

SENATE....No. 65.

Commonwealth of Massachusetts.

IN SENATE, Jan. 13, 1844.

Ordered, That the Joint Standing Committee on Prisons be directed to inquire and report, whether there are any regulations or customs existing at the State Prison, at Charlestown, inconsistent with religious toleration, and whether any legislation is needed on the subject.

Sent down for concurrence.

CHAS. CALHOUN, *Clerk.*

HOUSE OF REPRESENTATIVES, Jan. 13, 1844.

Concurred.

CHAS. W. STOREY, Jr., *Clerk.*

Commonwealth of Massachusetts.

The Joint Standing Committee on Prisons, to whom was referred an order of the 13th January, directing them to inquire and report, whether there were any regulations or customs existing in the State Prison inconsistent with religious toleration, and also a memorial in relation to the mode of conducting the Sabbath school,

REPORT:

That on inquiry they have learnt, from the warden and chaplain, that there have been no regulations adopted in regard to this subject, other than the law provides for. It has been customary for the chaplain to admit such religious books, and other publications, as he approved of, and such as he considered of doubtful utility he referred to the warden, to be admitted or not, by him, as he might think proper. The Catholic Bible has been rejected, and a few other books of a controversial character, not exceeding one dozen in the whole. Thus far it may be said a custom has existed inconsistent with religious toleration.

The chaplain stated that he had superintended the Sabbath school since he had been connected with the prison, (a term of fifteen years,) and he had found it necessary to devote much of his time, during the month immediately preceding the opening of the school, to secure a competent number of teachers, that would attend uniformly during its continuance. He had frequently applied to the theological departments of Harvard College for teachers, and from that institution, and religious societies in Boston, of different denominations, he had, from time to time, obtained a supply; and no complaint had ever been made

to him of the course he pursued, until the present Legislature convened. A few weeks since, three gentlemen of the Universalist denomination, one of whom, a clergyman, had been connected with the Sabbath school for three months previous, met at the prison, on the Sabbath, and the two strangers expressed a wish to become teachers in the school. The chaplain observed that the classes were all supplied with teachers, and although he did not wish to multiply teachers of their denomination, he would admit them, and they might take the place of any teacher that might be absent; they replied that they should not avail themselves of the privilege, as a matter of *toleration*, they claimed it as their *right*, and if that right was denied they should withdraw; they accordingly did so, and the reverend gentleman, their associate, withdrew with them; and “feeling deeply aggrieved,” are now, as humble petitioners, seeking redress from the Legislature.

Your committee are of opinion, that the warden and chaplain, being thus admonished, may safely have charge of these matters, together with the inspectors, who may prescribe rules, if necessary, to remedy the evil complained of, and thus preclude the necessity of legislating upon the subject.

JOHN SAFFORD, *Chairman.*

