

HOUSE No. 488.

[Substituted for Senate, No. 290, and passed to be engrossed by the House.]

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Eighty-six.

AN ACT

Relating to the Labor of the Prisoners in the State
Prison.

*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. No contract shall hereafter be
2 made for the labor of prisoners confined in the
3 state prison; but such prisoners shall be employed
4 by the warden of said prison, under rules and
5 regulations to be established by said warden, in
6 such industries as shall from time to time be fixed
7 by said warden. The warden shall purchase such
8 tools and implements as he shall consider necessary
9 for carrying on said industries.

1 SECT. 2. The warden may employ such num-
2 ber of persons as he shall consider necessary to
3 superintend and instruct said prisoners in said in-
4 dustries. Such superintendents and instructors
5 shall have the same authority in relation to the
6 prisoners which is possessed by the subordinate
7 officers of said prison. The compensation of said
8 superintendents and instructors shall be fixed by
9 the warden. They shall be appointed and may
10 be removed by the warden.

1 SECT. 3. The bills for tools, implements and
2 materials purchased, together with the salaries of
3 persons employed under this act in the state
4 prison, shall be paid monthly from the treasury
5 of the Commonwealth upon schedules prepared
6 and sworn to by the warden. The schedules of
7 bills for materials and salaries shall be separate
8 from those for tools and implements, and both
9 such schedules shall be separate from the sched-
10 ules of bills incurred for the maintenance of the
11 prison.

1 SECT. 4. Not exceeding one hundred of such
2 prisoners shall be employed in a single industry
3 at the same time in said institution, nor shall the
4 number so employed exceed one-twentieth of the
5 number of persons employed in such industry in
6 the state, according to the classification given in
7 the last census preceding such employment.

1 SECT. 5. The warden shall purchase the ma-
2 terials to be used in manufacturing as aforesaid,

3 and sell such manufactured goods as shall be pro-
4 duced in the prison.

1 SECT. 6. The warden shall pay into the treas-
2 ury of the Commonwealth, whenever he shall
3 have in his possession as great a sum as five thou-
4 sand dollars, and in all cases as often as once in
5 each month, all moneys received under the pro-
6 visions of this act.

1 SECT. 7. The warden, or his successor, may
2 sue upon any sale or be sued upon any purchase
3 made under the provisions of this act. No such
4 suit shall abate by reason of the office of the war-
5 den becoming vacant; but any successor of the
6 warden, pending such suit, may take upon him-
7 self the prosecution or defence thereof, and upon
8 motion of the adverse party and notice he shall
9 be required to do so. When a controversy arises
10 respecting any purchase or sale made under this
11 act, or a suit is pending thereon, the warden may
12 submit the same to the final determination of ar-
13 bitrators or referees, to be approved by the gov-
14 ernor.

1 SECT. 8. The warden shall, as far as may be,
2 have manufactured in the state prison such arti-
3 cles as are in common use in the several state and
4 county institutions. He shall, from time to time,
5 notify the officers of such institutions, having
6 charge of the purchase of supplies, of such goods
7 as he has remaining in hand, and said officers
8 shall, as far as may be, purchase of said articles

9 as are necessary to the maintenance of the insti-
10 tutions which they may represent. The articles
11 manufactured in said prison shall be sold at the
12 wholesale market price of goods of like kind and
13 grade.

1 SECT. 9. The warden shall make an annual
2 report in December, in which he shall state what
3 industries have been carried on in said prison
4 during the year, the number of prisoners employed
5 in each, giving the highest and lowest number at
6 any one time, the kind and quantity of goods
7 manufactured, the amount thereof sold to such
8 institutions and otherwise, and the prices received
9 therefor.

1 SECT. 10. Any existing contract for the labor
2 of the prisoners in said prison, which, by the
3 terms thereof, may be terminated by the warden,
4 upon notice, shall be terminated by the warden,
5 by giving, within one month after the passage of
6 this act, the notice provided for in such contract.

HOUSE OF REPRESENTATIVES, June 30 (A.M.), 1886.

Passed to be engrossed.

Sent up for concurrence.

ROBT A. SOUTHWORTH,
Deputy Clerk.