

SENATE...No. 35.

M E S S A G E .

To the Senate :

In the report of the Warden of the State Prison made to the Governor, in November last, he says, "there are four convicts in the prison wholly, or partially deranged, and consequently unsafe persons to be at large in the prison yard. No suitable accommodations are provided for insane persons. The only thing that can be done for them is to shut them up in solitary cells, where the diseases of the mind, instead of being healed, are aggravated and confirmed. One man has been confined in this way for several years, two others for shorter periods of time."

The inspectors of the prison, in their report, call the attention of government to the fact, that there are several insane persons in the prison for whom no suitable provision is made. They further say, "they have reason to apprehend that some of these persons were insane at the time of committing the offences of which they were convicted, and have been so during the whole period of their confinement." I have seen those unfortunate men and witnessed the cheerless and gloomy cells, in which, from necessity, under existing laws, they are shut up. With no one to look after them, capable of administering to minds diseased, they are left alone to the workings of their disordered brains. There is reason to believe that cases, which in their early stages would yield to proper treatment, if neglected as these persons now are, will end in hopeless insanity.

It seems inhuman and cruel, that persons bereft of their reason, upon whom punishment can produce no useful effect, should be made to suffer more severely than those who are conscious they are paying the just penalty of violated law.

Existing laws make provisions for sending persons, in county jails, under sentence, who may become insane, to the State Lunatic Hospital at Worcester. And if on the trial for an offence before the courts, a jury find the prisoner not guilty by reason of insanity, the court have power to send him to the Lunatic Hospital. This has been done in the case of the miserable man who killed the late warden of the State prison, whilst his fellow prisoners are shut up in their cells.

I recommend the enactment of a law, directing that convicts in the State prison, who shall be found to be insane, shall be removed to the State Lunatic Hospital at Worcester, until their reason shall be restored, or the time for which they are committed to prison shall have expired.

To ascertain the fact of insanity, the cases of those convicts who appear to be so, might be submitted to the examination of persons whose education and professional experience qualify them to be judges. Perhaps a commission, consisting of the superintendents of the State Lunatic Hospital at Worcester and at the McLean Asylum, and the physician of the State prison, would constitute a safe and useful board for such a purpose. Whether the persons to make such examinations should be named in the law, or left to be appointed in some other mode, will be for the Legislature to decide, if they shall see fit to act on the subject.

It appears to me, that the condition of the present lunatic inmates of our State prison, calls for prompt action on the part of the Legislature.

I deem it my duty to direct your attention to their situation, and respectfully but urgently to invite you to make immediate provision for their relief.

GEO. N. BRIGGS.

COUNCIL CHAMBER, }
Feb. 10th, 1844. }

