

**COMMONWEALTH  
MASSACHUSETTS. THE PRISON  
OFFICERS' HAND BOOK,  
CONTAINING LAWS RELATIVE TO  
PRISONS**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649543144

Commonwealth Massachusetts. The Prison Officers' Hand Book, Containing Laws Relative to Prisons by F. G. Pettigrove

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Cover @ 2017

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**F. G. PETTIGROVE**

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Commonwealth of Massachusetts.

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THE  
PRISON OFFICERS' HAND BOOK

CONTAINING

LAWS RELATIVE TO PRISONS; DIGEST OF THE DECISIONS OF  
THE SUPREME JUDICIAL COURT, ALSO OPINIONS OF THE  
ATTORNEY GENERAL CONCERNING PRISON MATTERS;  
LIST OF PENAL INSTITUTIONS, ETC.

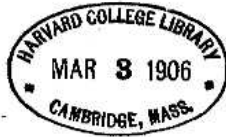
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PREPARED BY F. G. PETTIGROVE,  
*Chairman of the Board of Prison Commissioners.*



BOSTON:  
WRIGHT & POTTER PRINTING CO., STATE PRINTERS,  
18 POST OFFICE SQUARE.  
1905.

Ser. 37 25.7 3



Records of Prison Commissioners

[CHAP. 53.]

RESOLVE TO AUTHORIZE THE BOARD OF PRISON COMMISSIONERS TO PREPARE AND PRINT A MANUAL OF LAWS RELATIVE TO PRISONS.

*Resolved,* That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding four hundred dollars, to be expended by the board of prison commissioners in the preparation and printing of a manual to contain the laws relative to prisons and such other information as the commissioners may determine.

*Approved April 21, 1904.*

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APPROVED BY THE STATE BOARD OF PUBLICATION.

## INTRODUCTORY NOTE.

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Ten years ago the prison laws were arranged in a manual for the use of prison officials. Since that time all the statutes have been consolidated into the Revised Laws. Although it is but four years since the statutes were adopted in that form, a considerable number of changes have already been made in the laws governing prisons. Among these are the extension of the indeterminate sentence to the Reformatory Prison for Women, the regulation of the Temporary Industrial Camp for Prisoners, the establishment of a hospital prison for consumptives, the revision of the law relative to religious instruction of prisoners, and many others of importance.

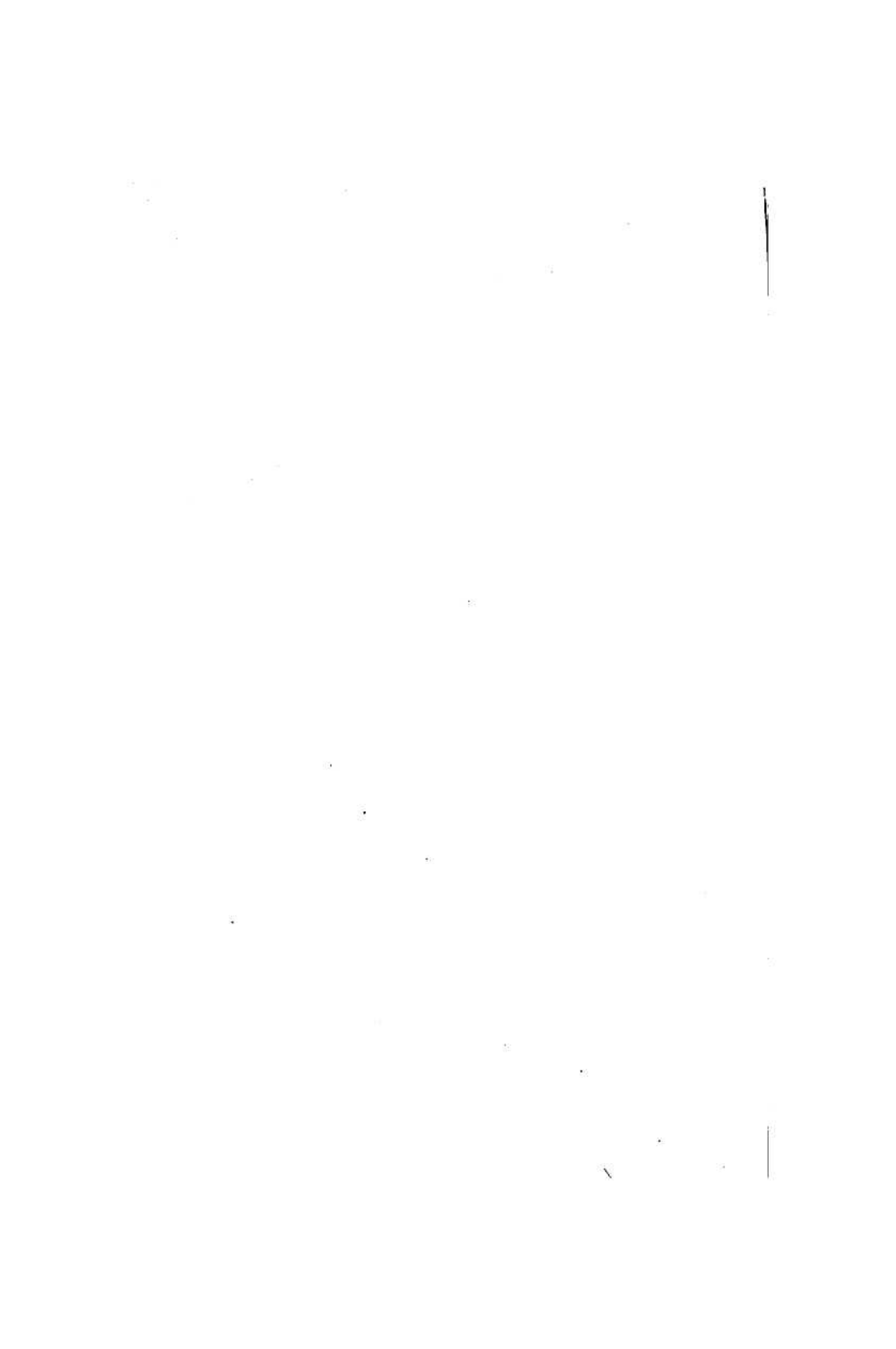
This handbook is designed to include all the laws that concern the administration of prisons; and some sections that, taken alone, are not applicable to prison officers, are printed for the purpose of explaining other sections that depend upon them.

Entirely new legislation is printed in the same type as the Revised Laws, and all amendments are printed in italics. Sections that have been specifically repealed are omitted, and a few words repealed by implication are enclosed in brackets. The authority for every change is indicated in the margin.

The digest of the decisions of the supreme court embraces only such cases as clearly apply to the statutes of the present time; and there have been added to those cited in the Revised Laws a few decisions rendered since 1901. The opinions of the Attorney-General are not printed in full, but enough of each is given to indicate its character and scope.

F. G. P.

SEPTEMBER, 1905.





Commonwealth of Massachusetts.

LAWS RELATIVE TO PRISONS.

REVISED LAWS.

(AMENDMENTS PRINTED IN ITALICS.)

CHAPTER 222.

OF THE BOARD OF PRISON COMMISSIONERS.

SECTION 1. There shall be a board of prison commissioners, consisting of five persons, two of whom shall be women, and one of whom shall be appointed annually in June by the governor, with the advice and consent of the council, for a term of five years from the first Wednesday of July. The governor shall designate one member as chairman of the board, and he shall receive a salary of four thousand dollars a year. The other members of the board shall not receive any compensation; but they and the chairman shall be reimbursed their actual personal expenses which are incurred while they are engaged in the performance of their official duties. No member of the board shall be concerned or interested, directly or indirectly, in a contract, purchase or sale which is made on account of any prison. The board may delegate to the chairman any of its powers and duties, except the authority to release and transfer prisoners.

SECTION 2. The commissioners shall appoint a secretary who shall not be a member of the board, but shall

Board of  
prison com-  
missioners.  
1857, 115, §§ 1,  
2, 10.  
R. S. 144, §§ 2,  
3, 22.  
1859, 37.  
G. S. 179, §§ 8,  
26.  
1870, 370, §§ 1,  
10, 11.  
1879, 204, §§ 1,  
25.  
P. S. 319, §§ 1, 2.  
1883, 423.  
1901, 204, §§ 1, 2.  
[1 Op. A. G.  
457.]

Secretary and  
clerical assist-  
ants.  
1870, 370, § 11.

1877, 180, § 1.  
1879, 294, §§ 2,  
31.  
P. S. 219, §§ 3,  
32.  
1880, 52.  
1888, 275.  
1888, 238.  
1896, 431.

be its executive officer, and shall hold office during the pleasure of the commissioners. He shall receive from the commonwealth an annual salary of twenty-five hundred dollars, and his necessary expenses which are incurred in the performance of his official duties. The commissioners may elect one of their members secretary pro tempore who, in the absence of the secretary, shall perform his duties. They may expend annually for clerical assistance such sums as may be appropriated therefor by the general court.

Duties; rules.  
1827, 118, § 7.  
R. S. 144, § 9.  
C. S. 179, § 14.  
1870, 370, §§ 7,  
9, 10.  
1874, 285, § 12.  
1879, 294, §§ 10,  
12, 25, 35, 36.  
1881, 100, § 3.  
P. S. 219, §§ 14,  
16.  
1884, 255, § 28.  
1885, 146, 185,  
220.  
[1 Op. A. G.  
281, 280.]

SECTION 3. They shall have the general supervision of the state prison, of the Massachusetts reformatory, of the reformatory prison for women and of jails and houses of correction. They shall make rules for the direction of the officers of such institutions in the performance of their duties, for the government, discipline and instruction of the convicts therein, for the custody and preservation of the property connected therewith, for the supply of food, clothing and bedding in the state prison, Massachusetts reformatory and reformatory prison for women, for teaching prisoners who are committed to a jail or house of correction for six months or more to read and write, for securing proper exercise for unemployed sentenced prisoners in jails and houses of correction and for securing medical examination and supervision of prisoners in jails and houses of correction who are punished by solitary imprisonment. As soon as may be after such rules have been made, the commissioners shall submit copies thereof to the governor and council who may approve, annul or modify them. Jailers, keepers of houses of correction, county commissioners and the penal institutions commissioner of the city of Boston shall make no rules inconsistent with the aforesaid rules.

Visits to  
prisons.  
1827, 118, § 7.  
R. S. 144, §§ 10,  
11.  
C. S. 179, §§ 13,  
15.  
1870, 370, § 10.  
1874, 285, § 14.

SECTION 4. The full board shall visit the state prison, Massachusetts reformatory and the reformatory prison for women semi-annually and shall make a thorough examination thereof. The commissioners or one of them shall

also visit said prisons at least once in each month; and a majority of the board shall visit said prisons once in three months, for the purpose of inspecting the books and all the affairs thereof and of ascertaining whether the laws and rules are duly observed, the officers competent and faithful and the convicts properly governed and employed. They shall forthwith report to the governor and council any violation of law or neglect or omission of duty, which comes to their knowledge, by any officer of the state prison, Massachusetts reformatory or reformatory prison for women who holds his office by appointment of the governor and council.\*

1879, 294, §§ 14,  
15, 26.  
P. S. 218, §§ 19,  
20.

SECTION 5. They or one of them shall visit each jail and house of correction at least once in six months, for the purpose of inspecting the books and all the affairs thereof and of ascertaining whether the laws and rules are duly observed, the officers competent and faithful and the convicts properly governed and employed; and, for this purpose, they shall have all the powers which county commissioners, or the penal institutions commissioner of the city of Boston, have as inspectors of prisons in their several counties.

Visits to jails,  
etc.  
1879, 270, § 8.  
1879, 294, § 11.  
P. S. 218, § 15.

SECTION 6. Clerks of courts shall annually, on or before the fifteenth day of October, make a report to the commissioners of all criminal cases which were commenced in the superior court in the several counties during the year ending on the thirtieth day of September, and of all criminal cases entered therein on appeal during such time. Clerks of police, district and municipal courts, or the justices if there are no clerks, and trial justices shall annually, at the same time, and for the same period, make a like report of all criminal cases in which such courts or justices have exercised jurisdiction, and shall state whether such jurisdiction was final or

Reports by  
clerks of courts  
of criminal  
cases.  
1861, 216, § 2.  
1862, 238, § 3.  
G. S. 14, §§ 11,  
12, 15.  
1863, 65.  
P. S. 219, §§ 34,  
35, 37.  
1882, 226, § 1.

\* The governor and council do not now appoint any prison officers. The law was changed in this respect by chapter 364, Acts of 1901. See R. L., chap. 223, sections 4, 22 and 30.