

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Seventh Legislature

OF THE

STATE OF MAINE

1915

SENATE.

Thursday, March 4, 1915.

Senate called to order by the President.

Prayer by Rev. J. Langdon Quimby of Gardiner.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

From the House: Resolve in favor of replanking and rebuilding the bridge between East Millinocket and Millinocket.

In the House the report of the committee on ways and bridges, ought not to pass, was accepted.

On motion by Mr. Conant of Waldo, the resolve was recommitted to the committee, in non-concurrence and sent down for concurrence.

House Bills in First Reading.

House 432. Resolve appropriating money for the protection of trees and shrubs from the ravages of dangerous insects and diseases. (On motion by Mr. Conant of Waldo, tabled pending first reading.)

House 401. An Act to amend Sections 4, 7 and 8 and adding Section 12 to Chapter 65 of the Public Laws of 1911, relating to the Department of Labor and Industry.

House 404. An Act to amend Section 11 of Chapter 116 of the Revised Statutes, as amended by Chapter 53 of the Public Laws of 1905, as amended by Chapter 183 of the Public Laws of 1907, relating to the compensation of members of the government.

House 408. An Act to amend Paragraph nine of Section 13 of Chapter nine of the Revised Statutes, relating to the taxation of personal property held by religious societies.

House 409. An Act to amend Section 25 of Chapter nine of the Revised Statutes, as amended by Chapter 16 of the Public Laws of 1907, and to amend Section 30 of the Revised Statutes, relating to the taxation of the property of corporations.

House 411. An Act to regulate the

construction of mausoleums, or tombs, to be used for permanent burial.

House 412. An Act to establish a minimum wage for State House employees.

House 413. An Act additional to Chapter 290 of the Private and Special Laws of 1911, entitled "An Act to incorporate the Rumford and Mexico Water District."

House 414. An Act to amend Section 2 of Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to ice fishing in Forest lake in Cumberland county.

House 415. An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to ice fishing in Tilton, David and Basin ponds in the town of Fayette, and county of Kennebec.

House 416. An Act to amend Section 2 of Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to fishing through the ice in Brewer pond in the county of Penobscot and the county of Hancock.

House 417. An Act to amend Section 2 of Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to ice fishing in Big Indian pond in St. Albans in the county of Somerset.

House 418. An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to the protection of foxes.

House 419. An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to ice fishing in Passadumkeag river, sometimes called Passadumkeag stream, in the county of Penobscot, and the county of Hancock.

House 420. An Act to further amend Section 62 of Chapter 15 of the Revised Statutes, as amended by Chapter 48 of the Public Laws of 1905, and by Chapter 88 of the Public Laws of 1911, relating to High schools.

House 421. Resolve appropriating money for the town of Newfield in

payment of additional State school funds for the year 1912.

House 424: An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in Meadow Brook, and its tributaries, in Stockton Springs and Prospect in the County of Waldo.

House 425: An Act to amend Section 2 of Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to ice fishing in Harlow pond in Parkman in the county of Piscataquis.

House 426: An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to the taking of white perch in Little river in Old Orchard in the county of York.

House 435: An Act additional to Chapter 244 of the Private and Special Laws of 1905, as amended by Chapter 95 of the Private and Special Laws of 1909, and as amended by Chapter 117 of the Private and Special Laws of 1911, relating to the Greenville Light & Power Co.

House 436: An Act to enlarge the purposes of the New England Fish Co.

House 437: An Act additional to Chapter 156 of the Private and Special Laws of 1907, relating to the charter of the Penobscot Bay Electric Co.

House 438: An Act to amend Section 3 of Chapter 211 of the Private and Special Laws of 1895, as amended by Chapter 392 of the Private and Special Laws of 1905, relating to the Bangor municipal Court.

House 439: An Act to amend Chapter 13 of the Private and Special Laws of 1911, as amended by Chapter 103 of the Private and Special Laws of 1913, relating to the Bingham Water District.

House 440: An Act relating to the adjustment and payment of fire losses.

House 441: An Act to amend Chap. 180 of the Private and Special Laws of 1913, relating to the charter of the Farmington-Oakland Interurban Railway.

House 442: An Act to amend Chapter 123 of the Private and Special Laws of the year 1911, as amended by Chapter 148 of the Private and Special Laws of 1913, relating to the charter of the Lubeck, East Machias and Machias Railway Co.

House 443: An Act to amend Chapter 217 of the Private and Special Laws of

the year 1913, relating to the charter of the Interurban Ferry Co.

House 444: An Act to allow transportation companies to issue free or reduced rate transportation to their employes holding State or county or municipal offices, except on such travels as are ordered by the State or county or municipality.

House 445: An Act to amend Chapter 61 of the Private and Special Laws of 1891, relating to Limerock Railroad Company.

House 446: An Act to extend the charter of the Rumford Falls and Bethel Street Railway.

House 447: An Act to extend the charter of the Waldo Street Railway Company.

House 448: An Act to amend the charters of the Thomaston Street Railway Company, the Rockland Street Railway Company, and the Camden and Rockland Street Railway Company.

House 449: An Act to extend the charter of the Lincoln County Street Railway.

House 451: An Act to incorporate the town of Chapman in Aroostook county.

House 452: An Act to amend Section 1 of Chapter 166 of the Private and Special Laws of 1887, entitled "An Act creating the Fairfield Village Corporation," as amended by Chapter 303 of the Private and Special Laws of 1907, as amended by Chapter 242 of the Private and Special Laws of 1909, and as amended by Chapter 50 of the Private and Special Laws of 1913.

House 453: An Act to change the name of Mark Island, lying in Penobscot bay in the County of Hancock, about two miles east-southeast of Dark Harbor in the County of Waldo, and in Latitude 44 15 30 N. and Longitude 68 52 W., to Resolution Island.

House 394: Resolve in favor of James J. Clement of Montville.

House 395: Resolve in favor of Levite V. Thibodeau.

House 396: Resolve in favor of Peter Harmon of Thorndike.

House 397: Resolve in favor of Arthur C. Smith, secretary of the committee on State School for Boys and Industrial School for Girls, for expenses of that committee on visit to boys' school.

House 400: Resolve in favor of W. A.

Ricker, secretary of the committee on education.

House 402: Resolve in favor of the State School for Boys.

House 427: Resolve in favor of reimbursing the town of Norridgewock for money paid out in support of Eugene P. Hopkins and family.

House 428: Resolve appropriating money to reimburse the city of Old Town for the support of certain State paupers.

House 429: Resolve appropriating money to pay the town of Merrill interest upon its school fund.

House 430: Resolve in favor of the town of Shirley for support of certain State paupers.

House 431: Resolve in favor of Samuel D. Erskine, Moses Erskine, Wilber B. Tibbetts, Elmer H. Boynton and Delbert L. Fowles.

House 432: Resolve in favor of the town of Perry for expenses upon the death of a State pauper.

House 433: Resolve in favor of Lizzie Bean for State pension.

The following bills, petitions, etc., were presented, and on recommendation of the committee on reference of bills was referred to the following committees:

Agriculture.

By Mr. Herrick of Franklin: An Act to amend Section 7 of Chapter 222 of the Public Laws of 1909, relating to the licensing of dogs. (Ordered printed and referred.)

Banks and Banking.

By Mr. Dunton of Penobscot: An Act to amend Section 80 of Chapter 43 of the Revised Statutes as amended by Chapter 15 of the Public Laws of 1905, relating to trust companies. (Ordered printed and referred.)

Inland Fisheries and Game.

By Mr. Colby of Somerset: An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 266 of the Public Laws of 1913, relating to fishing in Jackson pond in the town of Concord in the county of Somerset.

Judiciary.

By Mr. Eoynton of Lincoln: Remonstrance of B. C. Redonette and 33 oth-

ers of Lincoln County against any change in the ballot law.

Legal Affairs.

By Mr. Cole of York: An Act relating to village corporations. (Ordered printed and referred.)

By the same Senator: An Act to amend Section 11 of Chapter 32 of the Revised Statutes, relating to steam riding galleries. (Ordered printed and referred.)

Ways and Bridges.

By Mr. Peacock of Washington: An Act to amend Sections 1, 2, 3 and 20 of Chapter 162 of Public Laws of 1911, relating to the regulation of the speed of motor vehicles. (Ordered printed and referred.)

Bills in First Reading.

Senate 238. An Act to amend the military law.

Senate 241. An Act to amend Section 2 of Chapter 51 of the Private and Special Laws of 1840, relating to the Franklin County Agricultural Society.

Senate 242. An Act to provide for the care and maintenance of Mount Desert Bridge, in the town of Trenton in the county of Hancock.

Senate 243. Resolve in favor of aid in rebuilding Spruce Head Bridge in the town of South Thomaston.

Senate 244. An Act to amend Section 11 of the Revised Statutes as amended by Chapter 79 of the Laws of 1905, and further amended by Chapter 143 of the Laws of 1907, relating to the boundaries of ways.

Senate 245. Resolve in favor of an appropriation to repair bridge in the town of Addison.

Senate 246. An Act to amend Section 71 of Chapter 83 of the Revised Statutes, as amended by Chapter 24 of the Public Laws of 1913, in regard to release or discharge of attachments.

Reports of Committees.

Mr. Dunton from the committee on banks and banking, to which was referred an Act to amend Section 2 of Chapter 69 of the Public Laws of 1913, relative to the restriction and regulation of private banking, reported same ought to pass.

Mr. Thurston from the committee on school for feeble minded, to which was referred An Act to prevent the aiding or abetting of the escape of inmates from the school for feeble minded, reported same ought to pass.

The same Senator from the same committee to which was referred An Act to amend Section 6 of Chapter 41 of the Public Laws of 1907, in relation to the discharge of inmates from the school for feeble minded, reported same ought to pass.

The same Senator from the same committee to which was referred An Act to amend Section 5 of Chapter 44 of the Public Laws of 1907, as amended by Chapter 167 of the Public Laws of 1909, relating to commitment to the Maine School for feeble minded, reported the same ought to pass.

Mr. Colby from the committee on state lands and forest preservation to which was referred An Act to amend Section 13 of Chapter 7 of the Revised Statutes, relating to the payment of interest to plantations for fund from lands reserved to the public, reported same ought to pass.

The reports were accepted and the several bills and resolves were tabled for printing under the joint rules.

Mr. Burleigh from the Aroostook County delegation, to which was referred An Act to enable the county of Aroostook to aid in the construction of the Quebec Extension Railway Company, reported same ought not to pass.

Mr. Emery from the committee on appropriations and financial affairs to which was referred the State Auditor's Report for the years 1913 and 1914, reported the same be placed on file.

Mr. Garcelon from the committee on legal affairs, to which was referred An Act to authorize the town of Southport to own and maintain an electric light and power plant, reported same ought not to pass.

Mr. Thurston from the committee on state lands and forest preservation to which was referred Resolve authorizing the land agent to sell and convey whatever interests the state had in and to a certain island, known as

Mink Island in Harrington, in the county of Hancock, reported same ought not to pass.

The same Senator from the same committee to which was referred Resolve authorizing the land agent to sell and convey the State's interests in an island, reported same ought not to pass.

Mr. Colby from the same committee to which was referred Resolve authorizing the land agent to sell and convey whatever interests the State has in and to Potato Island, in Washington County, reported same ought not to pass.

The reports were accepted and sent down for concurrence.

On motion by Mr. Allen of Kennebec, the vote was reconsidered whereby Senate 241, An Act to amend Section 2 of Chapter 51 of the Private and Special Laws of 1840, relating to the Franklin County Agricultural Society, was assigned for its second reading tomorrow morning. On further motion by the same Senator the bill was tabled pending its second reading.

The PRESIDENT: I wish to call to the attention of the Senators that House Bills 342, 357, 377, 381, 388, 391, on the calendar this morning, are not in a condition to be reported at this time.

Passed to be Engrossed

House 363. An Act relating to certain causes for which the license of insurance Agents may be cancelled.

House 379. An Act to require reports from property owners or occupants in case of fire and fixing the liability of owners or occupants under certain conditions. (On motion by Mr. Murphy of Cumberland, tabled pending its passage to be engrossed.)

House 222. Resolve in favor of the Town of Bridgton, in the County of Cumberland.

House 331. An Act to amend Sections 23, 24, of Chapter 221 of the Public Laws of 1913, relating to Filling Vacancies in Nominations made at a Primary Election.

House 356. An Act to amend Section 11 of Chapter 23 of the Revised Statutes relating to the Determination of Highway Boundaries which are Doubtful, Uncertain or Lost.

House 358. An Act to Repeal Chapter

64 of the Revised Statutes relating to Masters, Apprentices and Servants.

House 306. An Act to amend Chapter 31 of the Revised Statutes by including Shooting Galleries in the Provisions Thereof.

House 361. An Act to amend Section 1 of Chapter 81 of the Public Laws of 1913, relating to Sealing Milk Bottles and Jars.

House 362. An Act to amend Section 91 of Chapter 23 of the Revised Statutes, relating to Guide Posts at Crossings of Ways.

House 366. An Act to exempt neat stock thirty months old and under and all sheep and swine from taxation.

House 367. An Act for the better protection of clams within the limits of the town of Harpswell.

House 368. An Act to amend Section 1 of Chapter 251 of the Special Laws of 1907, as amended by Chapter 28 of the Private and Special Laws of 1909, entitled "An Act for the better protection of alewives, shad and sturgeon in the various rivers of Maine."

House 369. An Act to fix the salaries of the Judge and Recorder of the Eastport Municipal Court.

House 370. An Act to regulate the employment of Subordinates by Legislative Committees.

House 372. An Act to amend Section 43 of Chapter 63 of the Revised Statutes relating to the Appointment of an Agent or Attorney by Non-Resident Executors or Administrators.

House 373. An Act to repeal certain Obsolete Sections of Chapter 26 of the Revised Statutes relating to Fences of Common Fields.

House 374. An Act to amend Section 40 of Chapter 66 of the Revised Statutes relating to Notices of Appointment by Executors and Administrators.

House 375. An Act to Extend the Time in which the Maine Title Insurance Company is Authorized to Commence Business.

House 384. An Act to Extend the Charter of the Lincoln Sewerage Company.

House 386. An Act to Legalize and Confirm the Incorporation and doings of the Congregational Church Society of Stonington, Maine.

House 387. An Act to amend Chapter 522 of the Private and Special Laws of

1897. Establishing the Sanford Municipal Court, as amended by Chapter 340 of the Private and Special Laws of 1909.

House 389. An Act to extend the rights, powers and privileges of the Barrows Falls Light and Power Company.

House 390. An Act to amend Section 71 of Chapter 79 of the Revised Statutes as amended by Chapter 196 of the Public Laws of 1911, as amended by Chapter 174 of the Public Laws of 1913, relating to the Jurisdiction of the Superior Court for Cumberland County in Divorce Cases.

House 392. An Act to amend Section 4 of Chapter 87 of the Public Laws of 1911, relating to Employment Agencies.

House 393. An Act to amend Chapter 119 of the Public Laws of 1907, relating to Banks, Institutions for Savings, Trust Companies, and Loan and Building Associations.

Section 205. An Act to amend Chapter 489 of the Private and Special Laws of 1901, entitled "An Act to Supply the Town of Lubec with Pure Water."

Section 237. An Act to amend Section 4 of Chapter 65 of the Revised Statutes relating to Proceedings of Judges of Probate in Vacation.

Mr. COLBY of Somerset: Mr. President, I would like to inquire if there is not a House Amendment with House Bill 222, Resolve in favor of the town of Bridgton in the County of Cumberland, the first bill read? There should have been. I think, and it may have been lost.

(The amendment was found, and on motion by the same Senator the vote whereby this resolve was passed to be engrossed, was reconsidered.)

Mr. COLBY: Mr. President, in explanation to the members of the committee I will say—and to the Senate—that this amendment was offered in the House by Doctor Plummer, and I understand from him that the Representative from Bridgton has agreed to amend it. As chairman of the committee I do not object to the amendment, although I have not talked with the rest of the committee. I move that we adopt House Amendment A, in concurrence.

The motion was agreed to and the

resolve as amended was then passed to be engrossed.

Passed to Be Enacted.

An Act to incorporate the Mopang Dam and Improvement Company.

An Act to extend the time in which the Maine Title Guarantee Company is authorized to commence business.

An Act to enlarge the purposes and powers of the Cleveland Concrete Building Block Company.

An Act to amend that part of Section five of Chapter 80 of the Revised Statutes, as amended by Chapter 11 of the Public Laws of 1911, relating to the regular sessions of the County Commissioners in Oxford County.

An Act to repeal Chapter 326 of the Private and Special Laws of 1905, entitled "An Act to regulate the use of the roads in the town of Castine."

An Act additional to Chapter 32 of the Revised Statutes as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in Fresh pond, in the town of North Haven, in the county of Knox.

An Act additional to Chapter 48 of the Revised Statutes, relating to the borrowing of money and pledging of securities as collateral therefor by savings banks and institutions for savings.

An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in North Branch brook and its tributaries, in the county of Cumberland.

An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to the protection of muskrats in the town of Fryeburg, in the county of Oxford, and in the town of Bridgton, in the county of Cumberland.

An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in Ward's brook and in Ward's pond, in the town of Fryeburg in Oxford county.

An Act to amend Section 49 of

Chapter 23 of the Revised Statutes, relative to liability for damages done by leghaulers.

An Act to amend Section 17 of Chapter 352 of the Private and Special Laws of 1905, as amended by Chapter 94 of the Private and Special Laws of 1911, relating to an increase in the salary of the judge of the Caribou municipal court.

An Act to fix the salary of the judge of the Belfast Municipal Court.

An Act to amend Section 15 of Chapter 393 of the Private and Special Laws of 1909 as amended by Chapter 220 of the Private and Special Laws of 1913, relative to an increase in the salary of the judge of the Millinocket Municipal Court.

An Act fixing the penalty for trespass upon grounds of agricultural societies.

An Act to amend Section two of Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in Burntland Brook, a tributary to Presque Isle stream, and in the east branch of said Presque Isle stream, in the county of Aroostook.

An Act to amend Section one of Chapter 444 of the Private and Special Laws of 1907, relating to an increase in the amount of allowance for clerk hire for the Municipal Court in the city of Lewiston.

An Act for the better protection of shell fish within the town of Elliot, in the county of York.

An Act to amend Chapter 219 of the Public Laws of 1913, relating to the salary of the stenographer for the Superior Court for Kennebec County.

An Act to amend Section nine of Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to taking of suckers, eels, hornpouts and yellow perch with eel pots, traps, spears or nets.

An Act in relation to the improvement of highways with a road machine or similar device after the tenth day of August in any year.

An Act to amend Chapter 26 of Chapter 48 of the Revised Statutes, relative to the deposit by savings of collateral for loans made without the State. (On motion by Mr. Dunton of Penobscot,

tabled for the correction of clerical error.)

An Act to amend Section 21 of Chapter 48 of the Revised Statutes as amended by Chapter 63 of the Public Laws of 1907, relating to deposits in savings bank and institutions for savings in the names of married women and minors.

In the House the vote whereby this bill was passed to be enacted was reconsidered, and House Amendment A was adopted and the bill as amended was passed to be enacted.

In the Senate the vote was reconsidered whereby this bill was passed to be engrossed and House Amendment A was then adopted in concurrence.

On motion by Mr. Cole of York the bill was tabled pending its passage to be engrossed.

Subsequently on motion by the same Senator the vote was reconsidered whereby this bill was tabled, and on further motion by the same Senator the bill was passed to be engrossed.

Specially Assigned

The PRESIDENT: The Chair lays before the Senate, specially assigned for today, majority report "ought to pass", and minority report "ought not to pass", from the Committee on State Prison on Resolve in favor of the purchase of land in some suitable location and the erection of buildings for a new State Prison.

The majority of the Committee on State Prison to which the resolve was referred has the same under consideration, and reported "ought to pass". Signed Chatto, Dunton, Fulton, Ellis, Leader, Brown, Tobey, Lord.

The minority of the same committee reported that the same "ought not to pass"; signed, Fosset and Woods.

The question is upon the adoption of either report.

Mr. CHATTO of Hancock: Mr. President, I move that the majority report be accepted.

Senate Bill No. 19, a resolve in favor of the purchase of land in some suitable location and the erection thereon of buildings for a new State Prison, was introduced by me after an interview with Mr. Frank Ham, who was Warden of the Maine State Prison for

about two years, and Mr. Matthew C. Morrill, one of the Prison Inspectors of this State, and after an examination of the prison by the State Prison Committee on January 21st and 22d.

Prior to that time many men in the State, in conversation with me, requested that a resolve of this kind, with a referendum clause, be introduced at this session of the Legislature, as they believed the old prison at Thomaston was antiquated and out of date and that something should be done in reference to a new prison on a tract of land, for instance a farm of several hundred acres, more centrally located.

I want to say right here that all we are asking for is to give the people a right to vote on this question, and say whether they want a new State Prison. The bill as it is at the present time carries a referendum clause to be voted on next June. Now without objection we shall strike out that clause and provide that the resolve shall take effect when ratified by a majority vote of the legal voters voting thereon on the second Monday of September, 1916. We want to give the people of the State of Maine every chance to consider this resolve.

In favor of this resolve, and to try and convince the people of the State of Maine that it has not been introduced without careful and serious consideration, I will make a statement, reviewing the history of the Maine State Prison, not entering too much into detail.

The prison at Thomaston was built soon after the adoption of the constitution, which I believe was in 1819, the prison being built in 1824. At that time the ideas of prison life were not the same as they are today. Then it was thought that to be confined in a small, unsanitary cell was good enough for any prisoner, and his welfare was not very much considered.

Originally the prison had 108 cells, and these seemed to answer the purpose very well until 1857, when the prison became so congested (there were 128 convicts) that there was a strong recommendation that the prison

be enlarged or a new prison built, and the following report was made by the Prison Inspectors of that time:

"We think there can be no diversity of sentiment in relation to the necessity of the immediate enlargement of the prison, but men may honestly differ in their opinions as to the character of those improvements. While it is notorious that the location, construction, and arrangement of the prison and the surrounding buildings have been made regardless of the laws of health, economy or public utility, still many will hesitate on account of the increased taxation it would require in making such improvements as have been adopted in other states, and which, in our humble opinion, should be initiated and carried forward in our own.

"We cannot commend the system of patching and botching which has so long prevailed in relation to our State's prison, but sincerely trust that whatever improvements are made will be of a permanent character."

Now that was the opinion of the prison inspectors at that time, in 1858. At that time there was such demand for either a new prison or enlargement of the prison that Hon. Lot M. Morrill, Governor of the State of Maine, was given authority to appoint a commission of one person to examine into the system of disbursements, labor and discipline in the Maine State Prison and make recommendations for such improvements as, in his opinion, were necessary, submitting the same to the Governor, who would lay the same before the next Legislature.

Hon. James G. Blaine was appointed Commissioner, and below are extracts from his report. In referring to the recommendation of the Prison Inspectors that the prison be enlarged, his report contains the following statements:

"The inspectors in the foregoing paragraph, it will be noticed, declare with most manly frankness that the location, construction and arrangement of the prison and the surrounding buildings, with perhaps a single

exception, have been made regardless of 'health, economy or public utility.' These are precisely the views which I would enforce, and I am glad to be sustained by the opinion of those so thoroughly acquainted with the subject in all its detail, and so well able to pronounce a sound judgment as are the present inspectors.

"I dissent, however, in total from the recommendations which these gentlemen make in regard to the enlargement of the present structure. I cannot unite with them in urging upon the State the further outlay of money to alter or add to a building whose 'location, construction and arrangement,' according to their own declaration, 'have been made regardless of the laws of health, economy, or public utility.' If the present building is so badly located, so badly constructed, and so badly arranged as to violate the laws of health, economy and public utility,' ordinary prudence, I think, demands that it should be abandoned, and that the State should not be asked to waste any more of its money in a useless struggle against the numerous and complicated disadvantages so clearly epitomized in the paragraph quoted.

"The enlargement which the inspectors recommend, and which I am persuaded is no more than the wants of the institution demand, would be very expensive, requiring an amount of money which would go very far towards the construction of a new prison in a new place. I have carefully examined the plans recommended by the inspectors, and after the most careful estimates from experienced builders, I am prepared to say that the cost of the proposed enlargement could not be less than \$60,000, while, with the improvement of shops imperatively needed, the cost would certainly reach \$75,000. Considering how far this sum would go toward the construction of a model prison in an eligible location, I must express the earnest hope, and the confident belief also, that the recommendation of the inspectors will not receive the sanction of the Legislature."

His report further states that a

prison constructed for the accommodation of 256 convicts, and with work shops of sufficient capacity for that number of men, would cost not exceeding \$120,000. You must remember that this was in 1858. This statement was based on the estimates of some of the most experienced builders in New England at that time.

A further statement reads:

"Any enlargement, therefore, which would be made at the present time at the Thomaston prison would not, in all probability, prove sufficient for only a few years, and then a further outlay of money for shop room on the same unprofitable spot will be a matter of necessity from which the State could not escape. There is now, however, opportunity to provide effectually against all such future difficulties and embarrassments, and looking at the question as one of dollars and cents merely, it would seem to be the part of good prudence for the State to dispose of the old prison and erect a suitable structure in a suitable place."

It is very evident that the recommendation of the commissioner appointed by the Governor was not carried out. I believe the principal reason for not carrying out this recommendation was on account of the Civil War soon after. The State of Maine was under a great expense at that time to maintain its part of the cost of the war, and of necessity had to curtail its expenditures in relation to improvements as much as possible. I believe that except for this reason a new State Prison would have been built at that time.

The State Prison has been enlarged since then, increasing the number of cells from 108 to 218. The most of these cells, however, are of the same dimensions as the original cells, and built of rough lime rock laid up with mortar, with a granite flagging top and floor.

There are now 180 cells which are four feet wide, seven feet long, and six and one-half feet high. In each of these cells there is a bed or bunk, attached to the side of the wall by hinges. When this bunk is turned down, there is a space of twenty inches between the cell wall and the bunk, leaving a space for

the prisoner seven feet long and twenty inches wide to occupy.

The argument has been made that this resolve was introduced hastily; there was no call for a new State Prison; in fact that the State Prison, with an outlay of \$100,000, would be sufficient for the needs of the State of Maine for the next seventy-five years; and that a new State Prison could not be built for less than \$1,000,000.

We have made inquiries in reference to the cost of prisons. Recently there has been a new State Prison built in Minnesota. This prison is up to date in every respect, and of sufficient capacity to accommodate from twelve hundred to fifteen hundred prisoners. The cost of this prison, from the best information we have been able to obtain, was very near \$1,100,000. Now, if a prison can be built in Minnesota to accommodate fifteen hundred persons for \$1,100,000, I believe it is reasonable to expect that a prison in the State of Maine, to accommodate say two hundred and fifty persons, can be built for about \$300,000. In fact, we have had a plan and estimates of cost submitted to us. The estimated cost for a prison which would be up to date in every respect, situated in a suitable location, to be determined by a commission, was \$310,000. This cost apparently can be scaled down somewhat, as the estimate for the warden's residence was \$12,000. Without doubt a suitable residence of this kind could be built for about \$4000. There are some other details which could be scaled down, bringing the approximate cost down to about \$290,000.

Now with reference to the estimate of cost of building, Thomas Mott Osborne, warden of Sing Sing prison, insisted at a hearing before the Senate Finance and the Assembly Ways and Means Committee of New York that some prisoners in Sing Sing were kept in cells unfit for habitation by a pig, where the walls were so damp that the slime could be scraped off by the hand. He thought that the prisoners should be put on large tracts of land where they could take them out and work them on the farm.

It is reasonable to expect that a tract of land of several hundred acres could be secured in a suitable location without

cost to the State of Maine, as at this time at least one offer has been made that, if the prison could be located in a certain town, the town would present the State with several hundred acres of land for the location.

I know that no one concerned in this matter has anything but the honor and respect of the State, together with the welfare and benefit of the prisoners, in view, and the object of building a new State Prison is to turn out a better class of men than we are able to under existing conditions.

The people of Knox county are opposed to this bill, and one could hardly expect them to take any different view of it. However, the prison has been located in Knox county for almost a century, and I think any fair-minded man, after viewing the premises, would agree with us that the location is altogether unsuitable.

The lot of land which the State owns at that place is small--only about four acres--three acres enclosed with a wall. This part inclosed is almost entirely covered with the prison and the prison shops, except for an old abandoned lime rock quarry, which occupies from one-half to three-fourths of an acre that is practically useless. It appears to us that if the proposed alterations should be made, removing the prison cells and installing new cells of double the capacity, where we now have 180 cells we would have 90. This, of course, would necessitate building a new wing, and from personal observation, I am thoroughly convinced there is no room inside the prison wall for that purpose. Part of the wall would have to be torn down, and an extension made outside of the wall.

The estimated cost, as given by Mr. Bicknell, a Rockland builder, is \$55,000. I want to say right here that not a week after Mr. Bicknell made this estimate he made another one which was \$101,000. However, he did not take into account that a new wing would be necessary.

At our hearings on one has argued that the State Prison at Thomaston is suitable for our present needs. The argument has been either in favor of a new prison at a suitable location, or repairing the old prison.

It appears to us that it would be a waste of money and a great mistake to undertake to repair this old, out of date, antiquated prison, especially situated as it is.

I would be very sorry to have the people in Knox county think that I am working for a new State Prison with any other motive in view than I have stated hereinbefore.

I have many friends in Knox county, and have given the location of the prison the same consideration which I would had it been located in Hancock county, as I believe neither county is geographically situated for a good location for the Maine State Prison.

There are perhaps some reasons why the prison should not be removed. One reason is that it is supplied with pure water, at a cost of \$2500 per annum. Even if it cost double this amount, I would advocate it rather than return to the old water supply. Since using the pure water typhoid fever has been nearly eliminated from this institution. However, I believe a new prison could be supplied with pure water for \$500 per year.

The harness shop in connection with the State Prison is practically a new brick building very suitable for the purpose, with the exception of having wooden floors, thereby increasing the danger from fire.

There are many reasons why the State should build a new prison. In the first place, the main prison is old and out of repair, and must either be rebuilt within a few years, or abandoned. The cells are arranged without regard to architecture, sanitation, or ventilation, and are not fit places to confine even a murderer. We not only deprive a man of all his liberty and pursuit of happiness when he is sentenced to the Maine State Prison, but he is sentenced to a dungeon builded of unhewn stone, four feet wide by seven feet long, where he must live fifteen hours every day of his life, with no sanitary arrangements except a slop-bucket. In these foul dens, many of them never having been penetrated by the rays of the sun for ninety years, our prisoners are incarcerated. Here they eat their food, sleep on a narrow cot, and breathe the foul air. With no decent

hospital; with no arrangements to segregate prisoners affected with tuberculosis; with no mess-room; working in shops that are veritable fire-traps. Under these conditions, how can we expect to reform our unfortunate fellow-men?

In speaking of the danger of fire in the prison shops, I believe that if a fire should get beyond the control of the prison officials, prisoners would have to be liberated or die in their cells.

I believe the business men of the State of Maine compare favorably with the business men of any of the other New England States, and the wardens at the Maine State Prison have been men of ability in this line, and I know of no reason why the Maine State Prison, under the same circumstances, should not make as good a showing as any of the others. For the first forty years of its existence it cost the people of the State of Maine about \$275,000 to maintain this institution. In comparing the Maine State Prison with other State Prisons in New England the ratio of deficiency, during this 40-year period, is as follows:

New Hampshire, about 10 per cent.

Vermont, about 50 per cent.

Charlestown, Mass., about 75 per cent.

Connecticut State Prison was self-supporting, and returned a revenue from the labor of the convicts which paid for the prison.

Since 1860 our prison has cost the taxpayers of the State of Maine, as follows:

From 1860 to 1880 it cost to maintain the prison \$395,856.98. It cost for repairs and upkeep during that time \$147,234.73.

The average annual expense to the State of Maine from 1881-1887 inclusive, not including the new shop, was \$12,046.85, and the total for that period, \$84,327.95.

From 1888 to 1894 the net expense to the state was \$120,387.82.

From 1894 to 1908 it cost the State of Maine \$322,279.45 to maintain the State Prison.

From the State Treasurer's Reports, the expenditures of the Maine State Prison for the last six years were: 1909, \$37,307.04; 1910, \$21,771.62; 1911, \$18,195.53; 1912, \$20,587.84; 1913, \$93,254.02; 1914, \$143,563.96.

Now these figures are taken from the Treasurer's report of the State of Maine, and I suppose they are correct.

Seventy two thousand seven hundred and twenty five dollars and seventy eight cents was the payment of bills outstanding. What those bills outstanding were I don't know.

Now the expense to the State of Maine of the State Prison from 1860 to 1914 is \$1,404,766.94. For the last six years it has cost the State of Maine about \$50,000 a year to maintain the prison, according to these figures, which I presume are correct.

It seems to me we can find no reasonable solution for these conditions, except that the prison was badly located, as I believe we are all willing to admit that the prison affairs have been conducted as economically as possible under existing conditions.

I am satisfied that if the prison had been located near a market, in some place where the freight rates would have been much less than they are at Thomaston, and situated on a tract of land where the vegetables for the prisoners could have been raised, our State Prison would have made a very different showing.

I believe it is a matter of economy at this time to abandon the prison and locate one some place where a business man can conduct the several manufacturing plants at a much greater advantage than is possible at Thomaston.

As a business man it would look like a pretty good proposition to me if some individual should offer to build a large, substantial boarding-house, and in connection with this, a harness shop, blacksmith shop, carriage shop, broom shop, and paint shop, and furnish me with a herd of cows on a good farm, with sufficient teams to do the farming and necessary trucking, also furnishing the capital for me to do business with, and ask me to take from 150 to 200 men, the only understanding being that I should house those men and see to it that they could be found any time upon the premises.

It may be possible for an institution of this character to be self-supporting in this State, but it appears to me that if a proposition of this kind was really put up to a business man to either make it pay or not as a private venture, the ordinary business man of the State of Maine would not consider it a losing proposition.

Mr. BUTLER of Knox: Mr. President: I hardly know where to begin or what to say, but I certainly should feel remiss in my duty to my constituency from Knox County, yes—more than that, gentlemen—I should feel remiss in my duty to that larger constituency, the whole State of Maine, did I not at this time enter my protest against the acceptance of this majority, and urge the adoption of the minority report.

A great wave of sympathy of late has been sweeping over our country, and properly so, gentlemen, for the men convicted of crime and detained in our several prisons. I think perhaps this is true because the dividing line between the criminal and the non-criminal is oftentimes very shadowy and very hard to discern. The man who today walks our streets, representing eminent respectability may tomorrow be a convict.

I cannot recall the time, gentlemen, when my sympathy has not been elicited when I looked at any man through prison bars, when I look at any living creature restrained of his liberty.

The story is told of a man who went into a bird-store which was filled with cages of birds, and one after another he bought every cage of birds and took them out into God's sunlight and liberated them, until the entire stock in that store had disappeared; and the bird-man looked upon him in amazement.

"Why," he says, "this awful waste of money? Why do you do this? Are you crazy?" "No," he says, "I was once in prison." This may be a little irrelevant to the main issue, but it shows why this matter appeals to us all.

But we shouldn't be carried away from the real issue. We should look at it. We are expected to look upon this question as level-headed business men.

Now I want to speak for a moment on the matter of the referendum of this question. I believe that clause was cunningly attached, designedly attached, at the suggestion of the one man who is behind this proposition of removal; I believe that the referendum should be invoked on questions where the people have asked to be heard. But what is the history of

this removal of the State Prison proposition? We didn't hear anything about it when we first came over here, gentlemen; we had been here some time before even the members of the Legislature knew there was anyone that had any idea of considering the removal of the State Prison. My people in Knox county didn't know anything about it; the people in Kennebec county, unless former Warden Ham told them, didn't know anything about it. The people of the State of Maine know nothing about the movement; they didn't ask for it. There has not been received here through the entire session thus far, so far as I have been able to learn, a single petition asking for the removal of this State Prison.

I doubt if any members of this body, outside of possibly some members of the present committee, have received a single letter asking for the removal of this prison.

Now at the first hearing, when Senate Resolve No. 19, in favor of the purchase of land in some suitable location and the erection thereon of buildings for a new State Prison, was under consideration, the people of my county, that are vitally interested in this matter, gentlemen, didn't treat it seriously. They didn't think it could be possible that this Legislature, without further publicity, would even consider the proposition. They didn't attend the hearing, even those most deeply interested.

What was the result? There was no one there in opposition to this resolve. There was hardly anyone there in favor of it. Former Warden Ham was there, and he coaxed and persuaded the distinguished gentleman from Kennebec, Mr. Hichborn, to address the committee. So far as I can learn, that was the only evidence presented.

Well, it went along another week, until the following Thursday, and the same committee had under consideration House Resolve No. 68, in favor of altering and enlarging the State Prison at Thomaston. That was the first time, gentlemen, that the proposition was heard, and we had a large hearing. At that time in opposition.

to this resolve there appeared the same Former Warden Ham, and one other witness, Mr. Morrill, I believe.

So I say, gentlemen, that this matter should not be referred to the people; there has not been enough agitation about it. There has not been any demand for it. The people have not asked to be heard in this matter. It is a pretty safe proposition to listen always to the voice of the people. When we come over here to Augusta as Senators, and we are flooded with petitions from one end of this State to the other from our constituents asking for the removal of this State Prison, then it will be time enough to take such action as asked for today, and submit this question to the people.

I want at this time to speak of a matter that is somewhat personal; I don't believe even the Senator from Hancock, if the prison were located in Hancock, and he was sent up here by Hancock county, as he is, would come over here and advocate the taking away of that institution from his own county. I don't believe, gentlemen, that any Senator would do that, or be expected to do it.

We have had that institution down in Knox county for nearly a century, and I will say to you frankly, it isn't an institution to be very proud of. But it is the only State institution that we have. And now you propose by this resolve to take it away from us. Perhaps you will put it over here in Kennebec, they have so few State institutions, and perhaps you will put it down in Cumberland, or up in Penobscot, at the expense of Knox county.

While we are a small county, gentlemen, we have done our part for the welfare of the whole State of Maine, we have produced men that have been actively engaged in working in a public way for the welfare of the State of Maine; and Knox county is united, and the people are in opposition to this removal of this institution.

But, gentlemen, I am willing to discuss with you this matter on a broader basis than the selfish basis. I am willing to stand where you all stand,

as Senators of the State of Maine. That old prison must have been built by master builders. It stands today, as strong and secure almost as the Rock of Gibraltar, and even that is crumbling away. It was built upon honor. For the major part that great wall surrounding it hasn't a scratch or a seam in it. There is a section of 350 feet that is out of plumb about one foot, but so far as I am able to learn it has been that way for twenty or thirty years, and is perfectly solid.

The main prison is sound from top to bottom. It has a slated roof. There is a new carriage shop, I believe it is, that was built only a few years ago, by Warden Norton, made of brick, a hundred feet long, and it has a slated roof.

Some of the buildings need minor repairs. We believe the old prison should be made better than it is today, and we will agree with you, Senator, it should be made better than it is today in the interest of humanity, but I do not agree, nor do the reports indicate that that prison as it is today is an unhealthy place in which to confine a man, and I say to you, Senators, that statistics show that in the last ninety-one years there have been but thirty-one natural deaths in that prison.

In the year 1912, with the highest number of prisoners—227—only three prisoners died. In 1913 no prisoners died, and the largest number of prisoners during that year was 222. In the year 1914 two died, and the highest number of prisoners was 203. Why, the death rate outside of the prison is fifteen persons per thousand.

What does the prison physician say about the healthfulness of the place, and what does he say about other matters, in his report for the year 1913?

"The care and treatment of tuberculous patients in prison is now a much discussed question. All agree, however, that the tuberculous patient should be kept apart from healthy people. Under the present condition at this institution this is impossible. I would advise a building being built

for the confinement of the tubercular in this prison. I do hope that this State will soon realize the necessity of segregating and treating the tuberculous inmates in this institution.

"The variety of food has been increased. The good and well cooked food, the warm clothing, the equitable temperature of the buildings, and the excellent sanitary condition of the whole institution, have all helped to bring about this good result.

"J. D. WALKER,
"Prison Physician."

And by the way, Dr. Walker was prison physician for many years, until this present year.

Chaplain Allen of the Maine State Prison says, in the line of health—he has been referring to other matters, and says:

"But this tells only a part of the story. Much can never be given in detail. It does not tell of sixteen months without a death in the number of the prisoners. It does not tell of decrease in the number sent to the Insane Hospital at Augusta. It does not tell of change in the care of cells from which tuberculous prisoners have been removed. It does not tell of other matters concerning the treatment of the prisoners that would have long since been demanded by the public had the public known. But it does tell enough to show that treatment of prisoners as though they were human is producing good results."

Approximately two hundred men confined, men whose past lives have not been such lives as would be conducive to longevity, and yet, and yet, with two hundred and more assembled together in that prison, for sixteen months there has not been a death amongst them.

Dr. Walker's report as prison physician for 1914 is practically the same as his report of 1913. Here is only one paragraph that I wish to read, and you will pardon me, gentlemen, from Dr. Walker's report for the year 1912:

"Since convicts who are tuberculous have been kept in one corridor, and have been doing outdoor work, the death rate from that disease has been reduced much. Convicts do not acquire the dis-

ease here as a rule, but are tuberculous on their arrival. Each man on entering the institution is carefully examined, and if there are signs or symptoms of tuberculosis, he is put at work out of doors and segregated from the healthy prisoners as much as possible under the present conditions. As I have said in previous reports, I would recommend that a small building be built for the care of tuberculous convicts. The food has been of good quality at all times, wholesome, well cooked; and of sufficient quality, the corridors are well ventilated and heated."

Now, gentlemen, if you are looking to the matter purely and simply of health, what better evidence do you want of the health of that institution, even as it is, than the records from which I have just read. Is there any better evidence that can be had? But we of Knox county join with Hancock county, and we join with every county in the State, in our desire to improve the conditions there; we believe that if we accept his majority report here today, it calls for an appropriation of \$300,000, and we will have the same experience that we had with the building of the institution for our feeble-minded, and the Lord only knows when we will get that completed, or what it will cost us. We believe that it will cost, when completed as we want it, at least \$1,000,000, and I don't care what the original contract calls for.

It has been your experience and mine, gentlemen, that these alterations every session of the Legislature cost a big sum of money. That has been the experience of our insane asylums, and all our public institutions. We believe that this prison, call it what you will, can be made modern; we believe we can meet every condition that may be imposed upon us by the other side, for an expenditure of from \$75,000 to \$100,000.

Now at the time of these commissioners' reports, away back in 1857-9, which have been referred to by my brother Senator, conditions were vastly different than they are at Thomaston today. There was on railroad there. The Maine Central Railroad comes right by the prison wall today. Their rates are not excessive. The freight rate from Boston to Rockland per hundred pounds is only

twelve cents. They do charge, gentlemen, and I say it to you frankly, twenty-seven cents per hundred pounds to Thomaston, which is nearer than Rockland.

It is a wonderful system, this railroad is! And I submit to you that that is a matter for the Public Utilities Commission to straighten out. It shouldn't at least cost more to Thomaston than it does to Rockland, and I submit to you that twelve cents a hundred pounds isn't a high freight rate.

So much for that. I simply refer to that in passing, because it occurred to me that in 1857 we had no railroad. Now we have facilities for freight by rail and by water.

Just before leaving home Monday morning, Mr. Bicknell, who has been mentioned, and who is a large contractor in our vicinity, and a large property-holder, and a very responsible man, gave me this letter in regard to the work that he would do there at Thomaston, the work which seems to be needed, and what he would do it for. He says:

"Regarding the work on the Thomaston Maine State Prison, the figures I submit are as follows." And he submits those figures after more than two weeks' correspondence with various prison and jail builders—

"To have two hundred cells, seven feet wide and eight feet deep, it will be necessary to put a sixty-eight foot wing on the prison, at a cost of \$8160. I have bids from two of the largest manufacturers of steel cells. One of them has quoted a price of \$75,000, and the other \$80,000. That is for two hundred cells.

"I have taken the matter up with them by mail, and suggested to them that the entire outside of these cells be made of tool-proof steel, and the back partition of Bessemer steel, as is being done in many prisons, and I expect this will make quite a substantial difference in the above figures."

This includes also, gentlemen, a lavatory and toilet in each cell. It proposes removing the entire stone structure inside the prison and putting steel cages in. Then he goes on:

"The material to make the necessary changes in the blacksmith shop, the building on the end, will cost \$1000. The

building on the corner"—I don't know what he means by that—anyone familiar with the yard would know—"should be clapboarded and painted. The bathroom and dispensary should be in that building and make a good comfortable job. I would suggest that the work could be done by convict labor and make a saving. There are good mechanics among the convicts capable of going ahead with this plan of work.

"The figures I get from the cost of the contractor, without figuring any profit at all. There is no immediate need of repairing the wall around the present yard. That has stood for some time, and last for a good while longer before any expenditure is needed.

"The painting will cost \$1000, changes in the wood-shop, \$1000; fire escape, \$1600; bath-room, \$500; and land, \$2500.

On this land proposition, he proposes the accepting of an offer of one hundred and twenty-five acres right across the street from the present site, at a cost of not exceeding that sum, which farm is available. If we desire it, there is plenty of land in Thomaston, gentlemen. In fact, the wardens in the past have had more land than they could use, or would use. There is plenty of land there, and if we wanted we could buy a strip of land a mile long up the river west of the prison from its western wall.

Now this entire expenditure would be from \$91,160 to \$95,160, and we would have, gentlemen, a light, modern, well ventilated prison, with every work-shop in good condition, and a place perhaps not good enough for you or for me, but good enough, even today, for the convicts of the State of Maine.

Gentlemen, I want to say this in closing, and you have listened to me very patiently. To my mind, more important, even, that the consideration of the present removal, more important, even, that the consideration of this resolve which is pending in the House to enlarge and improve our present state-prison, more important than either of these resolves, gentlemen, is something that has never yet been done in the State of Maine, and it is something that should be done in the name of humanity; and that is, instead of, when you give a liberated convict who has served his time five dollars

—or the extent of your charity is ten dollars, if he lives a long way off—and a cheap suit of clothes, and start him off without any assistance, as you allow him to do at the present; and do something to help him regain his lost position in society, until that man regains his full manhood and is able to look society in the face, he never will be of any value to himself or to society.

That is the crying need today, more than anything else, in my opinion, in the State of Maine.

Mr. WALKER of Somerset: Mr. President, I wish to join with the genial Senator from Knox in his request, so far as it relates to the retention of our State Prison in its present location. I do not do this because I am a member of his political party, for I am not. He has put up a good argument. He informs us that the people of his county are behind him and want this institution to remain there.

I have no doubt, had the gentleman who represented Knox County in this Senate for so many years, the only Democrat who was in this body in fact for a great many years, Senator Staples of Knox, had this proposition come before the Senate at that time would have pled as earnestly as the present Senator that the institution be retained within that county.

Now I do not say, I would not have you infer, that the fact that Knox County has been Democratic all these years, and the State Prison has been in Knox County all these years, that the two facts are coincident.

Now it has been represented, as I have said, in this Senate by that party so many years that the memory of man hardly goes back to the time when any other political party represented that county in this Senate.

In the discussion of this question, Mr. President, it seems to me there are three positions which we may take. We may vote for the majority report of the committee, which is embodied in Senate Bill 19; we may vote for the minority report of the committee, which would leave the prison where it is, and repair the same, or we may vote to leave it where it is without any repairing.

In the first position the bill provides

that there shall be a commission appointed, consisting of the Governor and two members of the Legislature, and that there shall be appropriated the sum of \$300,000 to begin with. That bill contemplates the abandonment of the present State Prison.

Now the second position, repairing and enlarging the State Prison where it is. I wish to quote from an editorial in the Bangor Commercial. This paper was left on our desks yesterday, and the writer, I should judge has given this matter considerable attention and was careful in the composition of the article. He says, in relation to the present structure:

“The granite walls of the prison are in perfect condition and so is the roof. To enlarge the capacity and introduce modern construction all that is necessary is to remove one end wall, build the required addition and put in steel cells of modern design with hot and cold water in each. The boilers are in fine condition, the buildings well heated and ventilated. In addition let there be an improvement of the hospital quarters, the placing of a fire escape for the women's department and the construction of a new blacksmith shop and the renovated prison would be the equal of the best. These improvements can be made at an expense of \$100,000 at the outside, contractors state, and there is absolutely no reason why the state should expend perhaps ten times that amount and abandon the large investment at Thomaston.

Another reason against making a change in location is found in the fact that Thomaston presents an ideal site. It is convenient of access by rail and, by transfer at Rockland, three miles away, by boat. It is out of the beaten track of curiosity seekers and the community has become accustomed to the institution, whereas few towns or cities would welcome such.”

In the third position, that we let the State Prison remain where it is with a few minor improvements, there comes up the question of the financial condition of the State of Maine, and whether or not it would be best to expend the money which we as legislators could appropriate.

There are many calls upon us, one

of which is the reformatory for women, and I submit to you, Mr. President, that there have been universal calls from the people of our State that we establish this institution at a cost of \$50,000.

Another call upon the resources of our State is for a central building for the industrial school for girls at Hallowell. I submit to you that that would be a worthy way in which to spend the State money.

The hospitals of our State are asking for large appropriations. There is a demand by our people that an institution for helping tuberculosis patients be established, and that is a demand which has been increasing from year to year.

I submit to you, Mr. President, that there is no general demand, so far as I know, for the building of a new State prison, or for the enlargement of the present State Prison. No one has said anything to me in my county or any other county, to vote for either proposition. If there was a demand by the people of Somerset county I think some one, at least, would have expressed that demand to me at some time.

I submit to you that the people of the State of Maine would like for us to practise economy as much as we possibly can. Times are hard in the State of Maine today. I never have known for many years when conditions were so hard for the farmer as it is now. Many of our mills are shut down, and laborers are out of employment.

I do not say, I would not have you infer that any particular party has anything to do with this. I would not have you infer that any party would have us erect prisons as a sign of prosperity. I believe that it would be better for us as legislators to open up our mills and give employment to our people, rather than to spend our money in making the State Prison larger, so that it will accommodate more of the people.

Mr. DUNTON of Penobscot: Mr. President, it is with a great deal of apprehension and regret that I have

to arise here and say a few words in favor of this proposition. I regret exceedingly to do it for two reasons. One is I have to follow men who are learned in talking. Another reason is that I have to speak, if I speak at all, against what I know are the wishes of my old neighbors, my old friends in my home county. I spent a great share of my life in Knox county, and the homes down there I remember very well, and to do anything which they would not like me to do is not pleasant, but my duty is plain.

I believe that the time has come in the State of Maine when the State of Maine should consider something else besides where the "almighty dollar" comes from. We, the great State of Maine, the best people perhaps in the whole world, with fifty years since any serious calamity came to our country; with bountiful crops, we are here and we should not say we cannot afford to do this or that.

We are here today to discuss the proposition, do we need a State Prison? There is no opposition to the saying that we need some reform, and as near as I can understand by the gentlemen who speak and earnestly from the other side, they admit that the conditions down there are bad, and they propose to do certain things, measures which I do not know anything about except as they come to me.

This prison, built in 1824, was built well at that time. There was no extreme rich and no extreme poor. They all occupied a certain level, and they believed in neighborhood, and when a man committed a crime—it was more rare then than now, and he was looked upon with a hideous feeling, and he was treated as a brute. He has been treated in that prison ever since as a brute. He is put into dog-holes that no man can stay in twenty-four hours and say in his heart that he thanks God he ever existed.

The people of the State of Maine have tolerated that condition and you say there has not been much agitation about it. It has been agitated by the best thinking people for years. The people of Knox county, perhaps, have

become a little used to the condition there and think perhaps that it may be proper. I was glad to hear the honorable Senator from Knox say that he did think it was bad to turn a man out with five dollars, and he would have an influence there to try to reform him, but not a particle of reform for him while he was in there.

He tells you we are to appropriate for the prison on the start \$300,000, but he says that it will cost a million. He says to repair this prison down there it will cost \$100,000. I ask you if it is not fair to assume if our estimate of \$300,000 is to be strained to a million, why should not his \$100,000 for repairs be strained to \$300,000?

These things can be done, and they can be done cheaper than they used to be done. Not one of these gentlemen yet who opposed this measure has said he objected to it, but the reason they do not want it is, as I understand it, the financial end. I assume it is true that we have claims coming in here from every department, almost, in our State, to take care of our unfortunate. We are unable to meet them, and we always will be unable to meet them. James G. Blaine reported in 1858 that we were unable to meet them, and we will be unable to meet them in one hundred and fifty years.

Pardon me if I digress, I do not want the word "party" brought in here. I am sorry it was and I will not do it. There is cause for this shortage of money in our legislature. It is because we have listened to corporations represented by able lawyers from land grabbers, franchised stealers, and general public bills.

The principal opponents of this bill I believe understand this, or it is the idea that animates them, they believe that the prisoners sent to our institutions do not have a chance to grow or improve. They believe they should be out of doors, where they can delve in the earth and see the green grass and the trees grow, and where they can mix with the domestic animals, and say "I am part of this and want to rise up and grow and take my place."

I know there are men in the State that have no sympathy for the culprit, and whenever they hear of one being pardoned they seem to turn a fit. Why, those men are living in the age when this prison was built. What is there to say to the unfortunates who are unfortunate by reason of disease, by reason of environment, or by weakness to resist temptation and perhaps by the influences that are around them. Give them a chance to reform and establish themselves again as citizens in our commonwealth.

How many times in your lives, if you had taken a few more steps farther than you went, would you have lost your self-respect, and you would have gone down easy and the gates would have swung open noiselessly for you.

It has been said here that the prison is a very healthful place. I did not know that anybody was going to say that it was not, but the figures given to you have no significance whatever. The average length of sentence I do not know, but I imagine that the average length of sentence is not seven years. It is well known by men in my business, and should be known by all, that insurance companies that confine its endowment to the average age of twenty years never has so heavy a death rate as one that writes mixed policies.

Take a man healthy enough to commit a crime and commit them for seven years and make their death rate for the whole community, is not fair or reasonable and it is no criterion to go by.

We ask you to be just, we ask of you who may have posterity, we ask you to put these men in a place where they can exercise the right of manhood, and not put them in a dungeon for thirteen hours each day—twenty hours Sunday—and only let them out to go to the toilet. It is wicked, and it is a disgrace to humanity and a disgrace to our citizenship, and it is humiliating to me to say that we cannot do better by them.

Mr. FULTON of Aroostook: I think my fellow-citizens will agree with me when I say that so far during this session I have taken but little time of the Senate to discuss any questions that have come before it for consideration. I don't intend to take much time now, Mr. President, but I feel impelled by a

force I cannot resist to say a few words in relation to this subject which is now under discussion.

The committee of this Legislature charged with the duty of visiting the State Prison and of inquiring into the conditions there have wished to discharge that duty honestly, carefully, impartially, composed as it is of ten men taken from almost as many counties in the State, and it would seem that they would not be prejudiced in favor of or against any particular section of the State on the matter of locating the State Prison.

Now, Mr. President, I would like to read for just a minute, with your permission, from the resolve which was passed in the House in the Legislature of Maine, or presented to the Legislature of Maine, which received a passage January 23, 1823.

The men presenting that resolve were honest, earnest men, just as honest as we are today, in their convictions and in their views of what constituted a State Prison. They reported to the Legislature January 23, 1823, that

"State Prisons should be so constructed that even their aspect might be terrific, and appear like what in fact they should be, dark and comfortless abodes of guilt and wretchedness . . . no mode of punishment ever has been or ever can be adopted so good as close confinement in a solitary cell, in which, cut off from all hope of relief during the time for which he shall have been sentenced . . . the convict shall be furnished with a ham-mock in which he may sleep, a block on which he may sit, and with such coarse though wholesome food as may be best suited to a person in a situation designed for grief and penitence, and shall be favored with so much light from the firmament as may enable him to read the New Testament, which shall be given him as his sole companion and guide to better life."

I ask what good would come from reading the New Testament under those conditions?

Gentlemen, the Committee that visited that prison after the lapse of four score and ten years and a little more, after all these improvements have been made in the past, thought the ideas that were named in this resolve were very well

carried out, and were painfully apparent to that committee that visited at that time.

Now, gentlemen, the idea of prison life has changed very much in the last forty or fifty years, and I say that the conditions of prison life that exist today at the prison at Thomaston are a disgrace to the State of Maine. I am not going to say they reflect—they do not reflect upon the good people of the County of Knox, honest, generous, open-hearted, patriotic, and loyal as any people in the State of Maine. Their loyalty has been evinced lately in a very telling manner, when they wished to have built in that county a memorial building to the memory of that grand old Revolutionary soldier, General Knox, and I admire every citizen of that county for the stand they are taking. I say it does not reflect upon any particular county; it does not reflect upon the farming and lumbering population of my county, nor upon any section. But it does reflect upon the State of Maine, that we should allow such conditions to exist at this time.

Mr. President, the burden of all the reports that have been given to this Legislature for a great many years past, I believe, as we go back is the fact that there should be better conditions in the State Prison at Thomaston, and it seems to me in reading over these recommendations that have been made, all have conceded, legislators have conceded, almost everyone approached on the subject have conceded, that these conditions are wrong, that they are a disgrace to the State; that they are not in keeping with the advanced ideas of this twentieth-century in the management of prison life.

The only idea, the only excuse that has been given is simply that this great State of Maine cannot afford to build a prison that will conform to the advanced ideas that now exist in this country in regard to prison life. I am ashamed of the manhood of the State of Maine when they stand up and say that they are not able to build a prison more in conformity with the advanced ideas than they have now.

I don't care, gentlemen, where that prison is located, whether it be in the

County of Knox, or whether it be in Penobscot County, or whether it be over among the hills of Oxford, the county which has given us some of the greatest men that the state has ever produced. I don't care where it is located, so long as we have conditions that are not disgraceful to us, and a disgrace upon our State.

I think, Mr. President, that two principal ideas were entertained by that committee, or I will say were in my mind as a member of that committee, if you will excuse a personal reference:

First, to provide a prison that would be up-to-date, modern, sanitary, and a credit to the state.

Second, to have it in some place where it would be upon a paying basis, self-supporting, or nearly so, as has been the case in many other states.

Now, gentlemen, I believe that the State of Maine is amply able to provide a place that will be creditable to us as a state. The genial Senator from Knox says that there is no demand for a new State Prison, that if there was a demand for it we would have received petitions. I submit, Mr. President, that most of the requests for the State Prison, in fact all of the requests, have come to the Legislature, not been got generally out around through the state, and the committees of the different legislatures that have visited the prison are practically the only ones that are knowing to the conditions there, except the Council visitors that go in, and I say to you, gentlemen, that if the conditions were known as we know them, there would be a cry go up from Fort Kent to Kittery for the establishment of a new prison, and I believe that today, if the inhabitants of the State of Maine knew of the conditions there they would go down into their pockets and give the money, rather than to let it go as it is, and I mistake very much the temper of the people of this state if they wouldn't give an overwhelming majority in September for the building of a new prison, if we inaugurate a campaign of education on the matter, and have it widely known through the state.

I believe that the 150,000 voters in the State of Maine would go down in their pockets, if required, and the 150,000 women, first in all good works, would also aid in so laudable an object, and we would scarcely be asked to have a tax assessed for that purpose.

Gentlemen, I may be charged with being too sympathetic with the prisoners, but I want to say that many times—a number of times, through the day when I visited the prison there, I stood and looked into those cells, and I thought of the men incarcerated there behind those walls, that no doubt came from good homes, that may have had very good training, that may have had influences thrown around them when they were young that were helpful and good, but in a moment of weakness have failed, and were incarcerated behind prison walls.

Because a fellow-man has been obliged to don prison garb, he has not ceased to be a man; that doesn't prove that he is totally depraved. There is hope for him. We must take into consideration the conditions that surround different people, pre-natal conditions may have influenced that boy, early training, faulty training, or bad surroundings, as he grew toward manhood, may have influenced him. And let me say to you, gentlemen, that the dividing line between success and failure, or the thread which is drawn between success and failure, sometimes is very slender, and when we congratulate ourselves that we have not been a victim of circumstances and become prisoners there, we ought to remember that our lives may not have had the same conditions or circumstances surrounding them that they have had.

I think we ought to take into consideration all these things. I regret that I cannot speak to you gentlemen in the way that I feel in regard to this, but I feel deeply that the State of Maine should give us a better place in which to put our convicts.

The reports have been referred to here, and I have taken the trouble to examine very many of the reports of the State Prison, both of the wardens and of the Council Committees, al-

most every year, reports in favor of a new state prison, feeling that the conditions there could not be repaired and could not be placed in a proper condition to care for the inmates at the present location.

As I said before, gentlemen, I don't care where it is located, whether in Knox County or in any other county in the state; but it is important to provide for those who are unfortunate, that they may be properly cared for, and have proper surroundings. I believe that while we may have the right to incarcerate criminals behind prison walls, to protect society, and for the welfare and benefit of society, yet we have not the right to deprive them of the sunlight or the pure air of heaven.

It has been said that none of them that go there contract tuberculosis; that they have it when they go there. I say that even though it may have been in the incipient stage, that conditions there conduce to the development of it, and I looked upon many of them down there and saw their wan, pale features, saw they hadn't got the air nor the sunlight, or those things that they need if they are to live and be comfortable there.

Gentlemen, I did not intend to take much of your time with this, but I did not feel as though I could let the matter go by without expressing my views, showing on which side I stood. Individuals and states and nations, I believe, sin at a fearful cost, and I believe it is a sin laid at the door of the State of Maine today that we do not remedy conditions when those conditions are made known to us.

I don't believe that because a man has committed a crime that we should feel that it is a matter of resentment; that it is a matter merely of punishment. I believe that prison life should not be considered entirely as a punishment, but for the reform of the prisoner, and that we ought to make that the prime idea, the reform of the prisoner, to make him better when he goes out again, if he outlives his sentence; that he may be a better man and a better citizen. I don't believe that we should entirely regard his

prison life as a punishment for what he has done. We should help to make his prison life the best we can; fit him to make a better and more useful citizen.

I have many similar things that I would like to tell you about, but I believe I would be imposing upon the time of the Senate at this time, and I thank you for listening to me patiently.

Mr. SCAMMON of Hancock: Mr. President, I want to say that I did not wish to inject myself into this discussion, but I wish to say that anyone who says that they never heard anything about this new prison proposition before coming here, or that it is a one man movement, or that no one here heard anything about it until they were here several weeks, has a misconception of this matter or is trying to prevent the real facts.

Not only the members of this legislature but the people of our State have been educated to the conditions that existed at the State Prison. It was in the Press before we came here, and gentlemen must have seen and known of these things. I want to say that one of the first things that I heard on coming here was this proposition, and it was not at that time any one man movement. I want this matter discussed fairly and brought out in its true light.

Having injected myself into the discussion there are one or two points that I wish to take up. I notice there was something said in regard to selfishness in this matter. I believe we have no occasion for selfishness in Ellsworth. If there is ever a movement to have the State prison at Ellsworth I want to be put on record that I shall be against it, first, last and all the time. For I believe it is not, to the extent, but partially the same as Thomaston, perhaps, not an ideal location on account of its being somewhat sectional.

Now I believe that the proposition that this prison can be located somewhere where it will be a paying proposition to the State, is one that should receive much consideration, for states have had state prisons which paid

their own bills, and there is no real good reason why this prison should not. The State of Maine can conduct its affairs as well as any other state in the Union.

I submit to you as business men that if the State of Maine should locate its prison at any point which I should consider a good location—I should consider a place on the line of a good railroad, anywhere near the central part of the State—I should jump at the offer to receive this prison fitted up with workmen and the necessary things to do with, and I should be mighty glad to be warden for the State of Maine without pay, if it were to be obtained, and with the genial Senator from Knox as assistant.

Mr. COLE of York: Mr. President, it seems to me there are two or three points here that have not been brought out at all. I very much dislike to differ with the majority report of any committee. I believe they have given us the report according to their best judgment.

We are told a good deal about this old prison. I do not know that a prison should be made a thing of beauty and a joy forever. It is simply a place of detention, and when you can make it clean and wholesome and fairly comfortable for those unfortunate enough to be there, we have done our full duty by them, until we take care of those who are more worthy of our assistance than that class. I do not mean to say we should not take care of our convicts in the best possible manner, but we have so many other institutions that need our help, so many people scattered around our State who need the assistance of the State, that it seems to me folly to come here in the name of sentiment and say that we need this new prison, because that one at Thomaston is in an out of the way place and hard to get at, and because it was built in 1824, if for a small sum of money we can make that prison habitable and comfortable.

We change our views regarding the handling of prisoners very rapidly. If crime is a disease, as some believe,

and as our criminologists are informing us, then the point comes that we need use our prisons as places of detention only, except for prisoners kept there for the protection of society. We do not believe the man who steals our wood on the street is to be detained in prison for the protection of society. We do not believe that the man who steals a pair of shoes from a freight car should be detained in prison for the protection of the public from bodily injury.

We best get away from that idea, that men who practice that belief allow men to suffer punishment by being detained in prison and put in so-called dog-holes and kept on bread and water. We are becoming modern; we parole our prisoners and give them indeterminate sentences. And if we have an average of 160 in the prison today, five years from today we will have not more than 100. There is no reason for providing a prison for the future. The future will take care of the prisoners as it thinks best.

Our ideas are changing. I do not believe the state prison at Thomaston will do as well in the future as it has in the past, for I do not believe people will be kept there under the long sentences they have had in the past.

We all believe in taking care of our state institutions, as well as the people in the institutions, and our money is needed for other institutions to maintain them. Why put into an institution \$300,000 when \$100,000 will do all that we need to do today. There is no sentiment about state prison, whether it looks like a rock pile or a brick pile, built of lime and water and a little facing of concrete? They will keep these men in there in accordance with their sentences and keep them comfortably, and that is all that the State of Maine is expected to do, and I would be the last to vote for any appropriation to renovate that prison, but if \$100,000 will renovate it why should we go to the people and ask them to spend \$300,000, when we know it will never complete anything started in that kind of a movement.

The Senator from Penobscot has

told more truth than poetry. People are not giving anything to the state unless there is a throw-back. It has been going the other way, and when someone gives you \$10,000 if you will spend with it \$100,000, it is not very much of a gift. We can get land enough at Thomaston or anywhere else, so that the prisoners can work out of doors, and earn a little something that may be turned back to them when they are free and they again take their place in society. There seems to be something in these arguments, something in the air, that something is to be handed over to the State of Maine, and I ask who has authority to say that?

I ask you again, if the people turn this down and you believe in your humanitarian principles are you willing to go to the people and see whether it will be turned down in 1915? And those people who are suffering there for the want of things, are you to keep them until another legislature is here, and have that legislature go through the same performance and keep that up year by year and have nothing done, or shall we say that we can afford it and appropriate \$100,000 when \$100,000 will make them as clean and healthy as to build an entirely new plant, and put in that row of steel cells that will be just as good as would be put in the new building, and of the same material?

There were only 67 prisoners sent there in 1914, and whether you locate the prison at one section of the state or another, it is hard to get it in the geographical center where someone will not have trouble in reaching it.

I cannot see where we are gaining dollars for the State of Maine but can see where we are losing a great deal. I cannot see how we are favoring the prisoners if we put off the day, but I can see where it will be years and years before these things come to them that these men are standing up for today.

If I had a friend in Thomaston and I believed the conditions there were not right for him I should certainly vote against this bill if it was possible for me to have better quarters inside

of the time that would be required for this bill to become affective. Your prison may not be completed in two years. If the people turn it down you must wait until you come back here again. I want to ask you, if you pass this bill how are you going to get your \$300,000 unless you make an appropriation and assess a State tax. Then, if the people turn it down you have \$300,000 in your State treasury which you have appropriated for a State prison that the people have instructed you not to build.

It seems to me an unwise move, and it seems to me we should vote such sum as is necessary to renovate the old prison, put in one hundred or one hundred and fifty steel cells, all we need, and give these people what is best for them.

Mr. MURPHY of Cumberland: I want to say a few words in favor of the minority report, and say it quick.

I have been here ten years at the Legislature, covering a period of ten years, and I would say that I have never heard the prison discussed once, to a great extent, never knew there was such a demand for renovation, or for a new prison. I have heard many other propositions brought before the legislature. One of them was the rebuilding of this State House, or a new State House. A new State House would have cost from one to two millions. This building was renovated—added to—to the satisfaction of all the people of the State of Maine—I am going to testify to that, notwithstanding the fact that I was strongly for the removal of the State Capital to Portland.

It has been my pleasure to travel from one end of this State to the other, looking at the various institutions, schools, University, State School for Boys, etc. There are many demands present and inevitable, proposed to the committee, for instance, the Central School at Hallowell, and the Reformatory for Women. It seems to me that the Reformatory for Women touches on this prison proposition, as we see it. This is going, to a certain extent, to relieve the prison. They commenced

a campaign for a Reformatory for Women many years ago, and put it off, delayed and postponed it, but now it has got to a point where we must vote to build a Reformatory for Women.

It has been the good pleasure of my friend Allen and myself to visit various institutions in Maine and out of Maine. One of the points that we noted in connection with one institution was the drainage: they were complaining very bitterly there of the drainage, because the drainage had flowed into a neighboring stream, polluting the water-supply to the disadvantage of the country around. As I understand, the drainage at Thomaston is satisfactory; it is near the sea.

If you are looking for opportunities to relieve suffering humanity, I would refer you to the Indian villages. There is no cell in Thomaston that will compare with the squalor and conditions there. There isn't anybody hustling very much to help them out. Again, as we look up the wants of the State, you will find another condition to exist. The Normal School system, dormitories wanted everywhere; no places for the girls to stay at night, except distributed around through the towns, no oversight, no provision of any kind. It seems to me that is a good way to furnish inmates for reformatories and prisons, leave them to go as they see fit every night.

The Committee, confronted with conditions of that sort, saw fit to use their influence to turn down the Reformatory for Women in order to build dormitories in towns where Normal Schools are situated.

We are confronted continuously with demands to establish new institutions, piling up and maintaining the work before us. We can never get things cleared up and finished, because we are continually confronted with propositions to consider new institutions.

As far as location is concerned, I want to say right here that Cumberland County is not interested in the change of this institution. We don't want it in Cumberland; we are satisfied where it is, and I have never seen anybody come back from State Prison—and I have seen some of them—that had much complaint to make. One I have in mind that came

back, a man returned from the prison; it was in connection with this board that was established there, that asked for a big brother, or something of that sort. A prominent man of the City of Portland was able to secure for this young man employment, and I was approached on the subject. I telephoned two or three concerns. One of them said yes, they would give him a job, but he says for me to put my name to this paper that I am going to be a big brother. That man is in Portland making from seventy-five to one hundred dollars a month.

That is what I call helping a person out.

I am only talking on this as a man interested in the State of Maine and the County of Cumberland. We have a load to carry now sufficiently heavy to carry without loading up with new things, and if you load up with new things without taking off some of the load you have previously put there, you will have more than you can carry.

Again, I have heard the proposition of a tuberculosis sanitarium. It seems to me it is about time to do something about that, and take them up one by one as they are put up to us.

Take it in Cumberland County, for instance, we have a jail there—I don't know whether it is very attractive or not. Somehow or other it has sort of attracted, because a good many men see fit to go there, and evidently they are willing to go and spend a part of the season rather than be out in the cold winter weather. I don't believe in making these things too attractive. Let them feel just a bit as though they wouldn't want to go back there again.

Talk about dog-holes. There is no dog-hole I have ever seen that equaled the dog-holes at Pleasant Pond and Dana's Pond. Why not go and help those fellows out if we are going in for sympathy?

Gentlemen, I am going to cut my remarks short, and say that if want to support the minority report.

Mr. MOULTON of Cumberland: Mr. President, I call for the previous question.

Mr. WALKER: Mr. President, I move that when the vote be taken it be taken by yeas and nays.

A sufficient number arising the yeas and nays were ordered.

The question being on the acceptance of either report of the committee, and Senator Chatto's motion to adopt the majority report, ought to pass, the secretary called the roll. Those voting yea were: Messrs. Allen, Eoynton, Burleigh, Chatto, Conant, Dunton, Durgin, Emery, Fulton, Peacock, Scammon, Swift—12 Those voting nay were: Messrs. Ames, Bartlett, Butler, Clark, Colby, Cole, Flaherty, Garcelon, Herrick, Jillson, Leary, Moulton, Murphy, Price, Thurs-

ton, Walker, Weld—17. Absentees, Mr. Hastings—1.

Twelve voting in favor of the adoption of the majority report ought to pass, and 17 voting against, the majority report was not accepted.

The question recurring on the adoption of the minority report ought not to pass, on motion by Mr. Cole of York, the reports were tabled pending acceptance.

On motion of Mr. Moulton of Cumberland,

Adjourned until tomorrow morning at 9 o'clock.