEC. 6. The said commissioners shall have power  
2 to establish such rules and by-laws, not repugnant to  
3 the laws and constitution of this Commonwealth, as  
4 they may deem necessary and expedient for the man-  
5 agement of said work-houses, and for the employment  
6 and discipline of the paupers and others admitted  
7 therein.

1 SEC. 7. Two or more of said commissioners shall  
2 visit, at least twice in every year, every work-house ;  
3 examine its condition and the state of its inmates ;  
4 inspect the register of accounts and proceedings of the  
5 master and his assistants ; and give such orders and  
6 directions as they may deem proper in regard to the  
7 preservation of property, the purchase and sale of ma-  
8 terials and articles of manufacture, the keeping and  
9 settling the accounts for such materials, and of the  
10 labor performed by the inmates of such work-house.

1 SEC. 8. The said commissioners shall have power  
2 to remove the masters of the work-houses, and their  
3 assistants, for neglect or violation of duty.

1 SEC. 9. The said commissioners, as soon as possi-  
2 ble after their appointment, shall meet together at the  
3 State-house in Boston, and adopt such rules for their  
4 own organization and government, as they may deem  
5 expedient ; determine the times and places for future  
6 meetings ; and distribute the duties imposed upon  
7 them by this act among themselves, in such manner  
8 as may best suit their convenience, and accomplish  
9 the purposes of their appointment.

10 They shall receive, from the masters of the work-  
11 houses, the returns provided for in the tenth section  
12 of this act, and shall, annually, before the third  
13 Wednesday in January, transmit to the secretary of  
14 the Commonwealth, to be by him presented to the  
15 Legislature, a report of their proceedings during the  
16 preceding year ;—which report shall embrace an ab-  
17 stract of the returns made to them by the masters of  
18 the work-houses, and such other details, remarks and  
19 suggestions as may be deemed proper, in order that  
20 the purposes of this act may be carried into full effect.

21 They shall keep an accurate account of the ex-  
22 penses of their several meetings, of their travel in  
23 visiting the work-houses, and all other necessary ex-  
24 penses incurred in the performance of the duties by  
25 this act required, and present such account with their  
26 annual report. Their account shall be audited and  
27 allowed by the joint standing committee on accounts  
28 of the Legislature, and they shall receive such com-  
29 pensation for their services as shall be deemed just  
30 and proper by that committee.

1 SEC. 10. The masters of the work-houses shall,  
2 respectively, give bonds to the satisfaction of said  
3 commissioners, for the faithful performance of their  
4 duties.

5 Each of said masters shall keep a register, in which  
6 shall be recorded the name, sex, age, color, trade,  
7 birth place, and place of settlement, (if any they have  
8 within the Commonwealth,) of every person admitted  
9 to their respective work-houses: the time when each  
10 person was admitted, the cause of his admission, the  
11 time and manner of his discharge, the estimated cost  
12 of his support, and the estimated value of the work  
13 he may have done, shall also be recorded in the same  
14 register: and this register shall be at all times subject  
15 to the inspection of the said commissioners.

16 The masters shall, respectively, present to the  
17 commissioners a tabular statement of the record above  
18 mentioned, semi-annually, in the months of June and  
19 December. They shall present, at the same time, a  
20 detail of the expenses and disbursements, and of all  
21 the receipts and profits of their respective work-houses.

22 The masters shall provide, at the expense of the  
23 Commonwealth, suitable materials, sufficient at all

24 times, to keep in employment all the subjects of each  
25 work-house who are able to labor, in their respective  
26 work-houses, in addition to such out-door work as  
27 may be deemed expedient.

28 They shall have authority to compel the labor of all  
29 such subjects under their care, as may be able to la-  
30 bor, by the infliction of such penalties and punishments  
31 as may be prescribed by the said commissioners, not  
32 inconsistent with the laws of the Commonwealth and  
33 the principles of humanity.

34 They shall have power to bind out the minor chil-  
35 dren of poor persons admitted into the work-houses,  
36 and to require of the persons to whom such children  
37 may be bound the strict performance of their obliga-  
38 tions;—which obligations shall be the same as those  
39 required, in like cases, by overseers of the poor in  
40 towns.

41 They shall have power to restrain all persons, who  
42 may have received relief or support in the work-  
43 houses, until such persons, by the proceeds of their  
44 labor, shall have reimbursed the work-houses for such  
45 expenses as may have been incurred on their account.

46 They shall have power to discharge paupers from  
47 their respective work-houses, whenever, in their opin-  
48 ion, it may be for the welfare of such paupers, or the  
49 interest of the State, that they should be allowed to  
50 leave the work-houses, although the work-houses may  
51 not be entirely reimbursed for their support.

52 They shall have power to appoint such assistants  
53 as may be necessary, subject to the approval of said  
54 commissioners, or any two of them, and to allow to  
55 such assistants such compensation as said commission-  
56 ers shall approve and determine.

57 The masters of the several work-houses shall de-  
58 mand and receive, from any persons or corporations,  
59 all money due to their respective work-houses, for the  
60 use and benefit thereof. They shall have power to  
61 sue, and they may be sued, to final judgment and ex-  
62 ecution, in any court of competent jurisdiction, in  
63 their respective counties: no action commenced by or  
64 against said masters shall be abated in consequence of  
65 any vacancy in the office of master; but any succes-  
66 sor, appointed during the pendency of such action,  
67 may take upon himself the prosecution or defence  
68 thereof, and it shall be his duty to do so upon notice  
69 from the adverse party.

1 SEC. 11. When application shall be made to the  
2 overseers of the poor in any town, by or for any  
3 pauper, who has no legal settlement in the Common-  
4 wealth, it shall be the duty of such overseers, to cause  
5 such pauper to be conveyed to the work-house of  
6 their county, at the expense of said work-house, there  
7 to be supported or employed according to the provi-  
8 sions of this act, and the rules and regulations estab-  
9 lished by the commissioners of pauperism. Or the  
10 overseers, in case of such application, may give notice  
11 thereof to the masters of the work-houses in their  
12 respective counties; and it shall be the duty of said  
13 masters thereupon to cause the removal of such pauper  
14 to the work-house within ten days from the receipt  
15 of such notice. If the condition of paupers so situat-  
16 ed is such that they cannot be removed without en-  
17 dangering their life or health, the town furnishing the  
18 necessary support shall be paid for all reasonable ex-  
19 penses incurred on account of such pauper from the

20 funds of the work-house, after the account shall have  
21 been audited and allowed by said commissioners.

22 If, after the admission of any pauper to a work-  
23 house, it shall appear, either before or after his dis-  
24 charge therefrom, that he had, at the time of his ad-  
25 mission, a legal settlement in any city or town of this  
26 Commonwealth, or had kindred legally liable and of  
27 sufficient ability to contribute to his support; the  
28 master of the work-house may demand and recover  
29 from such city, town, or kindred, payment for the  
30 amount that shall have been expended for the relief  
31 and support of such pauper, or such part thereof as  
32 said commissioners may deem just and reasonable :  
33 *provided*, that no city, town or person shall be liable  
34 to pay any expenses so incurred before notice of such  
35 liability shall be given by the master of the work-  
36 house.

37 Overseers of the poor may contract with the mas-  
38 ters of the work-houses in their respective counties,  
39 for the support of town paupers, at a price which shall  
40 reimburse the work-house for the expense incurred  
41 for the support of such paupers.

1 SEC. 12. It shall be the duty of the respective  
2 district attorneys to prosecute and defend all suits in  
3 which the masters of work-houses are parties on be-  
4 half of the Commonwealth.

1 SEC. 13. Any police court, or justice of the peace,  
2 and also the court of common pleas and municipal  
3 court, may sentence and commit to the work-houses  
4 of their respective counties, there to be confined and  
5 punished, any person convicted of either of the offen-  
6 ces enumerated in the fifth or sixth sections of the  
7 one hundred and forty-third chapter of the Revised

8 Statutes ;—and the person so sentenced, his parent,  
9 master, kindred, or the city or town in which he has  
10 a legal settlement, shall be liable to pay for his sup-  
11 port in the work-house, if he shall be unable to  
12 pay for his subsistence by the proceeds of his labor.

1 SEC. 14. All charges for maintaining the inmates  
2 of the work-houses, above what may be reimbursed  
3 by the proceeds of their labor, and for materials to  
4 keep them employed, shall be paid from the treasury  
5 of the Commonwealth ;—the accounts of the masters  
6 having first been audited and approved by the said  
7 commissioners, and presented by them to the Gover-  
8 nor and Council.