

1850

Rules and By-Laws for the Government and Discipline of the Maine State Prison at Thomaston, with a Catalogue of Officers

William Thompson

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Recommended Citation

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May. 18

Rules and By-Laws
FOR THE
GOVERNMENT AND DISCIPLINE
OF THE
MAINE STATE PRISON
AT THOMASTON,
WITH A
CATALOGUE OF OFFICERS.

BANGOR:
WILLIAM THOMPSON, Printer.
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RULES AND BY-LAWS

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GENERAL RULES AND REGULATIONS.

1. No officer shall buy from or sell to any convict any article or thing whatever, nor shall they take or receive for their own use, or that of their families, any fee, gratuity, or emolument from any person committed to their custody, nor from any of their friends in behalf of the convicts.

2. Spirituous liquors shall in no case be furnished the convicts, except by order of the Physician, and every officer is hereby required wholly to abstain from their use during the period of his employment at this institution.

3. The convicts shall have at all times the liberty of speaking to the Inspectors, when present at the prison. The Inspectors will not, however, suffer a convict to hold any conversation with them in the hearing or presence of other convicts.

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4. No officer except the Warden, or in his absence, the deputy Warden, shall strike or punish corporeally any prisoner, except in self-defence, but should personal violence be offered, or the security of the prison be in danger, each officer shall use all lawful means to defend himself and the other officers, and to secure the convicts so opposing or offering resistance.

5. The arms belonging to the Institution shall be kept well loaded, in good order and ready for use, and every offi-

cer is required to use his best efforts to sustain the safety of the Prison, and prevent the escape of the convicts.

6. The convicts in going to and from their cells, shall march with the lock step, in such order as shall be designated by the Warden. Convicts shall be required always to approach their officers in the most respectful manner, and all their communications with the officers must be as brief as the case will admit. They are not to converse with one another, nor shall they be allowed to communicate any intelligence to each other either in writing or by signs, nor shall they under any pretence, without leave from the Warden or Deputy Warden, speak to any person who does not belong to the Institution, nor shall they write a letter to, or receive one from any person, except by leave of the Warden. Their whole demeanor must be in accordance with the most perfect order, and in strict compliance with the rules of the Prison. They shall be industrious, submissive, obedient; labor diligently and in silence on week days, according to their strength and ability.

7. Each convict shall have a straw mattress, three blankets or clothing equivalent thereto in winter, and two in summer, and two coarse cotton sheets. The usual dress of the convicts shall be a roundabout jacket, vest and pantaloons, made of coarse cloth, also a cap made from the same material, and shall be allowed stout woolen socks, and be supplied with coarse leather shoes; their shirts shall be made from stout cotton cloth, and washed and changed once in each week.

8. The rations for each convict per day shall be as follows, viz :

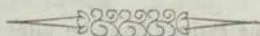
For breakfast, three gills of Indian meal made into hasty pudding, or half a pound of coarse bread and half a gill of molasses. The same for supper. For dinner, from 12 to 16 oz. beef (according to the quality, not to exceed No. 1,) or half a pound of salted pork and half a pint of peas or

beans, or half a pound of dry fish or a pound of fresh fish, with one ounce of hog's lard or butter ; and with either of these rations shall be allowed half a pound of bread and one pint of potatoes, or a quart when allowed fish. In lieu of either of these rations, the Warden is authorized at his discretion to issue rations of fresh fish, or cheap fresh meat, when it can be done without increased expense, or the health of the convicts may require it. The drink of the prisoners shall be water. The rations may be altered from time to time as circumstances may require, with the approbation of the Inspectors.

9. The clothing and property of the convicts, on their arrival at the Prison, shall be taken from them, and (if worth preserving) securely kept, and restored to them on their discharge. Each convict when discharged, shall, at the discretion of the Warden, be furnished with a cheap and suitable laborer's dress, and a sum of money not exceeding five dollars shall be given him to defray his expenses home.

10. The deportment of the officers towards each other, in the presence of the convicts, shall be of the most gentlemanly and dignified character. It shall be the duty of the subordinate officers to aid and assist the Warden in the discharge of those duties imposed upon him by the laws in the government and discipline of the Prison, to enforce that discipline with promptitude and firmness, but with mildness and humanity ; they shall not absent themselves from the Prison on any pretence or cause, except by permission of the Warden, or in his absence the Deputy Warden, and in case any one shall be absent through sickness, or by obtaining leave, his place must be supplied with such substitute as the Warden may think proper to receive.

Powers and Duties of the Warden.



He is by law entrusted with the entire control and management of all the concerns of the Prison, subject to the rules and regulations established by law, and is held responsible for the manner in which said Prison is conducted.

It is his duty to select and nominate all the subordinate officers, and to oversee and command them in their various duties. The Warden is authorized and directed to adopt such rules and regulations for the government of the subordinate officers of the Prison as he shall judge proper, provided they are not incompatible with the laws or by-laws relative to the government of the Prison. Also to make such rules and regulations, relative to spectators and others who may be admitted within, or shall be found lurking without the Prison-yard, as the case may require, and to enforce such regulations by rendering the offenders liable to be apprehended and proceeded with according to law.

He is to prescribe the mode of punishment to be inflicted on the convicts, for their violation of the Prison rules, either by confinement in dark and solitary cells, by putting fetters and shackles on them, or by moderate whipping, not exceeding ten stripes for any one offence.

He is to reside at the Prison, and examine daily into the state of the same; visit every apartment, and see every prisoner under his care, as often as the good order of the Prison and the necessities of the prisoners shall require.

He is to exercise over the whole establishment a general supervision as it regards discipline, police, and the business concerns thereof; to make all purchases, to superintend the manufacturing business carried on within the Prison, to receive the articles so manufactured and to dispose of the same for the benefit of the State.

It shall be his duty to cause the books of the Prison to be so kept, as clearly to exhibit the state of the convicts, the number employed in each branch of business, their earnings and the expenditures of the Institution.

It shall be his duty to close the books of the Prison on the 30th of April annually, and render a report exhibiting a comprehensive view of the transactions of the Prison, during the preceding year.

It shall be his duty to read the rules of the Prison, so far as they relate to the duties of the convicts, in the presence of each prisoner when committed, and at such other times as he may think proper.

He shall see that the prisoners are treated with humanity, and that no unnecessary severity is practiced by the subordinate officers, and that the sick and complaining convicts have proper medical attendance, and are supplied with such food as may be directed by the Physician.

The Warden shall contract with some Physician for medical aid and assistance for the convicts, in a sum not exceeding one hundred dollars (exclusive of medicine) annually.

Duties of the Deputy Warden.



The Deputy Warden is the principal assistant of the Warden. And it shall be his duty to attend to the opening and closing of the Prison, to be present during divine service, to have a constant care and superintendence, under the direction of the Warden, of the internal affairs of the Prison, to see that every subordinate officer strictly performs his appropriate duties, especially to attend to the police and discipline, to see that the rules and regulations of the Institution and the directions of the Warden are enforced.

He shall constantly be moving about the interior of the Prison, visiting the shops, yards, hospital, cells and other apartments, take every precaution for the security of the Prison and prisoners, see that the overseers keep their men diligently employed during the whole time they are in their workshops, that the guard are vigilant and attentive to their duties, and he is required to report to the Warden every neglect of duty, and all impropriety of conduct, on the part of any of the officers.

He shall attend to the clothing of the convicts, see that it is whole, properly changed and in order.

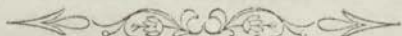
He shall see that the cells, shops, yards, and other apartments of the Prison are kept in a proper state of cleanliness; that the rations are such as are allowed and required to be delivered to the convicts, and that they are properly cooked and served.

He shall, morning, noon, and night, ascertain whether any convict is missing before he dismisses the officers from the hall, or gives the signal to the watchmen on the walls.

And in the absence of the Warden from the Prison, all the duties and powers of the Warden, so far as the same relates to the discipline of the Prison and the safe keeping of the prisoners, shall devolve upon and be executed by the Deputy Warden.

He shall see that ladies and gentlemen visiting the Prison are treated with attention and politeness, and that they are admitted and conducted through the several departments at all proper times.

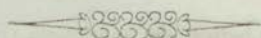
He shall frequently go into the hall in the evening and see that all is right, and that the guard on night duty are vigilant and faithful.



Duties of the Clerk and Commissary.

The Clerk and Commissary shall assist the Warden in keeping an account of the receipts and delivery of all provisions, stores, clothing, raw materials, manufactures, and all other property belonging to the Prison; and in keeping the accounts thereof, and also keeping a Register of the prisoners, stating their names, ages, places of birth, usual places of residence, description of their persons, crimes for which sentenced, the county where convicted, time of entry, duration of sentence, and all other prominent circumstances of all convicts committed to the State Prison.

Duties of the Chaplain.



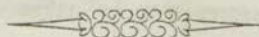
The Chaplain shall, as required by law, devote himself to the religious instruction and moral improvement of the prisoners.

He shall perform divine service in the chapel every Sunday. He shall have the care and management of the Sabbath School, with the co-operation and concurrence of the Warden.

He shall see that every convict is furnished with a Bible, and may apply to the Warden for a proper supply. He shall have the privilege, and it shall be his province, to visit the convicts at all times when in their cells, or in the hospital, and administer to them such instruction and consolation as he may deem best calculated to promote their subordination, reformation, spiritual and eternal welfare, and at all proper times endeavor to impress upon their minds the justice of their punishment, the necessity of amendment, and a strict conformity to the rules of the Prison.

He shall not furnish them with any information or intelligence, other than relates to their duty, without permission of the Warden; and shall conform in all cases to the general rules and regulations of the Institution.

Duties of the Physician.



It shall be the duty of the Physician to visit the Institution at least every other day, before nine o'clock A. M., and personally examine every sick and complaining convict, who may be reported by the several overseers of the work-shops, or who may be confined in the hospital, or cells, and prescribe such medical treatment as their cases require.

He shall repeat his visits through the day, and at all times when the condition of the sick require it; and when sent for is to repair immediately to the Prison, to the exclusion of all other engagements.

He shall furnish the Warden from time to time, as may be necessary, a memorandum of such medicines, provisions, supplies, and furniture, as may be necessary in his department.

He shall keep a book to be called the "Hospital Records," in which shall be entered the names of all convicts reported as sick, or complaining, requiring medical treatment, their diseases and the prescriptions therefor.

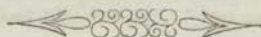
He shall also record the names of all who may be reported as ill, and by him returned to their shops as able to labor, the time when any are discharged from the Hospital, or have died. When a convict dies he shall record the nature of the complaint, and all the circumstances connected with the death, that he may deem necessary and proper, and shall subjoin such other remarks as he may consider necessary

and expedient, respecting the nature of each case, and the treatment thereof.

He may apply to the Warden for such assistance as may be necessary to nurse and attend upon the sick. The Physician shall direct in all cases the diet to be prepared for the sick and complaining convicts, and if it should so happen that the directions or prescriptions of the Physician should not be complied with, he shall report the same to the Warden, that proper measures may be taken to prevent future omissions.



Duties of Overseers and Turnkeys.



The Overseers, and other officers acting as Turnkeys, shall consider themselves as immediate agents of the Warden and Deputy, in enforcing the police and discipline of the Prison, and carrying into effect the intentions of the law for the punishment of convicts in this Prison, and at all times while in the employ of the State, are to consider themselves subject to the rules and regulations adopted for the government of the Prison, and are to govern themselves in strict conformity thereto.

They shall keep a list of the men under their charge, with the number of the cell in which each convict sleeps, opposite his name, and upon locking up, morning, noon and night, shall note the absence of any convict from his cell, and immediately report the same to the Deputy Warden.

They are to march their men to and from their shops in close order, taking the lock step; they shall require the convicts to keep their faces inclined towards their keepers, and shall use their utmost efforts to enforce perfect non-intercourse, and observance of all the rules and regulations necessary for their government.

They shall require from the convicts an uniform, sober, orderly and humble deportment. It shall be their duty to instruct them in all the rules of the shop and Prison, necessary for their government, and shall admonish them upon the least appearance of insubordination, and report them for

punishment to the Warden or his Deputy, whenever they shall refuse to obey orders, or neglect their duty.

And it shall be the duty of each Overseer of the several work-shops, to preserve in his department the most perfect order. He shall not hold any common-place or unnecessary conversation with the convicts, nor shall they be allowed to make any inquiries relative to any subject not immediately connected with their duty, employment or wants.

The Overseers are not to appropriate to their own use any article or thing whatever, manufactured at the Prison, however small in value, except by permission of the Warden. Nor shall they or any other officer receive any present or reward whatever, for services, supplies, or as a gratuity, nor shall they deliver to any convict any book, paper or other articles, without the permission of the Warden or Deputy. They shall not allow the prisoners to leave their work or shop, without permission, nor shall they allow them to speak to or look at visitors.

They shall see that the property is carefully preserved, and the work well and faithfully done, and they shall use every reasonable exertion to promote the interest of the Institution, and of the contractors who may employ the convicts.

No Overseer will leave his shop during the time the convicts are therein, unless upon urgent necessity, but before leaving he shall procure a Watchman from the guard-room or hall to take his place, and it shall be the duty of the person relieving, to keep the convicts in perfect order while the regular overseer is gone, and to report to him on his return any misconduct that may have occurred.

It shall be the duty of the Overseers to preserve the greatest possible cleanliness in the persons and clothing of the convicts under their immediate care.

They shall make a report in writing every morning before nine o'clock, of those under their care, who are sick or complaining, which report or list shall be handed to the

Deputy Warden, or officer having charge of the hall, to be delivered to the Physician, at his regular visits to the Prison.

No officer or guard shall, while on duty in the shops, hall, guard-room or wall or any other station, be engaged in reading any newspapers or books, neither shall they do any writing except to make their necessary entries, or engage in any other employment calculated to interfere with constant watchfulness and vigilance; neither shall they hold any conversation with each other, in the presence or hearing of the convicts while on duty, or with contractors, other than relates to the business under their care and management.

It shall be the duty of the officer having charge of the hall during the day, to cause the cells and hall to be swept at least once in each day, to see that the beds and bedding are kept clean and in good order, to cause the cells frequently to be cleansed and whitewashed, and the hall, cells and hospital, generally to exhibit throughout, neatness good order and cleanliness.

He shall every afternoon examine the blankets, beds, furniture, locks, doors and the cells generally, and see that they are not injured by any attempt of the convicts to make their escape from the cells, and whenever he discovers any thing wrong, he shall take down the number of the cell, with the offence committed, and report the same to the Warden or Deputy immediately.

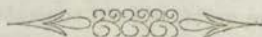
He shall also attend upon the Physician at his regular visits to the Prison, shall take him to see every convict who may be sick or complaining in the cells or hospital, shall send to the several shops for all who may have reported themselves as wishing to see the Physician; and he shall also attend personally to the directions and prescriptions of the Physician, and see that they are duly observed and administered.

He shall also report to the Warden, before nine o'clock every morning, the names of any remaining in their cells,

with the number of the cell opposite each name, together with their complaint, and shall spend his whole time in the performance of those duties, unless otherwise directed by the Warden or Deputy, in which case he shall perform all, and every other duty or service, as they may direct.



Duties of the Watchmen.



It shall be the duty of the Watchmen and Guard to be at the Prison during the whole time, day and night, to be vigilant and active; and when not on duty on the wall or at the gate, they are to repair to the guard-room, and there remain, ready to relieve the Overseers of the shops when sent for, to attend visitors through the Prison, and to perform all such other duties and services, for the safety and security of the Prison, as they shall be directed by the Warden or his Deputy, both by day and during the night.

They shall at all times maintain towards each other and all persons visiting the Prison, a gentlemanly deportment. They shall refrain from all immoderate laughter, boisterous conversation, exciting discussions upon politics, religion, or any other subject while in the guard-room, or on any post of duty, and treat each other at all times with mutual respect and kindness. They shall not allow any person to go upon the wall, without permission of the Warden; nor shall they allow, under any circumstances, any intoxicated or riotous person to pass into the Prison. They are not to leave their posts on any pretext whatever without being relieved, and are not to suffer a convict to pass through the gate or guard-room, except in charge of a proper officer; and it shall be their duty to keep the arms clean and in good order, ready at all times for use, and they are constantly to keep in mind that it is required of them to prevent, at all hazards, any convict from making his escape.

No Watchman shall be allowed to hold any conversation with a prisoner, except to direct him in his duty; nor shall he receive from, or deliver to a prisoner, any article or thing without the knowledge and consent of the Warden or his Deputy.

It shall be the duty of the guard having charge of the hall, while the convicts are in their cells, either at meal times or during the night, to keep constantly moving around the block of cells, with socks on, in a silent manner, that he may be able to detect any unnecessary noise; and it is strictly enjoined on him not to hold the least conversation with the convicts, or suffer them to speak to him, except to make known their immediate wants; and to use his utmost endeavors to suppress noise of any kind, and to report to the Warden or Deputy any violation of the rules of the Prison by the convicts while in their cells. The examination of the cells and doors, after the prisoners have retired to their beds, shall be done by an extra Watchman, so as to enable the Watchman on guard in the hall to continue in the performance of his regular duty—he shall not on any pretext whatever, sit down, or lay his weapons aside, but shall be constantly patrolling the galleries and pavement around the cells.

Should any disturbance be made in the Prison during the night, he shall awake a Watchman in the guard-room, who will immediately acquaint the Deputy Warden, who will repair to the spot, and make use of such means as are necessary to quell it; and while on duty about any part of the Prison, the Guard should keep constantly in mind that they are required to keep a strict and vigilant observance of the convicts, and not for a moment have their attention abstracted from the object of their charge, but be in readiness, at all times, for any exigency.

Officers of the Maine State Prison.



INSPECTORS.

HERMON STEVENS, STEPHEN BARROWS,
PETER FULLER.

WARDEN.

WILLIAM BENNETT.

DEPUTY WARDEN.

BURNHAM WARDWELL.

ASA PERKINS, Clerk and Commissary.

OVERSEERS.

ENOCH CARLETON, WILLIAM FITZGERALD,
JOHN FITZGERALD, SAMUEL H. ALLEN,
GEORGE B. WORMELL.

DANIEL SMALL, CHAPLAIN.

DANIEL ROSE, Physician.

WATCHMEN.

PHILLIP G. HANLY, JOHN ROBINSON,
JOSEPH L. READ, EDWARD HASKELL,
PRESTON E. WOODWARD.