

SENATE.....No. 74.

Commonwealth of Massachusetts.

IN SENATE, Jan. 21st, 1846.

Ordered, That Messrs. Stone and Rising be a Committee, with such as the House may join, to consider and report on the expediency of repealing all provisions of law for the support of State Paupers.

Sent down for concurrence.

CHAS. CALHOUN, *Clerk*.

HOUSE OF REPRESENTATIVES, Jan. 22, 1846.

Concurred—and Messrs. DIKEMAN, of Northampton;
FITZ, of Haverhill;
OBER, of Boston;
DRURY, of Rowe, and
NEWHALL, of Berkley, are joined.

C. W. STOREY, *Clerk*.

Commonwealth of Massachusetts.

The Joint Special Committee, appointed to consider the expediency of repealing all provisions of law for the support of State Paupers, have attended to the duty assigned them, and offer the following

REPORT:

Although laws providing for the support of foreign paupers from the treasury of the State, have long existed in this Commonwealth, and though the evils resulting from their operation have caused frequent modifications and amendments to be made; yet, experience has shown, notwithstanding all these attempts at improvement, that the inherent vices of the system are so inseparable from it, as, in the opinion of your Committee, to require the repeal of the system itself.

Your Committee believe it will be found, on investigation, that these laws are objectionable, because—

- 1st. Their operation is unequal.
- 2d. They have an injurious effect on paupers and on pauperism.
- 3d. They tempt town and city officers to go to the extreme verge of honesty in making out their accounts and establishing their claims.

The Committee on Accounts have, during the present session, engaged in a careful and thorough investigation of the operation of the laws in question, and we are assured the result of their examination fully sustains each of the above positions.

It is not the purpose of your Committee to go into the details of the testimony given in before the Committee on Accounts; that testimony will, probably, be laid before the Legislature in another form. It is sufficient for our purpose to say, that our former convictions of the impolicy of retaining our State Pauper laws have been strengthened and confirmed by the results of this investigation. It is now well understood, that every one concerned in constructing it, has been convinced of the existence of great evils, and that these can only be remedied by a repeal. When every past attempt to so modify the State Pauper laws, as to make their operation just and equitable, has proved a decided failure, it would seem by no means desirable, that further efforts of this kind should now be renewed.

While your Committee disapprove of a system thus unequal in its operation and vicious in its effects, it is their belief that existing laws for the support of State Lunatic Paupers, should be retained. On this topic we cordially adopt the following sentiments expressed by the Commissioners appointed in 1832.

“There are certain distresses, incidental to humanity, the inflictions of necessity and nature, which cannot be too openly or too liberally provided for. There is all the difference that can be imagined, both in principle and effect, between an institution for the relief of want, and an institution for the relief of disease. The one multiplies its objects. Not so the other. Open a door for the admission of the indigent, and we shall behold a crowd of applicants, increasing every year, because lured thitherward by the inviting paths of indolence and dissipation. Open a door for the admission of the diseased,—and, we may add, for the deaf and dumb, the insane, the idiot, the blind, and we shall have only a definite number of applicants. Men will become voluntarily poor. But they will not voluntarily become blind, or deaf, or maimed, or lunatic.”

Impressed with the conviction that the operation of the present laws, causes an influx of foreign paupers into this Commonwealth, and assured of the fact that placards have been posted in different places in Europe, urging the poor to emigrate to this country, and, assigning as a reason for so doing, that the State of Massachusetts makes provision for their sup-

port, your Committee have felt it their duty to report the accompanying bill, which will, if sustained, prevent Massachusetts from standing longer alone in offering a bounty on vagrancy and indolence.

Per order of the Committee.

JOS. STONE, *Chairman.*

Commonwealth of Massachusetts.

In the year One Thousand Eight Hundred and Forty-Six.

AN ACT

Concerning State Paupers and Alien Passengers.

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

1 SECT. 1. No city or town shall draw from the
2 treasury of this Commonwealth, for the support of
3 State paupers, except lunatics, after the first day of
4 May next, any compensation whatever.

1 SECT. 2. Every city and town shall relieve and
2 support all poor and indigent persons in said city or
3 town, having no lawful settlement in this State,
4 whenever they shall stand in need thereof, and may
5 raise moneys therefor, and for their employment, in
6 the same way that moneys for other town or city
7 charges are raised.

1 SECT. 3. One half of the net amount of all mon-
2 eys which may be received by any city or town,
3 after the first day of May next, as the capitation tax
4 on alien passengers, landed in said city or town,
5 may be applied to its own use, the other half shall
6 be paid into the treasury of the Commonwealth.

1 SECT. 4. From and after the first day of May
2 next, the alien passengers referred to in Section
3 three, Chapter two hundred and thirty-eight, of the
4 Statutes of 1837, shall be required to pay the sum
5 of three dollars each, instead of the sum of two dol-
6 lars as is therein provided.

1 SECT. 5. All laws, inconsistent herewith are here-
2 by repealed.