

MAINE STATE LEGISLATURE

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Public Documents of Maine:

BEING THE

ANNUAL REPORTS

OF THE VARIOUS

PUBLIC OFFICERS AND INSTITUTIONS

FOR THE YEAR

1874.

VOLUME II.

AUGUSTA:

SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.

1874.

REPORT

OF THE

JOINT SPECIAL COMMITTEE

ON

Investigation of the Affairs

OF THE

MAINE STATE PRISON.

MADE TO THE FIFTY-THIRD LEGISLATURE.

AUGUSTA:

SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.

1874.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
March 4, 1874. }

On motion of Mr. CARVILL,

ORDERED, That 1,000 copies of the Report of the Joint Special Committee on the Affairs of the State Prison, be printed, and the State Librarian be directed, after reserving the usual number of copies for the departments, to distribute the balance to the members of the Legislature of 1874.

S. J. CHADBOURNE, Clerk.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
January 22, 1874. }

WHEREAS, By reference to the Message of the Governor and the Annual Messages of the Governor for several successive years last past, the impression has been given to the Legislature and to the people of this State that the State Prison at Thomaston has been and still is a source of revenue to the State, more than paying the current expenses thereof;

And WHEREAS, it nowhere appears from the reports of the State Treasurer for a number of years past that any amounts of money have been paid into the Treasury as the profits accruing from the management of said Institution;

And WHEREAS, in the Reports of the Inspectors there are no accounts giving in detail the items and amounts of annual additions to the stock and working capital of said prison, or giving particular items or value of stock on hand;

And WHEREAS, there is no official report of the amount of salaries or compensation to the several officers and employees connected with said prison;

And WHEREAS, the salaries or amount of compensation paid to several of said officers is not fixed by law, but left to the discretion of the Inspectors of said prison, and no report or official document shows the sum or sums allowed by said Inspectors as salary or compensation to said officers;

And WHEREAS, it appears by the Message of the Governor that a serious loss to the property of the State occurred by reason of a fire some time after an account of stock and property at said prison had been last taken;

And WHEREAS, charges have been made and published in some of the leading newspapers of the State, showing that the State Prison is by no means a source of revenue to the State or self-sustaining, and that no account or report of the amount of salaries or compensation paid to officers or employees of said prison has appeared;

And WHEREAS, it appears by the acts and resolves of the last past ten years that large appropriations have been made from the Treasury in favor of said prison, and no detailed account of the expenditure of said moneys has been communicated to the legislature; therefore

Ordered, That ———, be a Committee of this House, whose duty it shall be to investigate fully all the affairs of said prison connected with the management thereof since the first day of January, 1864, to ascertain the number and names of all persons for each year since that date connected with the management of said Institution or in any way employed and paid as officers or employees thereof; also in what capacity employed, and the amount of compensation or salary paid annually to each of them. Whether any officers or persons have been employed without authority of law; the amount annually paid into the State Treasury from said prison; the amounts annually appropriated and paid in favor of said prison during said last ten years, together with the manner in which appropriations have been expended, and for what purposes; also what improvements have been made. The time and cause or origin of said fire,

and circumstances connected therewith ; whether it occurred before or after an account of the stock and property had been last taken by the Inspectors ; the amount of all property and stock belonging to the State at said prison, and the uses made thereof, as near as may be ascertained, for each of the last ten years since January 1st, 1864, and also the amount of such property and stock and the uses thereof, now on hand, giving in full and detail the several items, together with the present cash value thereof ; also to inquire into the sanitary condition of said prison, and the treatment of the inmates thereof. And that said Committee have authority to send for persons and all books and papers in their judgment deemed necessary, and be directed and instructed to report on the aforesaid matters as soon as may be.

AMENDMENT "A."

Amend by providing for the appointment in the usual method, of a committee of three on the part of the House, and two on the part of the Senate.

Read and passed as amended per sheet "A."

Sent up for concurrence.

S. J. CHADBOURNE, *Clerk.*

IN HOUSE OF REPRESENTATIVES,
January 23, 1874. }

The Committee provided for in the foregoing orders on the part of the House, are Messrs. Talbot of East Machias, Knowlton of Skowhegan and Morrow of Bangor.

S. J. CHADBOURNE, *Clerk.*

IN SENATE, January 26, 1874.

Read, House amendment rejected, amended per sheets "B" and "C" and passed.
Sent down for concurrence.

SAMUEL W. LANE, *Secretary.*

AMENDMENT "B."

Amend by striking out all after the word "ordered" and insert the following:

That the Committee on State Prison be instructed to investigate all the affairs of said prison connected with the management thereof since the first day of January, 1864, to ascertain the number and names of all persons for each year since that date, connected with the management of said institution, or in any way employed and paid as officers and employees thereof. Also in what capacity employed, and the amount of compensation or salary paid annually to each of them. Whether any officers or persons have been employed without authority of law; the amount annually paid into the treasury from said prison; the amount annually appropriated and paid in favor of said prison during said last ten years, together with the manner in which appropriations have been expended, and for what purpose. Also what improvements have been made; the time and cause, or origin of the late fire, and circumstances connected therewith. Whether it occurred before or after the account of stock and property had been last taken by the inspectors; the amount of all property and stock belonging to the State at said prison, and the use made thereof, as near as may be ascertained, for each of the

last ten years since January 1, 1864. And also the amount of all such property and stock, and the uses thereof, now on hand, giving in full and detail the several items, together with the present cash value thereof. Also to inquire into the sanitary condition of said prison and the treatment of the inmates thereof. And the said committee have authority to send for persons and all books and papers in their judgment deemed necessary.

And said committee is authorized to appoint a sub-committee, if deemed expedient, and report of the result is to be made to this Legislature as soon as may be.

AMENDMENT "C."

That amendment "B" be amended by inserting in the *last clause* of said amendment, after the word "expedient," the following:

And to employ such person or persons as assistants in said investigation as to said Committee may seem necessary and proper.

IN HOUSE REPRESENTATIVES, }
January 27, 1874. }

Senate amendments "B" and "C" rejected, and the House insisted on its former vote.

S. J. CHADBOURNE, *Clerk.*

IN SENATE, January 28, 1874.

The Senate receded and concurred and joined Messrs. Shaw of Penobscot, Russell of Androscoggin as said Committee on the part of the Senate.

SAMUEL W. LANE, *Secretary.*

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
January 23, 1874. }

Ordered, That one on the part of the Senate and one on the part of the House be added to the Joint Select Committee on State Prison, making said Committee to consist of five instead of three.

Read and passed. Sent up for concurrence.

S. J. CHADBOURNE, *Clerk.*

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
January 29, 1874. }

Ordered, That the Joint Select Committee on investigation of the affairs of the State Prison be directed to proceed forthwith in the prosecution of their duties, and make report as early as may be, but not later than the twenty-first day of February next; also that said Committee be authorized to employ a stenographer and a sufficient force of accountants and experts to enable them to complete their examination, and make report within the above prescribed time.

Read and passed. Sent up for concurrence.

S. J. CHADBOURNE, *Clerk.*

IN SENATE, January 29, 1874.

Read and concurred.

SAMUEL W. LANE, *Secretary.*

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
February 12, 1874. }

Ordered, That such persons as are required to appear before the Joint Special Committee to investigate the affairs of the State Prison, be paid the same for travel and attendance as they would be entitled to for travel and attendance at the Supreme Judicial Court, and that each person so attending certify the number of miles travel and the number of days actual attendance, and the bill of costs for such travel and attendance shall be examined and allowed by the Governor and Council and paid from any funds not otherwise appropriated.

Read and passed. Sent up for concurrence.

S. J. CHADBOURNE, *Clerk.*

IN SENATE, February 13, 1874.

Read and concurred.

SAMUEL W. LANE, *Secretary.*

REPORT.

The Joint Special Committee on Investigation of the State Prison, appointed under an order of the Legislature passed February 28, 1874, ask leave to submit the following report :

On the 30th day of January said Committee met for the purpose of organization, all the members being present, and made choice of Mr. Shaw of Penobscot as chairman, and Mr. Talbot of East Machias as Secretary.

R. S. Prescott of Bangor, Ara Cushman of Auburn, and Hiram Wyman of New Sharon, were selected as experts under the order of the Legislature of January 29th, to take an inventory and appraisal of all the property and stock belonging to the State at said prison. • On receiving notice of the acceptance of their offices by said appraisers, the Committee voted to employ Mr. Elder of Bangor, and Wormell of Dexter, as clerks for said appraisers ; and on the sixth day of February said appraisers and clerks, together with the Committee, repaired to the State Prison at Thomaston to enter upon the discharge of their duties. The Committee remained at Thomaston until the tenth of February, and during their visit made a thorough examination of the Prison in all its departments ; its accommodations for the comfort and care of the prisoners, their mode of living, the character and order of their cells, both for confinement and for punishment, the manner in which they are employed in labor in the different departments, and the present sanitary condition of the inmates ; saw every prisoner, and among the number but two who were unable to do some labor on account of sickness, and these seemed to be well cared for. The condition of the cells and apartments of the prison was neat and tidy and well adapted to secure the comfort and safety of the inmates. Your Committee also made a personal examination of all the property, both real and personal, belonging to the State at said institution, and left the appraisers at work in taking account of the same.

At a meeting of the Committee held at the office of the Warden within the Prison, on the ninth day of February, on the suggestion by the Warden that the books of the State Prison required by the Committee were not so posted and closed up as would be necessary for the required information, it was voted that all the accounts be made up to the 15th inst., and the books completed up to that date, and that the sessions of the Committee for investigation, commence at the State House on Tuesday, the 17th of February.

The chairman was authorized to employ an accountant to examine the accounts of the Warden as annually settled before the Governor and Council. Mr. Cushman being sick and unable to attend to his duties, Mr. O. B. Chadbourne of Saco, and William F. Garcelon of Lewiston were employed as appraisers. At the request of Warden Rice the examination of witnesses was further postponed until Tuesday, the 24th. George K. Hatch of Pembroke was employed as accountant, and Mr. Reuel Smith of Bangor was employed as stenographer. The examination of witnesses commenced before the Committee in the Representatives' Hall. The testimony of witnesses examined will be found in the report of the stenographer, hereafter to be annexed to, and made a part of this Report.

After examination of several witnesses in relation to charges or reports of ill-treatment of prisoners, and excess of punishment in cases of discipline, (as will appear from the testimony) and also in relation to the cause or origin of the fire of December 4, 1873, and the means employed to extinguish said fire and save the property of the State, the Committee unanimously agreed, "that so far as any irregularities exist in the treatment of prisoners or their mode of punishment, or in the management at the time of the fire, they are not of such a nature as to *implicate the Warden*, or to cast any suspicion upon him as to want of efficiency, neglect of official duty, or unkind or harsh treatment, but that the Inspectors have for several years failed to conform fully to the requirements of the law, in regard to furnishing to the officers of the prison, rules and regulations for their government. The Committee, therefore, decide that no further examination, *so far as the Warden is concerned*, in relation to the treatment of prisoners, be had; and that the further examination of witnesses be in relation to the financial concerns of the Prison."

Having been required by the orders designating the duties of the Committee, "to ascertain the number and names of all persons for each year since January, 1864, connected with the management of said institution, or in any way employed and paid as officers or employees thereof; also in what capacity employed and the amount of compensation or salary paid annually to each of them," the Committee would refer to the tabular statement contained in the communication from the Governor, dated February 10, 1874, to the Legislature, in response to a joint order, which communication is Printed Document of the Senate, No. 35, and which, so far as information in relation to the State Prison is concerned, is to be appended to, and made part of, this report. The Committee would further say, that in addition to the information above, it appears in testimony that Henry C. Marden and Cyrus Maxcy have been employed in said institution for the number of years and at the salaries or compensation mentioned in their testimony.

As to "whether any officers or persons have been employed without authority of law," section 4, chapter 140 of the Revised Statutes, provides "that the supervision of the State Prison shall be vested in the Governor and Council, but its government in two (now three) Inspectors, one Warden, one Deputy Warden, one person to perform the duties of clerk and commissary, and such number of overseers, not exceeding ten, as the Inspectors determine to be necessary." The office of guards and the compensation to be allowed the same, are mentioned in the same chapter of the Statutes, but your Committee are not aware of any law *directly* authorizing the employment of guards, however necessary they may seem to be for the carrying on of the prison. By reference to the tabular statement above referred to, and testimony of Marden and Maxcy, it will be seen what officers other than those authorized by law, have been employed. The testimony of the Warden and Inspectors tends to show that no more than were necessary have been employed.

The inspectors are required by law to establish rules and regulations consistent with the laws of the State, as they deem necessary and expedient for the direction of the officers, agents and servants of the prison, in the discharge of their duties, or for their compensation, *not established by law*, and *may*, with the approval of the Governor and Council, fix anew or regulate from time to time the compensation of the various officers of the prison when they

deem it for the interests of the State; *shall* establish rules for the government, instruction and discipline of the convicts, and for their clothing and subsistence, for the custody, preservation and management of the public property; all such rules and regulations are to be laid before the Governor and Council, and are subject to be approved, annulled, modified or added to by the Governor and Council.

From the testimony before your Committee, it appears that no such rules and regulations in relation to the compensation of subordinate officers have been made since 1865. By the laws of the State, which were in force up to 1865, the compensation of the subordinate officers hereinafter named was established, and not to exceed the following rates by the year, viz: the

Deputy Warden,.....	\$450 00
Overseer of wheelwright department,.....	500 00
Clerk and Commissary, including his services as overseer and teacher of the school,....	500 00
Overseer of the shoe department,.....	500 00
Overseer of the coopering department,.....	300 00
Overseer of the blacksmith department,.....	500 00
Each of the guards,.....	350 00

and if boarded by the Warden, not more than at the rate of \$2.50 per week to be deducted from their salaries.

By reference to the tabular statements before referred to, and to the testimony in relation to Marden and Maxcy, it will be seen what compensation has been paid. The law of 1865 authorizes the inspectors to fix the compensation of the various officers of the prison. No regulations to fix anew the compensation appear to have been made since 1865. By reference to the above tabular statements it will be seen that the salary of the warden has been increased from \$1,200 per annum in 1864 to \$4,000 in 1872 and 1873; in addition to which he is allowed the use, without charge, of the keeper's house and buildings of the State, appurtenant to the prison and yard, together with fuel for his use, which fuel the testimony shows the Warden has hitherto provided at his own expense.

The principle of leaving the salary of the Warden thus undetermined is an exceptional one, and highly objectionable, because it is against the policy of our government and dangerous in its tendencies, when left in the first instance to the determination of

those whose interests may become identified, and in practice exemplifying a well known trait of human nature which can always seem to find a sufficiently good reason for an increase of compensation for services, while it fails to see the necessity of *any curtailment*, or can even be content with a *permanent sufficiency*. But it is said this is subject to the decision of the Executive. Here is one of the greatest objections. It is exceedingly embarrassing to the appointing power. The Warden is appointed by the Governor with advice of Council, and to hold his office during the pleasure of the Executive, but not more than four years under one appointment. When an appointment is to be made, the Executive, having due regard to the interests of the State, is supposed to appoint the man best qualified for the place, and exercising that power would hardly be convinced that in each successive appointment he had not selected a man whose services would not be entitled to as much compensation as those of his predecessor. No amount has been paid into the State treasury from said prison.

The amounts annually appropriated and paid in favor of said prison during said last ten years are as follows, not including salaries of officers paid from the treasury :

Year.	Appropriations.
1864,	\$19,028 44
1865,	5,275 00
1866,	3,500 00
1867,	25,000 00
1868,	25,000 00
1869,	30,000 00
1870,	32,400 00
1871,	10,000 00
1872,	15,000 00
1873,	8,000 00
Total,	\$173,203 44

The following is a schedule of the buildings and other property connected with the prison, which have been built, repaired, or purchased during the past ten years, viz: The central portion and west wing of the prison built, and the old wing thoroughly repaired; the warden's house repaired, wood shed built, and grounds graded; a large blacksmith shop built; a building for chapel, shoe shop, and store room built; a three story building for a carpenters' and trimmers' shop and repository built; a four story

building used for a harness shop, wash house and store rooms built; the carriage shop enlarged to twice its former capacity; a wood shed built; a stable built; a building for a shed and slaughterhouse erected; a large piggery built; a building purchased and reconstructed into a carriage repository and four tenements for officers of the prison; two double tenement houses purchased and repaired, and wood houses for the same built; two houses purchased and repaired; a large carriage repository outside the prison walls purchased; a lot of land adjacent the prison grounds purchased; a steam fire engine purchased, and engine house repaired; six reservoirs constructed, and five hundred and one feet of iron fence, with granite base, built; the wall on the west side of the prison yard constructed, thereby enlarging the yard, and three guard houses built; and line fences built around the land connected with the prison, and various other improvements made.

As to the fire of December 4th, 1874: Your Committee have been unable to procure any testimony as to the cause or origin of said fire sufficient to form an opinion whether it was accidental or the work of an incendiary. The testimony shows that it occurred during the night of December 4, 1873, while two of the Inspectors were at the prison, and in the daytime attending to their official duty in taking account of the stock; and the testimony shows what means were employed to extinguish the fire and save property. It also appears that the building burned, and was destroyed with its contents before an account of the stock in it was taken by the Inspectors; and that the means used by them to obtain as near as possible an estimate of the property in said building, appear in said testimony.

The Committee find the appraisal made by the Inspectors to amount in the whole to the sum of \$82,422.97; and that recently made by the appraisers to amount to the sum of \$55,788.27, to which if there is added the sum of \$16,778.28, the amount estimated by the Inspectors to have been lost by the fire, the whole amount will be \$72,566.55, showing a difference of \$9,856.72. The Committee regard this difference no more than might be reasonably be expected, having regard to the time and manner in which the appraisals were made, and the amount and kind of property appraised.

The Committee having been required to report at a day as early as possible, have labored assiduously in forwarding the work; yet such is the manner in which the many accounts of the prison have

been kept, and those of its different departments, that they have not had time fully to examine and reduce to a system these several accounts for the last ten years. Mr. Hatch, the accountant, who has been engaged in this examination, reports to us that the accounts are very complicated, that no cash book has been kept, but that he has found the accounts correct and vouchers for the same. Enough has been developed to satisfy your Committee that it is their duty to recommend a more systematic method of keeping the accounts of the prison and its different departments, of the amounts paid, and for what purposes, of the articles manufactured and the disposition of the same, and of all amounts received; and that the Inspectors, in the establishment of rules and regulations for the prison, incorporate into them such provisions as shall carry out these recommendations, by requiring the overseers of the different departments to make frequent returns to the clerk of the business under their charge.

Your Committee would also earnestly recommend that the salaries of the Warden and other officers of the State Prison be fixed and established by law.

All which is respectfully submitted.

CHARLES SHAW, *Chairman.*
EDMUND RUSSELL,
J. C. TALBOT,
HIRAM KNOWLTON,
JAMES MORROW.

IN HOUSE OF REPRESENTATIVES, }
March 3, 1874.

Read and accepted and ordered to be printed.

Sent up for concurrence.

S. J. CHADBOURNE, *Clerk.*

IN SENATE, March 3, 1874.

Read, accepted, and ordered to be printed in concurrence.

SAMUEL W. LANE, *Secretary.*

STATE OF MAINE.

EXECUTIVE DEPARTMENT,
Augusta, February 10, 1874. }

To the Senate and House of Representatives :

In response to a joint order calling upon the Executive "to give the name of each officer and employee of the State Prison and State Reform School, and the compensation paid to each for the year 1873, and for each year for the past twenty years," I have the honor to transmit the accompanying tabular statements, covering so much of the information called for as can be ascertained from documents on file. So far as the State Prison is concerned, this information is complete; but the records of the Reform School prior to 1866, were destroyed in the office of the then chairman of the Board of Trustees in the great fire in Portland, in that year.

NELSON DINGLEY, JR.

MAINE STATE PRISON.

OFFICERS' SALARIES AS PAID FROM PRISON TREASURY.

1854.

J. Trufry, deputy warden.....	\$214 22
A. Perkins, clerk.....	413 08
E. Carleton, overseer shoe shop.....	500 00
W. Fitzgerald, overseer carriage shop.....	481 19
W. J. Bunker, overseer blacksmith shop.....	500 00
Thos. O'Brien, overseer.....	150 00
C. B. Wetherby, overseer.....	125 00
J. H. C. Baker, guard and deputy.....	291 00
S. Waldo, Guard.....	16 50
R. Monk, guard.....	373 33
P. G. Hanly, ".....	300 00
A. Mero, ".....	300 00
J. Butler, ".....	100 00
J. C. Vose, ".....	108 88
E. P. Haskell, ".....	94 26
W. H. Fales, ".....	179 70
E. Chase, ".....	8 50
E. M. Snow, ".....	191 57
J. F. Latham, ".....	177 60
J. Kennedy, ".....	38 07
Daniel Rose, physician.....	33 33
J. W. Robinson, physician.....	66 67
O. J. Fernald, chaplain.....	300 00
W. Bennett, board of officers.....	185 86
Haskell, &c.....	4 59
Carr & O'Brien.....	28 00
Butler & Haskell.....	55 29
	\$5,236 64

1855—December 31.

J. H. C. Baker, deputy warden.....	\$173 12
J. Trufry, deputy warden.....	63 01
S. Bradshaw, deputy warden and guard.....	341 50
A. Perkins, clerk.....	535 70
E. Carleton, overseer shoe shop.....	541 67
W. Fitzgerald, overseer carriage shop.....	540 30
W. J. Bunker, overseer blacksmith shop.....	550 82
R. Monk, overseer.....	283 74
T. W. Hix, second overseer.....	59 17
Thos. O'Brien, overseer.....	350 00
A. Mero, guard.....	325 00
J. F. Latham, ".....	214 58
E. M. Snow, ".....	308 98
E. Morse, ".....	142 17
E. Thorndike, ".....	55 03
J. C. Vose, ".....	225 15
A. J. Miller, ".....	75 00
J. Butler, ".....	136 64

OFFICERS' SALARIES, (Continued.)

W. Tobey, guard.....	75 00
J. C. Ingraham, ".....	24 65
W. H. Fales, ".....	237 94
J. W. Robinson, physician.....	108 33
A. W. Mayhew, guard.....	36 59
W. Bennett, board of officers.....	71 00
T. W. Hix, board of officers.....	304 87
Chaplains.....	193 41
Baker & Vose, guards.....	3 74
Miller & Morse, ".....	65 38
Hanly & Bucklin, ".....	21 85
	\$6,064 34

1856—December 31.

J. Trufry, deputy warden.....	\$332 02
S. Bradshaw, deputy warden.....	105 48
A. Perkins, clerk.....	106 38
W. Bennett, Jr., clerk.....	390 69
E. Carleton, overseer shoe shop.....	549 66
W. Fitzgerald, overseer carriage shop.....	549 66
W. J. Bunker, overseer blacksmith shop.....	259 66
W. Beckett, ".....	351 73
L. Bedman, ".....	236 30
C. B. Wetherby, ".....	75 00
T. W. Hix, 2d, ".....	84 38
Thos. O'Brien, ".....	250 00
W. Bennett, board of officers.....	106 11
T. W. Hix, board of officers.....	88 00
A. Mero, guard.....	337 33
J. Butler, ".....	347 69
E. Willis, ".....	271 57
D. G. Vose, ".....	150 52
D. M. Doran, ".....	77 53
G. Harrington, ".....	263 75
E. Emerson, ".....	262 50
H. H. Watts, ".....	13 81
M. Bucklin, ".....	87 50
T. J. Rider, ".....	1 00
J. C. Vose, ".....	38 63
E. P. Morse, ".....	24 65
W. Tobey, ".....	63 28
J. C. Ingraham, ".....	63 28
W. H. Fales, ".....	63 28
Tarbox, ".....	6 25
Dunbar, ".....	33 34
Daniel Rose, physician.....	26 67
J. W. Robinson, physician.....	21 09
H. C. Levensaler, physician.....	75 00
Fales and Toby, guards.....	6 15
Chaplains.....	242 19
	\$5,962 08

1857—December 31.

J. G. Trufry, deputy warden.....	\$45 33
S. Bradshaw, deputy warden.....	435 73
W. Bennett, Jr., clerk.....	56 16
A. Perkins, clerk.....	443 84
E. Carleton, overseer shoe shop.....	500 00
W. Fitzgerald, overseer carriage shop.....	141 44
W. J. Bunker, overseer blacksmith shop.....	118 65
T. W. Hix, 2d overseer.....	431 82
W. H. Fales, ".....	375 72

INVESTIGATION OF AFFAIRS.

17

OFFICERS' SALARIES, (Continued.)

O. Blanchard, overseer	\$381 50
Adams and Allen "	717 12
Hannah Jacobs, "	231 00
S. Redman, "	145 38
W. Beckett, "	50 55
Thos. O'Brien, "	298 96
A. Mero, guard.....	350 00
G. Harington, guard.....	39 31
E. Willis, "	39 31
H. H. Watts, "	39 31
E. Emerson, "	39 31
M. Bucklin, "	91 00
J. Butler, "	6 24
A. McIntire, "	315 94
G. H. Ingraham, "	323 06
E. P. Morse, "	310 69
T. J. Rider, "	15 79
O. Jameson, "	237 57
J. C. Ingraham, "	262 50
J. E. Stimpson, "	241 41
H. Hall, waiter.....	233 74
W. Bennett, board of officers.....	14 65
T. W. Hix, " " "	5 72
Servant	33 69
H. C. Levensaler, physician.....	11 23
C. F. Chase, physician.....	88 77
Chaplains	200 00
Paid officers April 1st.....	46 13

\$7,347 33

Less charged old account with paid H. Jacobs..... 17 57

Less charged T. W. Hix with labor haying..... 10 38

27 95

Balance..... \$7,319 38

1858.

S. Bradshaw, deputy warden.....	\$500 00
A. Perkins, clerk	500 00
E. Carleton, overseer shoe shop.....	500 00
F. W. Johnson, overseer.....	431 50
T. W. Hix, 2d "	500 00
W. H. Fales, "	450 00
Allen and O'Brien, "	1,068 50
Thos. O'Brien, "	300 00
Hannah Jacobs, "	92 00
J. W. Fuller, "	50 00
Thos Corbett, "	43 15
A. Mero, guard.....	350 00
A. McIntire, guard.....	350 00
O. Jameson, "	350 00
G. H. Ingraham, "	368 50
J. C. Ingraham, "	350 00
J. E. Stimpson, "	350 00
T. J. Rider, "	49 47
E. P. Morse, "	350 00
H. Hall, "	269 00
D. G. Vose, "	262 50
E. A. Willis, "	14 40
W. J. Bunker, service in chapel.....	65 00
P. R. Baker, physician.....	50 00
C. T. Chase, physician.....	50 00
Chaplains.....	197 50

\$7,861 52

OFFICERS' SALARIES, (Continued.)

1859—November 30.

S. Bradshaw, deputy warden.....	\$250 00
T. W. Hix, 2d, deputy warden and overseer.....	458 33
A. Perkins, clerk.....	458 33
E. Carleton, overseer shoe shop.....	416 67
Allen and O'Brien, overseer.....	500 00
S. L. Bryant, ".....	416 67
W. H. Fales, ".....	280 20
Thos. O'Brien, ".....	275 00
J. W. Fuller, ".....	150 00
W. Fitzgerald, overseer carriage shop.....	208 33
W. J. Bunker, overseer blacksmith shop.....	224 58
A. Mero, guard.....	310 42
A. McIntire, ".....	341 67
O. Jameson, ".....	87 50
J. C. Ingraham, ".....	310 42
H. Hall, ".....	94 00
J. E. Stimson, ".....	310 42
D. G. Vose, ".....	175 00
E. P. Morse, ".....	186 57
G. H. Ingraham, ".....	87 50
E. A. Willis, ".....	229 42
T. J. Rider, ".....	122 07
L. Crawford, ".....	80 37
P. R. Baker, physician.....	91 75
Chaplains.....	183 33
	\$6,248 55

1860—November 30.

T. W. Hix, 2d, deputy warden.....	\$591 67
A. Perkins, clerk.....	385 42
W. Fitzgerald, overseer carriage shop.....	41 67
W. J. Bunker, overseer blacksmith shop.....	41 67
E. Carleton, overseer shoe shop.....	33 33
S. L. Bryant, overseer.....	33 33
H. Morton, ".....	33 33
Thos. O'Brien, ".....	25 00
A. Mero, guard.....	325 00
T. J. Rider, ".....	325 00
E. A. Willis, ".....	316 24
W. H. Fales, ".....	325 00
J. C. Ingraham, ".....	279 76
J. E. Stimson, ".....	325 00
Adner Fales, ".....	81 25
L. Therndike, ".....	123 99
G. H. Ingraham, ".....	57 17
T. P. Howard, ".....	54 17
H. A. Willis, inside laborer.....	162 50
W. P. Bunker, guard.....	54 17
P. R. Baker, physician.....	100 00
Chaplains.....	174 35
	\$3,888 99

1861—November 30.

T. W. Hix, 2d, deputy warden.....	\$107 53
B. B. Thomas, deputy warden.....	495 34
A. Perkins, clerk.....	375 00
D. Palmer, overseer shoe shop.....	255 07
W. Fitzgerald, overseer carriage shop.....	255 07
H. Morton, " ".....	255 07
H. C. Pease, " shoe ".....	14 79
W. J. Bunker, " blacksmith ".....	252 33

INVESTIGATION OF AFFAIRS.

19

OFFICERS' SALARIES (Continued.)

D. M. True, overseer.....	\$245 51
W. H. Ness, ".....	55 47
W. L. Morrill, ".....	123 28
A. Mero, guard.....	325 00
T. J. Rider, ".....	325 00
G. H. Ingraham, ".....	58 24
W. H. Fales, ".....	27 08
J. C. Ingraham, ".....	58 24
J. E. Stimpson, ".....	316 13
T. P. Howard, ".....	58 24
W. P. Bunker, ".....	27 08
J. W. Fuller, ".....	265 64
G. B. Wormell, ".....	268 31
T. S. Vose, ".....	179 19
H. Long, ".....	265 64
H. A. Willis, ".....	54 31
A. A. Fales, ".....	37 39
R. H. Tinker, ".....	89 51
W. Andrews.....	9 24
C. Maxey.....	222 22
P. R. Baker, physician.....	100 00

\$5,120 92

1862—November 30.

B. B. Thomas, deputy warden.....	\$600 00
A. Perkins, clerk.....	375 00
D. Palmer, overseer shoe shop.....	261 02
H. C. Pease, " " ".....	495 83
T. S. Greenlow, " " ".....	205 99
W. Fitzgerald, overseer carriage shop.....	499 83
H. Morton, " " ".....	499 83
W. J. Bunker, overseer blacksmith shop.....	498 46
I. H. Burkitt, overseer of paint shop.....	125 79
W. H. Ness, overseer.....	253 75
A. Mero, guard.....	325 00
T. J. Rider, ".....	45 77
G. B. Wormell, ".....	325 00
R. H. Tinker, ".....	154 62
J. W. Fuller, ".....	15 13
C. Maxey, ".....	11 57
G. H. Creamer, ".....	170 51
J. E. Stimpson, ".....	325 00
H. Long, ".....	213 61
A. H. Smith, ".....	84 81
E. B. Thomas, ".....	59 89
A. A. Newbert, ".....	134 53
J. H. Piper, ".....	134 53
E. Thompson, ".....	101 36
L. C. Mathews, ".....	83 83
P. R. Baker, physician.....	99 92

6,100 58

76 49

Less ch'd Sumner and Maxey, paid E. Maxey.....

Balance \$6,024 09

1863—November 30.

B. B. Thomas, deputy warden.....	459 70
C. Maxey, deputy warden, etc.....	379 57
A. Perkins, clerk.....	458 33
W. Fitzgerald, overseer carriage shop.....	500 00
H. Morton, " " ".....	500 00
I. H. Burkett, overseer paint shop.....	500 00
I. C. York, overseer blacksmith shop.....	500 00

OFFICERS' SALARIES, (Continued.)

H. C. Pease, overseer shoe shop.....	\$500 00
T. S. Greenlow, " " ".....	491 66
A. Mero, guard.....	325 00
G. B. Wormell, ".....	270 86
A. A. Newbert, ".....	213 24
J. H. Piper, ".....	69 82
J. E. Stimpson, ".....	325 00
E. Thompson, ".....	325 00
H. Maxey, ".....	239 81
J. Comery, ".....	50 73
J. M. Bartlett.....	58 76
R. H. Tinker, ".....	8 01
J. B. Morton, ".....	169 90
E. Weeks, ".....	88 13
F. C. O'Brien, ".....	9 79
J. M. Beverage, ".....	18 00
P. R. Baker, physician.....	67 64
C. T. Chase, ".....	32 36
	\$6,561 31

1864—November 30.

Cyrus Maxey, deputy warden.....	\$600 00
A. Perkins, clerk.....	500 00
H. C. Pease, overseer shoe shop.....	155 09
T. S. Greenlow, " " ".....	208 33
J. H. Hardy, " " ".....	425 48
W. Fitzgerald, overseer carriage shop.....	583 45
H. Morton, " " ".....	584 28
I. H. Burkett, overseer paint shop.....	573 71
I. C. York, overseer of the blacksmith shop.....	583 52
H. Maxey, assistant overseer.....	441 66
E. Weeks, assistant overseer.....	369 05
J. B. Morton, guard.....	38 08
G. B. Wormell, ".....	321 89
A. Mero, ".....	325 00
A. A. Newbert, ".....	135 41
J. E. Stimpson, ".....	341 66
E. Thompson, ".....	325 00
J. D. Hemenway, ".....	181 70
T. J. Rider, ".....	27 08
C. T. Chase, physician.....	100 00
Chaplains.....	98 00
	\$6,918 39

1865—November 30.

C. Maxey, deputy warden.....	\$733 34
A. Perkins, clerk.....	500 01
J. H. Hardy, overseer shoe shop.....	641 67
W. Fitzgerald, overseer carriage shop.....	541 89
H. Morton, " " ".....	644 59
I. H. Burkett, overseer paint shop.....	716 81
I. C. York, overseer blacksmith shop.....	654 22
H. Maxey, assistant overseer.....	510 10
E. Weeks, " ".....	516 67
G. B. Wormell, guard.....	86 71
E. Thompson, ".....	375 00
T. J. Rider, ".....	375 13
W. P. Bunker, ".....	307 27
J. E. Stimpson, ".....	383 34
A. Mero, ".....	6 23
R. K. Bunker, ".....	66 75
J. H. Piper, ".....	266 67
A. A. Fales, ".....	132 43

OFFICERS' SALARIES, (Continued.)

C. T. Chase, physician.....	\$100 00
Chaplains.....	150 00
	7,708 83
Less charged building and repairs.....	21 50
Balance	\$7,687 33

1866—November 30.

C. Maxey, deputy warden	\$800 00
A. Perkins, clerk.....	500 00
J. H. Hardy, overseer of shoe shop.....	700 00
C. G. Chase, " " ".....	192 02
W. Fitzgerald, overseer carriage shop.....	317 18
H. Morton, " " ".....	696 17
A. P. Piper, " " ".....	452 74
I. H. Burkett, overseer paint shop.....	116 36
P. H. Coleman, " " ".....	551 04
I. C. York, overseer blacksmith shop.....	565 56
T. W. Barker, " " ".....	128 17
H. Maxey, assistant overseer.....	591 79
E. Weeks, assistant overseer.....	600 00
E. Thompson, guard	400 00
J. H. Piper, ".....	400 00
T. J. Rider, ".....	133 33
J. E. Stimpson, ".....	400 00
A. A. Fales, ".....	10 96
E. F. Demuth, ".....	72 87
S. H. Felker, ".....	137 26
R. Thurlough, ".....	55 87
Zenas Reed, ".....	275 44
W. P. Bunker, ".....	45 45
L. O. Kirk, ".....	51 51
A. D. Nash, ".....	92 33
Samuel Reed, ".....	106 57
E. Grey, ".....	94 52
A. Eugley, ".....	120 55
A. A. Newbert, ".....	211 69
W. Johnson, ".....	79 82
C. H. Shibles, ".....	69 95
J. E. Brown, ".....	26 30
C. T. Chase, physician.....	100 00
Chaplains.....	156 00
	9,251 36
Less charged building and repairs, extra guard.....	400 00
Balance	\$8,851 36

1867—November 30.

C. Maxey, deputy warden	\$286 38
A. P. Wood, deputy warden	540 84
A. Perkins, clerk.....	533 33
C. G. Chase, overseer shoe shop.....	710 86
J. H. Hardy, " " ".....	686 26
H. Morton, overseer carriage shop.....	760 91
A. P. Piper, " " ".....	749 97
P. H. Coleman, overseer paint shop.....	731 37
T. W. Barker, overseer blacksmith shop.....	204 07
H. J. Stevens, " " ".....	668 40
H. Maxey, assistant overseer.....	600 00
E. Weeks, " " ".....	600 00
J. H. Piper, turnkey.....	476 45
A. A. Newbert, guard.....	466 67

OFFICERS' SALARIES, (Continued.)

Zenas Reed, guard.....		\$384 17
W. Johnson, ".....		85 93
C. H. Shibbles, ".....		382 65
E. Thompson, ".....		397 82
J. E. Stimpson, ".....		466 67
B. Davis, ".....		186 76
S. H. Goddard, ".....		276 04
W. P. Bunker, ".....		228 89
Charles Storer, ".....		283 96
Isaac Reed, ".....		44 93
C. H. Gloyd, ".....		137 29
J. E. Brown, ".....		41 10
W. G. Rice, ".....		166 67
J. Maxey, gate-keeper.....		53 07
John French, gate-keeper.....		187 49
C. T. Chase, physician.....		133 08
Chaplains.....		177 00
		11,649 03
Less charged building and repairs, extra guards.....	685 00	
" " " labor of overseers.....	700 00	
		1,385 00
		\$10,264 03

1868—November 30.

Amos P. Wood, deputy warden.....		\$558 72
Elbridge Burton, deputy warden, etc.....		448 37
A. Perkins, clerk.....		550 00
J. H. Hardy, overseer shoe shop.....		159 08
C. G. Chase, " " ".....		773 53
T. F. Phinney, " " ".....		536 22
H. Morton, overseer carriage shop.....		789 06
A. P. Piper, " " ".....		787 95
A. Alden, " " ".....		728 95
P. H. Coleman, overseer paint shop.....		787 42
H. J. Stevens, overseer blacksmith shop.....		795 61
H. Maxey, assistant overseer.....		200 00
E. Weeks, " " ".....		196 72
W. P. Bunker, assistant overseer and guard.....		473 29
J. H. Piper, turnkey.....		311 45
W. G. Rice, turnkey and guard.....		437 50
A. A. Newbert, guard.....		499 99
Charles Storer, ".....		326 59
S. H. Goddard, ".....		220 09
E. Thompson, ".....		395 64
J. E. Stimpson, ".....		497 25
J. E. Brown, ".....		82 77
H. A. Willis, ".....		326 13
John Storer, ".....		247 73
L. Burton, ".....		155 94
C. Palmer, ".....		100 45
J. F. Burton, ".....		89 68
J. K. Pierce, ".....		52 06
John French, gate-keeper.....		233 89
S. F. Robinson, ".....		38 35
J. W. Peabody, ".....		76 53
W. P. Rice, ".....		54 80
L. M. Sargent.....		107 41
C. T. Chase, physician.....		150 25
Chaplains.....		212 00
		\$12,401 42

OFFICERS' SALARIES, (Continued.)

Less charged building and repairs, with labor of Maxey, Weeks and Burton.....	\$593 96	
L. M. Sargent, labor.....	107 41	
		701 37
Balance		\$11,700 05

1869—November 30.

E. Burton, deputy warden.....	\$800 01	
A. Perkins, clerk.....	550 00	
C. C. Chase, overseer shoe shop.....	786 88	
T. F. Phinney, " " ".....	735 76	
H. Morton, overseer carriage shop.....	780 31	
A. P. Piper, " " ".....	783 59	
A. Alden, " " ".....	323 65	
S. H. Glidden, " " ".....	442 92	
P. H. Coleman, overseer paint shop.....	750 73	
H. J. Stevens, overseer blacksmith shop.....	790 16	
W. P. Bunker, " " ".....	546 58	
Wm. G. Rice, commissary.....	550 00	
A. A. Newbert, guard.....	497 26	
J. M. Storer, ".....	134 83	
L. Burton, ".....	222 43	
C. S. Palmer, ".....	495 21	
E. Thompson, ".....	392 37	
J. E. Stimpson, ".....	500 00	
H. A. Willis, ".....	438 18	
J. F. Burton, ".....	398 91	
W. P. Rice, ".....	202 67	
E. B. Fales, ".....	259 02	
J. W. Peabody, gate-keeper.....	389 78	
L. M. Sargent.....	447 86	
C. T. Chase, physician.....	150 00	
Chaplains.....	206 75	
		12,585 86
Less charged building and repairs, with extra guards' salary and labor.	593 23	
Balance		\$11,992 63

1870—November 30.

E. Burton, deputy warden.....	\$891 66	
A. Perkins, clerk.....	583 33	
C. G. Chase, overseer shoe shop.....	701 72	
T. F. Phinney, " " ".....	239 81	
A. T. Somerby, " " ".....	507 39	
H. Morton, overseer carriage shop.....	793 44	
A. P. Piper, " " ".....	795 63	
S. H. Glidden, " " ".....	545 58	
C. E. Dunbar, " " ".....	447 50	
G. B. Hutchins, " " ".....	112 16	
H. J. Stevens, overseer blacksmith shop.....	795 62	
W. P. Bunker, " " ".....	646 44	
W. H. Smith, overseer harness shop.....	477 59	
Wm. G. Rice, assistant overseer.....	583 33	
W. P. Rice, commissary.....	525 00	
A. A. Newbert, guard.....	497 27	
C. S. Palmer, ".....	45 09	
E. B. Fales, ".....	214 62	
H. A. Willis, ".....	176 22	
J. E. Stimpson, ".....	220 10	
E. Thompson, ".....	400 00	
J. F. Burton, ".....	378 20	

OFFICERS' SALARIES, (Continued.)

R. K. Bunker, guard.....	\$130 08
J. H. Little, ".....	410 06
J. E. Mears, ".....	322 38
S. A. Spear, ".....	87 66
M. A. Morse, ".....	260 95
L. Burton, ".....	10 34
W. A. Evans, ".....	147 73
T. L. Gillchrist, ".....	201 49
E. A. Willis, ".....	32 88
A. F. Burton, gate-keeper.....	291 44
C. T. Chase, physician.....	150 00
Chaplains.....	204 00
P. H. Coleman, overseer paint shop.....	131 33
A. A. Rice, " " ".....	222 46
I. H. Burkett, " " ".....	406 77
	13,578 27
Less charged building and repairs, extra guards' salary.....	300 00
Balance.....	\$13,278 27

1871—November 30.

E. Burton, deputy warden.....	\$401 10
W. A. Evans, deputy warden and guard.....	664 32
A. Perkins, clerk.....	600 00
A. T. Somerby, overseer shoe shop.....	449 17
E. A. Willis, assistant overseer shoe shop.....	549 28
C. G. Chase, overseer shoe shop.....	423 50
H. Morton, overseer carriage shop.....	266 66
A. P. Piper, " " ".....	705 20
C. E. Dunbar, " " ".....	760 93
C. D. Tewksbury, " " ".....	470 89
I. H. Burkett, overseer paint shop.....	724 54
H. J. Stevens, overseer blacksmith shop.....	772 63
W. P. Bunker, " " ".....	645 44
W. H. Smith, overseer harness shop.....	790 72
Wm G Rice, assistant overseer.....	666 67
W. P. Rice, commissary.....	578 41
A. A. Newbert, guard.....	500 00
J. H. Little, ".....	383 57
J. E. Mears, ".....	490 41
T. L. Gillchrist, ".....	146 80
E. B. Fales, ".....	181 73
E. Thompson, ".....	398 91
M. A. Morse, ".....	193 37
J. E. Burton, ".....	2 00
H. A. Willis, ".....	406 28
G. W. Robinson, ".....	352 52
E. C. Bucklin, ".....	323 75
E. O. Cushing, ".....	248 76
G. C. Palmer, ".....	316 90
C. B. Bailey, ".....	301 83
A. G. Robinson, ".....	63 02
S. Oliver, ".....	12 05
F. K. Cushing, guard and gate-keeper.....	203 31
J. G. Fales, gate-keeper.....	43 56
A. F. Burton, ".....	100 00
M. R. Crawford, ".....	39 44
C. T. Chase, physician.....	150 00
Chaplains.....	102 25
	14,429 92
Less charged building and repairs, extra guards' salary.....	500 00
Balance.....	\$13,929 92

OFFICERS' SALARIES, (Continued.)

1872—November 30.

Wm. A. Evans, deputy warden.....	\$816 45
A. Perkins, clerk.....	600 00
C. G. Chase, overseer shoe shop.....	1,000 06
A. P. Piper, overseer carriage shop.....	806 32
C. E. Dunbar, " " ".....	787 96
C. D. Tewksbury, " " ".....	455 71
I. H. Burkett, overseer paint shop.....	765 16
H. J. Stevens, overseer blacksmith shop.....	789 05
W. P. Bunker, " " ".....	695 22
W. H. Smith, overseer harness shop.....	793 43
W. G. Rice, assistant overseer.....	682 75
A. O. Tobie, " " ".....	502 74
A. A. Newbert, " " ".....	543 09
J. B. Loring, " " ".....	372 96
A. J. Butler, " " ".....	275 23
E. A. Willis, " " ".....	159 84
W. P. Rice, commissary.....	593 44
E. C. Bucklin, guard.....	498 63
P. O. Parker, ".....	433 33
G. Sidensparker, ".....	374 44
W. A. Light, ".....	193 27
J. W. Hussey, ".....	185 92
I. Pitcher, ".....	168 76
H. B. Moore, ".....	165 44
O. Benner, ".....	142 48
J. G. Fales, ".....	204 36
A. G. Robinson, ".....	278 70
M. G. Titus, ".....	18 49
E. B. Thomas, ".....	28 49
J. Longley, ".....	151 03
A. J. Hall, ".....	50 69
C. B. Bailey, ".....	47 48
G. W. Robinson, ".....	51 25
J. E. Mears, ".....	130 02
D. Andrews, ".....	34 25
F. K. Cushing, ".....	52 85
E. O. Cushing, ".....	21 11
H. A. Willis, ".....	41 66
E. Thompson, ".....	32 24
G. C. Palmer, ".....	20 55
W. H. Tarbox, gate-keeper.....	29 52
J. E. Hartford, ".....	17 75
A. M. Hix, ".....	70 89
J. G. Rice, ".....	104 61
E. Stevens, ".....	65 66
C. T. Chase, physician.....	150 00
	14,503 30
Less charged building and repairs, with extra guards' salary.....	666 00
Balance.....	\$13,837 30

1873—November 30.

W. A. Evans, deputy warden.....	\$804 84
W. G. Rice, deputy warden and assistant overseer.....	800 00
A. Perkins, clerk.....	600 00
C. G. Chase, overseer shoe shop.....	964 44
A. P. Piper, overseer carriage shop.....	836 08
Wm. Vanstone, " " ".....	272 01
C. E. Dunbar, " " ".....	405 82
T. H. Smith, overseer paint shop.....	426 47
I. H. Burkett, " " ".....	302 70
A. O. Tobie, assistant overseer paint shop.....	582 49

OFFICERS' SALARIES, (Continued.)

H. J. Stevens, overseer blacksmith shop.....	\$769 32
W. P. Bunker, " " ".....	668 43
W. H. Smith, overseer harness shop.....	866 66
A. J. Butler, overseer trimmer shop.....	533 33
J. B. Loring, assistant overseer.....	345 83
A. A. Newbert, " " ".....	157 83
W. P. Rice, commissary.....	586 88
E. Stevens, gate-keeper.....	296 72
J. E. Mears, guard.....	327 86
W. L. Barrows, ".....	252 18
E. Keller, ".....	216 56
A. G. Robinson, ".....	167 24
C. E. Herbert, ".....	114 85
E. C. Bucklin, ".....	494 52
A. S. Lemond, ".....	38 36
J. G. Rice, ".....	329 23
P. O. Parker, ".....	478 31
R. Page, ".....	153 77
L. E. Sprowl, ".....	50 00
W. L. Bickford, ".....	209 09
F. C. O'Brien, ".....	43 15
G. Sidsensparker, ".....	277 63
I. S. Meserve, ".....	29 60
F. N. Bailey, ".....	144 68
I. B. Pitcher, ".....	152 93
W. A. Light, ".....	122 82
J. W. Huzzey, ".....	97 83
J. B. Walker, physician.....	73 18
C. T. Chase, physician.....	143 32
	\$14,136 96
Charged to expense account:	
Chaplains.....	139 00

Salary of Chaplain of State Prison for the years 1854, 1863, 1871, 1872, and 1873:

1854.....	\$300 00
1863.....	350 00
1871.....	375 00
1872.....	1,000 00
1873.....	375 00

Salaries of Inspectors and Commissioners of State Prison from 1854 to 1873, inclusive, excepting the years 1862 and 1865, for which no appropriations were made:

1854.....	\$125 00
1855.....	50 00
1856.....	172 00
1857.....	200 00
1858.....	200 00
1859, Commissioners.....	600 00
1860, ".....	613 00
1861, ".....	100 00
1863.....	200 00
1864.....	200 00
1866.....	200 00
1867.....	200 00
1868.....	75 00

OFFICERS' SALARIES, (Continued.)

1869	\$350 00
1870	200 00
1871	400 00
1872	400 00
1873, (Including Inspector of Jails).....	460 33

Salary of Warden of State Prison, from 1854 to 1873, inclusive :

1854	\$700 00
1855	723 00
1856	779 00
1857	643 90
1858	700 00
1859	700 00
1860	1,200 00
1861	1,200 00
1862	1,200 00
1863	1,200 00
1864	1,200 00
1865	1,800 00
1866	2,500 00
1867	2,500 00
1868	2,500 00
1869	2,500 00
1870	2,500 00
1871	2,500 00
1872	4,000 00
1873	4,000 00



REPORT
OF
TESTIMONY,
BY
REUEL SMITH of Bangor,
STENOGRAPHER.

TESTIMONY.

B. K. KELLOCH was sworn and examined as follows :

Questions by Mr. Knowlton.

Q. Where do you reside ?

A. At Thomaston, in the village.

Q. How long have you resided there ?

A. I went there, I think, on the 10th day of June, 1856.

Q. Are you acquainted with Mr. Rice, the Warden of the State Prison ?

A. Yes sir.

Q. Have you visited the prison frequently ?

A. No sir.

Q. When was you there last ?

A. I was there on the night of the fire, and it is my impression, though I do not wish to state positively, that I have been there once since. I was called there on business once, either before or after the fire.

Q. When did the fire occur ?

A. I cannot state when it occurred. I do not remember the date.

Q. Can you state nearly the time ?

A. No sir.

Q. Do you know anything, of your own knowledge, about the management of the affairs of the State Prison ?

Witness. Within the limits of the walls ?

Mr. Knowlton. I did not put any limits to it. I ask if you know anything about the management of the affairs of the State Prison, of your own personal knowledge ?

A. I have not, except so far as my knowledge is based upon reports.

Q. Have you any letters or papers of any kind in your possession or under your control, bearing upon the management of the affairs of the State Prison ?

A. I have no papers. I have one letter; but I cannot say upon oath whether it bears upon the management of the prison or not. It is at my boarding place now.

Q. Have you or not in your possession or under your control any letters or papers other than the one you have referred to?

A. I have no original papers. I have a list of the salaries, or I think it is in the hands of some member of the Committee now.

Q. Were the remarks that you made in the house, bearing upon the management of the prison, made on account of any knowledge or information that you had from any source other than common reports?

A. Yes; but first I wish you and the other members of the Committee to understand that you cannot hold me responsible, either here or elsewhere, for anything said in debate in the House on this question; nevertheless I am willing to state what I know. I based my remarks upon statements drawn from the Treasurer's office and upon the Warden's reports.

Q. The letter you have you will produce?

A. Yes, if it is still in my possession, and I think it is. It was in my trunk the last time I saw it.

Q. Have you had any correspondence with any parties with regard to the management of the prison and the conduct of the affairs there?

A. I think not. I may have written one or two letters to some of my friends stating that the prison Committee had not had any sittings, or might have sittings at such and such times.

Q. That did not come within the question that I asked. Have you ever seen in the possession of any other person or persons any papers, letters or documents, other than public documents, bearing upon the affairs of the prison or the treatment of the prisoners?

A. I cannot recall any. I may have seen papers, but do not recall them.

Questions by Mr. Talbot.

Q. Upon what do you base your remarks made in the House; you say you have no objection to stating it?

A. Perhaps the Chairman may have misunderstood. My statement in regard to salaries was made upon an approximate list of salaries and the sum of the appropriations drawn from the department last winter. The salaries—the \$13,000 and something more

—were taken from the Warden's report. I taking it for granted that the approximate was nearly correct.

Q. Can you state about the time of the fire?

A. I think it was between the first and the sixth of December last. I did not fix the date in mind.

Q. What time did you go to the fire? At what stage of the fire?

A. I think it was between the hours of twelve and two o'clock in the morning when I went there.

Q. How came you to go there?

A. It was because of the alarm, or rather the disturbance on the street. I did not hear the alarm. I went to sleep after the first noise, and afterwards I heard the rumbling of the wheels of the engine from Rockland, and got up and went to the fire. I think when I got there I went into the guard-room first.

Q. State the condition of the fire and what means were being used to extinguish it, and all you know about it.

A. When I arrived in the guard-room it was nearly full of people. The building was partly consumed. I cannot state what position of the engines inside were or what they were doing to put the fire out; but afterwards, when I went out, I went towards Main street and found the Eureka company stationed outside.

Q. Had the engine company from Rockland arrived when you got there?

A. I think it had. When I saw it, I think it was stationed at the O'Brien block, east of the prison walls. It was east or south-east from the prison house. The O'Brien block fronts on Main street, and Wardsworth street runs down on the eastern side of the prison, and right here (witness illustrating by assumed points on the table), in the corner, was stationed this engine.

Q. Was that engine playing upon the fire?

A. Not at the time I saw it. They were about to move it. I helped them move it. They moved it down on Main street and opened the reservoir down by Mr. Robinson's house.

Q. Where was the State of Maine engine at that time?

A. I do not know.

Q. Where was the engine belonging to the State?

A. I do not know.

Q. How many engines were there?

A. I know that there were two there.

Q. What is the distance from Rockland to Thomaston,—the distance that the engine had to come?

A. It is from three and a half to four miles. I supposed, when I heard it passing the house, that horses were drawing it.

Q. Did you hear anything said about the extinguishment of the fire, at the time, by any person about the prison?

A. No; only this: A few minutes after I got into the guard-room, in conversation with the Warden, he made a remark (I do not know as I can state the exact words) like this: "It is the strangest thing to me in the world that the fire could not have been put out."

Q. Did he or any one else there give any account of the origin of the fire, or any information as to what they supposed the origin was?

A. There were various theories about it. It is my impression (I state it from recollection wholly) that the overseer of the shoe factory stated that, in his judgment, the fire originated in the corner, or near the corner, of the building (I term it the north-west corner), and he also said something about the guards going around that evening to see if the shops were all right, and that there was no fire in the stoves.

Q. Did he say how long before the fire occurred that any one visited the shop to see about the fire?

A. Yes, I think he did.

Q. Did he state that it was in the evening?

A. Yes, I think he did.

Q. Did he state who that officer was that made the visits?

A. No; I think not.

Q. Do you know who had charge of that building?

A. No; I have no knowledge who it was. It is said that a man named Piper was the officer, but I have no knowledge.

Q. Did you hear any other one give any account of the origin of the fire or say anything about its possibility of being put out when first discovered?

A. No, sir.

Questions by Mr. Knowlton.

Q. Was there a prison officer in charge of either of those fire engines?

A. I do not know. The one I was at work on was in charge of the persons who were working it. I do not know what officers were in charge.

Q. Was there any engineer or person who pretended to take charge?

A. There was one fire-warden there; he belonged in Thomaston.

Q. Was he giving directions in regard to working the machines?

A. I did not hear him give any.

Q. You saw him about the fire?

A. Yes.

Q. I suppose you do not know, of your own knowledge, whether the engines were worked advantageously or otherwise?

A. No, sir.

Q. Or what efforts were made to extinguish the fire?

A. No, sir.

Mr. Talbot: Did you see the inspectors there that night?

A. I think not.

Mr. Talbot: Were you in position to see whether there was any attempt made to take anything out of the building?

A. No, sir.

Q. Could not the building have been entered at either end of it after you got there?

A. I think not.

DR. CHARLES T. CHASE, SWORN and examined as follows:

Questions by Mr. Knowlton.

Q. Where do you reside?

A. In Thomaston.

Q. Your profession is physician and surgeon?

A. Yes.

Q. You have been physician to the State Prison?

A. I have.

Q. When did you commence?

A. In connection with Mr. Rice's administration, I commenced August 4th, 1863. I was there during a portion of 1857 and '58.

Q. What years were you physician to the prison while Mr. Rice was warden?

A. From the 4th of August, 1863, to the 14th of August, 1873—ten years and ten days.

Q. Have you any knowledge of the management of the financial affairs of the prison.

A. No, sir.

Q. Have you a book which will show how many times you visited the prison during each of those years?

A. I have not.

Q. Have you any papers or documents showing how many visits you made during each of those years?

A. I have not.

Q. Have not you ever had a record of the number of visits made in any year?

A. I have no record showing all my visits. I have a record, very imperfectly kept, commencing July 25th, 1869, more than six years after I was appointed.

Q. Did not you keep any record or memorandum of the visits you made at the prison earlier than 1869?

A. No, this is the first that I ever kept. I have looked over this book and find that there are intervals of six months when no record was kept. And there are intervals of ten days and twenty days and thirty days. I looked over this book to note some of the intervals.

Q. What was the necessity of keeping the record at all?

A. I kept this record to answer my own convenience in cases like these: in the treatment of chronic cases; prisoners would often come and say that they wanted such medicines as I had given some weeks previous.

Q. Does that book show the particular cases?

A. No, it does not show the diseases at all; there are no names of prisoners entered nor the diseases.

Q. Had you any other object in keeping that book than the one you have already indicated?

A. None other.

Q. Have you kept any other book aside from that?

A. I kept a book a portion of 1873. It is not now in my possession. I have a note from the warden saying that he has the book.

Q. Have you ever, during any portion of the time you was physician to the prison, kept the number of visits you made?

A. I have from the 14th of April 1873, to the 14th of August of the same year. That is the only period in which I kept a full record of all my doings.

Q. How often did you visit the prison?

A. Sometimes two or three times a day, and sometimes two or three times a week.

Q. During your visits did you attend to any others than those reported sick?

A. I attended to only those that the deputy warden called complaining.

Q. Did you make such examinations as to satisfy yourself in regard to the sanitary condition of the prison?

A. Yes, I did.

Q. And your report shows what you found it to be?

A. Yes.

Q. Did you make any inquiries during those examinations concerning the treatment of the prisoners?

A. I made no professional inquiries into it.

Q. When you speak of professional inquiry the Committee may be in the dark as to what that is; did you make inquiries of the officers of the prison?

A. I gave some attention to the matter of punishment each year.

Q. Did you give directions in regard to a change?

A. On one occasion I did.

Q. That direction was observed was it not?

A. I do not know.

Q. Did you inquire whether your direction was complied with?

A. I never was consulted in regard to punishment, consequently I did not consider it my province to give direction in that matter; however I did give directions at one time.

Q. State whether you inquired to see if your directions was followed?

A. I gave direction to the deputy warden, and told the warden that I had given the direction, but as I had not been called upon in the matter, I did not consider that it devolved upon me to look after it.

Q. State whether you know of your own knowledge of any improper treatment of any prisoner?

A. In relation to the matter of punishment.—The system of punishment adopted there and carried out is certainly to my mind, objectionable.

Q. Have you any knowledge yourself of any abuses in the treatment of the prisoners there?

A. (Referring to report to recall the name). William McNorton died during the year 1870 of inflammation of the brain. He

came out of the dungeon with the disease upon him and died within a few days. I considered the incarceration in the dungeon as the exciting cause of the inflammation of the brain. I do not know what he was put in the dungeon for, nor how long he remained; nor do I know his condition when put in.

Q. Did you give in your report a full account of all the matters bearing upon it?

A. No, sir; I simply gave the name of the disease of which he died.

Q. Did it occur to you at the time that that was the cause of his death?

A. It did.

Q. Did you ever make any complaint to any officer of the prison?

A. Frequently; I did at that time and previously and subsequently too, in regard to putting men in the dungeon, particularly in freezing weather. This same man had his feet chilled in the dungeon so as to trouble him considerably.

Q. One of the rules of prison discipline allows this does it not?

A. I have no knowledge about that.

Q. Now to whom did you make the complaint?

A. I first talked with the deputy warden, Cyrus Maxey.

Q. Who else?

A. Elbridge Burton.

Q. Who else?

A. William A. Evans. I believe those were the only deputy wardens there while I was there except Amos P. Wood. I do not remember whether I talked with him about it or not. It was a matter I often talked with them about.

Q. State whether you made any complaint such as these gentlemen were bound to take notice of.

A. In the winter of 1870-71, I positively forbid Elbridge Burton putting prisoners into the dungeon during freezing weather, and I told the warden on the same day, within an hour after, what I had said to the deputy warden.

Q. Do you know whether prisoners were put in afterwards?

A. I do not know.

Q. Do you know of any other abuses, within your own knowledge? if so, state what they were and by what officer.

A. I wish to make a distinction between abuses and the effect of the system of punishment when carried to the extreme. If the

system of punishment carried to the extreme is approved by the regulation of the prison, judging from its deleterious effects upon the prisoners, I think I have cases to mention.

Q. What I want to inquire of you is, whether you know of any individual abuses other than the one you spoke of?

A. I do not know. I cannot testify with regard to that because I did not control the matter of punishment.

Q. Now state what you know about the general effect of the prison discipline.

A. As regards the discipline as bearing upon men while engaged at labor—while at work—I do not know that there is anything objectionable. I did not consider that under my especial care and I made no inquiry into it.

Q. State, if you know from your own connection with the prison, any neglect or improper conduct of any of the officials of the prison.

A. None ever came under my notice except what I have stated in regard to the system of punishment when carried to the extreme, and that is to be charged to the system. I will state why I gave that positive order at that time and never gave it before: there were two deaths there during the year of 1870. This McNorton was broken down in my opinion by incarceration in the dungeon. His feet were chilled and troubled him considerably. He was not long imprisoned but run down considerably. He was what is called an obstinate prisoner. The effect upon him was such as to confirm me in my prejudice against putting them in the dungeon during freezing weather, and I did not wish to have it upon my skirts any longer. I do not know that I had a right to give any such order, but I ventured to give it.

Q. Will you state if you have in your mind any other cause of complaint in regard to the treatment of the prisoners?

A. No prisoners ever came under my observation unless they were sick, and they were always taken care of as well as the nature of the building and the circumstances would admit of; whatever I thought they needed was ordered for them.

Q. And furnished?

A. Yes, while they were under my treatment it was.

Q. Aside from what you have already stated have you yourself observed any want of attention or abuse to the prisoners while about their work or in any place connected with the prison?

A. No, sir.

Q. Whether you have now or ever have had in your possession any letters, papers or documents, other than public documents, showing any improper conduct in the management of the affairs of the prison, on the part of the warden or any of the subordinate officers?

A. I have not.

Q. Can you give the Committee any information tending to show any improper conduct, other than that you have referred to, on the part of the Warden or any of the subordinate officers since Mr. Rice took charge of the prison?

A. No, sir.

Q. Have you furnished some articles for the press in regard to the State Prison and the management of affairs there?

A. Occasionally I have.

Q. Were those articles based upon the information you have already given us?

A. There was nothing touching the sanitary condition of the prison in those articles.

Q. In regard to those articles have you information other than what you got from public documents?

A. Yes, and from statistics in the archives here at Augusta.

Q. State what information you have received from documents other than public documents, and those statistics upon which you based the statements in those several articles.

A. Perhaps I did not understand your other question.

Q. Will you furnish such information as you had upon which to base the statements in those articles, other than from public documents?

A. From that paper which you hold in your hand and this paper which I have in my hand, and the reports of the warden and inspectors. I will state that the appropriation in this paper—it was for '72 (as I received it), \$10,000, and in that paper it was \$15,000, and I corrected this by that.

Q. From whom did you receive that?

A. From Ebenezer Otis, of Rockland. (Paper marked A.)

Q. Was this a paper you prepared yourself?

A. No, sir, the name of the writer is there. It was dated in the Senate Chamber last year.

Q. The statistics of the prison were founded upon these two papers?

A. Yes, and this paper. This paper was from Mr. Kennedy.
(Paper marked B.)

Q. What was your salary in 1863?

A. \$100. I did not receive that, because I did not serve the full year.

Q. What was it in 1864?

A. I received \$100.

Q. What did you receive in 1866?

A. \$100.

Q. What did you receive in 1867?

A. \$137.50.

Q. What in 1868?

A. \$150.

Q. And in 1869, \$150, and so on, later?

A. Yes.

Q. Did you receive more than \$150 for any year?

A. My bill for 1873 has never been settled.

Q. How much did you receive in 1872?

A. \$150.

Q. Who fixes your compensation?

A. I do not know.

Q. Was it raised above \$150?

A. That is all I received.

Q. Do you know the compensation of other officers of the prison?

A. Only from what they tell me and from what is on record, because I have never paid them.

Q. Did you at any time make an application to the inspectors or to any of the officials connected with the prison to have your compensation increased?

A. I did in January, 1873.

Q. Was it increased?

A. It was not then.

Q. Was it at any time?

A. I cannot say; I have not settled up.

Q. Did you ever say that unless they did raise your compensation you would give some information to the public, or make public some abuses?

A. Not in that connection; after they refused to raise it; after it was settled upon I did say that I would.

Q. What abuses were those to which you referred at that time?

A. I did not use the term abuses, I used the term corruption, and referred to the salaries of the wardens, inspectors and chaplain not appearing in the report, and the creation of the office of commissary for one of the warden's boys?

Q. Under whose charge were these matters?

A. I do not know.

Q. Who fixes the compensation?

A. I do not know.

Q. The corruption that you referred to, bore upon the compensation of the officers of the prison, including the chaplain?

A. That the reports of the officers, the inspectors and the wardens did not convey a true account of the expenses of the prison.

Q. To whom did you state that you should expose the corruption in the management and conduct of the institution?

A. To William Wilson and Rufus Prince; they were the inspectors.

Q. When was it?

A. On the 14th day of April, 1873, between the hours of one and two o'clock.

Q. That is very specific, and I appreciate the strength of your memory, and am obliged to you for giving it so accurate. When was the first, and for what paper was the first article furnished?

A. To the Rockland Free Press, issued on the 30th of July, 1873. There was, a week or two before that, a short paragraph written.

Q. When and for what paper was the next article furnished?

A. On the 12th of November, for the same paper.

Q. When was the next?

A. I never wrote any others.

Questions by Mr. Talbot.

Q. Have you examined the report laid before the Legislature as to the pay of the officers?

A. I have, sir.

Q. Have you looked at your own salary?

A. I have, sir.

Q. I understood you to say that you had not received over \$150 for any year?

A. Yes sir. That (referring to the report) is incorrect. It is *twenty-five cents* incorrect. There may be some charges on the book that are due to me. I have not had that.

Q. Do you know whether Cyrus Maxcy has been an officer of that prison?

A. He has worked there either in the capacity of overseer or deputy warden. Maxcy was a deputy in 1866. He was away from the prison for a time. He was there the last four years, and his name does not appear at all.

Q. Do you find his name anywhere among the officers?

A. I do not.

Q. Do you know whether Henry C. Marden is an officer of the prison?

A. Yes.

Q. Do you find his name in the reports?

A. His name does not appear in the communication to the Governor, but does appear in the reports of the inspectors and warden. He has been there since 1865. He is there now. His name is in the report of 1873 of the warden and the inspectors.

Q. You stated that you knew nothing about any cases of mismanagement or abuse of the prisoners that were at work. State if there have been any other cases among sick prisoners that have come to your knowledge?

A. When Lawrence Doyle died in October, 1872, I reported his case embolism or thrombosis. I used the terms embolism and thrombosis as convertible terms. There was not at that time, within my reach, any work which enabled me to make the distinction, but since October, 1872, there has been published a thesis by Prof. Lydell, of New York, which fixes the use of the term thrombosis as meaning the clotting of blood in the blood vessels, it remaining where it is formed; embolism meaning the lodging of a clot at any particular spot, having been formed elsewhere and carried to the point where it lodges. My use of the word embolism in my report was incorrect; it should have been thrombosis. Lawrence Doyle died of clotting of the blood in the aorta, an artery which leads from the heart, and also in the pulmonary artery. Doyle had been for a long time under punishment in the lazy cells. I attributed the cause of the disease to long continued incarceration in illy-ventilated cells, and low diet.

Q. Where do you say his confinement was?

A. In the lazy cells. The lazy cells are a row of cells in the upper attic of the western wing, in the western end of the building. They are poorly ventilated.

Q. Is there anything for the prisoners to sleep on there ?

A. Sometimes bedding is provided for them by way of a straw sack.

Q. What is the situation of these cells as to purity of air ?

A. I think they are so much elevated above the lower part of the prison that all the exhalations from below would rise up there. There is nothing to hinder all the impurities below from rising up there.

Q. Did you at that time attribute the death of Doyle to that cause ?

A. In conversation with Mr. Wilson and Mr. Rice in the office I told them that I thought he would not have died had it not been for it.

Q. Do you know any other cases ?

A. I mentioned the case of Charles Thompson in my last report. He had been in the dungeon and his feet had been chilled previous to that.

Q. What is the nature of the dungeon ? Describe it.

A. The dungeon is on a level with the ground floor of the prison. There is no light in it when the outer door is closed, and there is no ventilation.

Q. Is there any bedding in there ?

A. I never saw any.

Q. What was it as to temperature ?

A. In the winter it must be cold.

Q. You have stated about this man suffering from chilled feet, was it cold enough to cause them to suffer in this way if they had shoes on ?

A. I do not know ; I never staid in there. I know they came out with chilled feet. A foot may be chilled so as to affect the periosteum of the bone without destroying the soft parts.

Q. In regard to the regulations of the prison, did you ever, while you was an officer of the prison, have a copy of the rules of the prison ?

A. Never.

Q. Did you ever know of any code of regulations for a guide to the officers ?

A. No, sir.

Q. Did you keep a record of the cases you treated while you was surgeon?

A. No full record.

Q. Do you know whether you predecessors did?

A. I never knew that my predecessors did.

Q. How many years was it before you commenced?

A. I was appointed August 4, 1863, and the first record that I made was on the 25th of July, 1869—no, I will make a correction, it was March 13th, 1866.

Q. Where was the record left?

A. In the apothecary room.

Q. Did you leave it there open?

A. Yes, it was always there. It has been written in by other hands than mine which shows that it was accessible to others.

Q. What were the circumstances which led to the commencement of a full record afterwards?

A. I commenced to keep a full record in April, 1873, because of a controversy between the inspectors and myself. I discovered that there had been adopted a system of espionage, and finding out the men I had to deal with, I kept a full record. I have not that record. I have a note from Warden Rice in which he admits that he has it.

Q. Have you his letter?

A. I have. (Letter produced.)

Q. It seems that he refers in this letter to a book which you took away.

A. Yes, this is it. This book cost 50 cents and the prison paid for it, but the book he has I paid for. [Letter marked "C."]

Q. I understood you to say that you notified the deputy warden and also the warden that you prohibited prisoners from being put into the dungeon while it was freezing weather?

A. Yes, I spoke to the deputy about it and notified the warden. The warden suggested that the dungeon might be warmed by leaving the door open during the day time.

Q. What was the reply of the deputy when you mentioned it to him?

A. I do not recollect the reply he made.

Questions by Mr. Morrow.

Q. For what purpose are these lazy cells used?

A. For the purpose of punishment.

Q. Have you ever visited prisoners while in those cells?

A. I have.

Q. Do you know of your own knowledge of prisoners ever suffering for water or food while in those cells?

A. No, sir.

Questions by Mr. Knowlton.

Q. About this matter of ventilation; is there not ventilation in the roof of the prison?

A. Yes, but a cell is built up like a box, and you cannot ventilate it without a current of air, any more than you could a jug without taking the stopper out. There is an opening in the other cells leading into the air-chamber or walls.

Question by Mr. Russell.

Q. Are there cells underneath the lazy cells?

A. The hospital is underneath, but it has an air-tight flooring. [Examination of Dr. Chase is suspended.]

EBENEZER OTIS, sworn and testified as follows:

Interrogatories by Mr. Talbot, omitted.

I addressed a letter to the State Treasurer, asking for the statistics which are borne upon this paper (in his hand) and received in answer thereto this paper, unaccompanied with any other communication. It was in a yellow envelope, was post-marked Augusta, and was received in answer to the one I wrote to the State Treasurer. I think I know the hand-writing. I thought then, and do now, that it is in the handwriting of Mr. Caldwell. (The paper referred to in Dr. Chase's testimony marked "A.") I sent the paper to Dr. Chase.

In answer to interrogatories by Mr. Knowlton.

I forwarded the paper to the Doctor at his request, last year; I do not know what month. The legislature was in session, but I could not say what time it was. The interview in which he requested me to forward it was in my own house.

Examination of DR. CHARLES T. CHASE, resumed.

Mr. Talbot interrogating.

Q. Does the air from where the prisoners are confined ascend to where the lazy cells are?

A. Yes, from all the cells in the western wing; I could not tell how many.

Mr. Knowlton, interrogating.

Q. Is there no opening in these cells either at the top or bottom?

A. There are grated doors.

Q. Is there not ventilation directly over the lazy cells?

A. It is my impression that it is closed up above the corridor in front of these cells, and does not go up into the attic.

Q. Is there not some ventilation from the cells below?

A. There is some ventilation from below up through the prison.

Q. And there are ventilators in the top of the prison?

A. Yes.

Q. And in both sides?

A. Undoubtedly; but it is my impression that there is no ventilation from the lazy cells.

Q. Then it is not certain that *all* the exhalations from these several rows of cells pass up the stairway to the lazy cells?

A. Even if there were no ventilators all the exhalations would not pass up, but there is a great difference in the atmosphere in the morning and evening too, from that below even where there is direct ventilation.

Q. Do you identify that (book produced) as the book you once had in your possession?

A. Yes.

Q. Those are entries made by you?

A. (Examining the book) I notice that I made a mistake in the caption in one place. A portion of that was copied from that. The last record I made was August 14th. I see nothing in it but what I wrote myself.

Q. Please examine that (printed slip) and see if it is one of the articles you furnished.

A. I wrote that. It was written about the 12th of November, 1873.

Q. There is a statement there in regard to an article printed in a distant State, which you say was evidently written to counteract the statement,—have you any information that led you to that belief?

A. I said *evidently*; I used the term in its true sense. I have no knowledge as to where it was written. I only judge from the appearance of it?

Q. Now let me call your attention to this ; (another article) did you write that ?

A. I wrote that article. (Date July 30th, 1873.)

Q. Now here are some items given here. Where were those figures obtained ?

A. From the office of the treasurer by that paper I presented here, with the exception of the salary of chaplain, from 1864 to 1870, inclusive, including both years. The salaries are all put in except the salary of the chaplain. The pay of the inspectors is included in the other paper—the Kennedy paper.

Q. What was the pay in 1865 ?

A. \$200.

Q. What was it in 1867 ?

A. \$400.

Q. In 1868 ?

A. \$400.

Q. In 1871 ?

A. \$400.

Q. 1872.

A. \$400.

Q. In 1873.

A. \$400.

Q. Then this statement here is not true, within your own knowledge, that the figures were obtained from the Treasurer of the State ?

A. Does it say so in that paper ?

Q. You simply mean that they were obtained in the manner already stated by those two papers which were furnished *by* you ?

A. No, sir. Those were furnished *to* me.

Q. *When* those papers were obtained you have no knowledge ?

A. I have no knowledge, I have a belief. I did not write that article under oath. I am under oath now.

Q. I perceive the difference. There is a statement here with regard to the compensation of the Warden of the State Prison, and among other things is enumerated the fuel ; have you any knowledge as to whether the warden gets his wood from the State ?

A. Only from the revised statutes. It is legitimately his if the law gives it to him. I considered it safe to go by the statute.

Q. Did you find the statement made upon anything except the statute ?

A. No, sir. I should not be likely to look further.

Q. From what did you derive the information that the warden of the Ohio State Prison received a salary of \$2,500 for 1871?

A. From a friend who resides in the State.

Q. Where did you obtain the information upon which you make the statement that the revenue from the State Prison was \$4,000 a year?

A. From Dr. Warren's report, the inspector of State Prisons.

Q. Have you examined the report of Ohio for the year 1871?

A. No, the revenue I took from Dr. Warren's report.

Q. You say these entries were made by yourself; state whether you made the visits at the time fixed to these several items?

A. I presume I did. With regard to day and date, I sometimes have occasion to correct a date, but where the hour is put down, for instance this entry: "11th of June, 3 P. M." was made at the prison.

Q. Are the same entries in this book?

A. No, sir; the entries I am now reading are not in that book. There is the "8th of July, 3 P. M."

Q. What part of that book was copied from this one?

A. I cannot say. I kept this book at my house sometime before I carried it to the prison and carried home slips of paper in my pocket. I kept it there all through the time where it is written out in ink. I carried it to the prison April 26th, judging from this entry: "April 26, no one lying in," which indicates that I went to the prison.

Q. These articles were all written at your own motion without the suggestion of anybody?

A. I do not generally write at others' suggestion.

Q. Others might wish to avail themselves of your skill?

A. I know of no one who wishes to avail himself of my skill in such matters.

Q. The items of payment to the chaplain are not in these papers. Where did you obtain those?

A. I have always understood that where the clergymen of Thomaston performed the duties, that the pay which was given to the chaplain was divided between them, and in this paper it is put down at \$350, and supposing the fact to be as stated, I carried it right along.

Q. Then it was not from information but reference?

Mr. Talbot. I want to ask Mr. Rice if he has the letter in which the demand is made for this book?

Mr. Rice. I am not certain whether I have it or not.

Mr. Talbot. If Mr. Rice cannot find the original, I want to ask the witness to put in a copy of it.

Mr. Rice. I have no objection to his putting in a copy. (Letter put in; date Thomaston, August 18, 1873; also the one from Mr. Rice, date August 16, to which this was a reply. Subject of the letters, "removal of the witness from the office of Physician to State Prison)."

Mr. Talbot moved that the Committee now proceed to examine warden Rice.

Mr. Knowlton stated that Mr. Rice's position was of the nature of one defending himself against charges and accusations brought against him, and was not called upon to say anything until a case is made against him.

Mr. Talbot took the ground that the warden, as an officer of the State, should be ready at any time to give information to a commission ordered by the State to investigate the affairs pertaining to his office.

Mr. Talbot's motion not sustained by a vote of the Committee.

CHARLES G. CHASE sworn and testified, first in answer to interrogatories by Mr. Talbot, as follows:

Reside in Thomaston. Am an officer in the State Prison. Am in the boot and shoe department. Am overseer of the shoe shop. Have been in that office since July, 1866, with the exception of a few months that I was away.

Q. Have you any other overseer there with you?

A. I have at present.

Q. What is his name?

A. Thomas F. Phinney. He has been there about six weeks. He is simply in my place when I am away.

Q. How many convicts have you under your charge?

A. I have 17 now.

Q. Do you keep an account of the labor of all the convicts there?

A. I do not.

Q. Do you fix the price per day of the convicts there?

A. I do not.

Q. How is it as to the different skill of convicts under your charge? Whether some are well skilled and some just learning?

A. We have some who have been there some time and are well skilled, and we have quite a number of green hands.

Q. Do you know of any who keeps an account of their time?

A. I do not.

Q. You say you have been there since 1866, have you assisted in taking account of stock?

A. I have.

Q. What part did you perform?

A. I usually put the stock together and made a schedule of it, and when asked have made statements about prices.

Q. Do you know whether the inspectors took your statement of prices?

A. I do not know.

Q. Have they frequently asked you, when they were taking account of stock, the price of things?

A. Yes, sir.

Q. Do you occupy a house owned by the State?

A. Yes, sir. It is a two story house, near by the prison gate.

Q. Do you pay rent for it?

A. Yes, sir; I pay \$65 a year.

Q. How long have you paid rent?

A. Ever since I occupied it, two years and seven months.

Q. How have you paid it?

A. It has always been deducted from my annual pay. When I settled for my quarter's salary, the rent has been deducted.

Q. How much salary did you receive last year?

A. I cannot say, for I have lost some time.

Q. Have you no means of knowing what your pay is? What is your fixed salary?

A. A thousand dollars a year.

Q. How much time did you lose last year?

A. I should judge about four or five weeks; but I cannot say as to that.

Q. What was your salary in 1872?

A. It was the same—\$1000.

Q. Did you lose any time that year?

A. I do not think I did.

Q. And you received \$1000, deducting the amount of your house rent?

A. Yes, sir.

Q. How was it in 1871?

A. It was but a part of the year that I was there. I left the prison Nov. 5th, 1870, and returned June 5th, 1871. From that time I have had the same salary. I did not occupy the house during the time I was away from the prison.

Q. How was it in 1870 and the year before that?

A. Part of the year I was away.

Q. Was you an officer that year at all?

A. I think I was. I had \$800 for 1870.

Q. How much time were you absent?

A. I could not say.

Q. Have you all the time you have been overseer there, occupied the same house?

A. No, sir.

Q. Have you occupied a building belonging to the State all the time?

A. No, sir; I have occupied this building since I returned in June, 1871.

Q. Then from all the salary paid you previous to 1871, there has been no rent deducted?

A. The house that I occupied before was a house belonging to the State but not the same house. I paid \$55 rent for that.

Q. How long did you occupy the house for which you paid \$55 annually?

A. I think three years nearly. After leaving that house I moved away. Moved away November 5th, 1870.

Q. How long before that had you occupied that house and paid for it \$55?

A. I think nearly three years.

Q. And since that you have occupied the house for which you paid \$65?

A. Yes, sir.

Q. Do you know how many houses belonging to the State are occupied by persons employed in and about the prison?

A. I could not tell.

Q. Do you know how many houses there are belonging to the State?

A. I think there are five, and some of them are capable of accommodating more than one family.

Q. Have you assisted in taking account of stock every year you have been there?

A. Yes, sir.

Q. What time has it been taken?

A. It has usually been taken the last of November or first of December.

Q. Do you know anything about the rent of any of these tenements except your own?

A. I do not.

Q. State whether there was in that shoe shop when the account of stock was taken, a lot of old fashioned lasts; quite a number of them?

A. Yes, sir, there was.

Q. Those lasts had not been used for several years, had they?

A. No, sir.

Q. Were they appraised?

A. I think so.

Q. Were they of any value except for fire wood?

A. I do not think they were appraised for that. I think that old lot has been appraised for wood every year since I have been there.

Q. Do you know of any account being kept of the labor of the convicts?

A. I do not.

Q. In relation to custom work; is there much of that done there?

A. Yes, we do considerable custom work, the same as any custom shoe shop.

Q. Have you had any work from abroad? Have any of these Boston runners been in the habit of sending their measures to you to have work done?

A. Yes.

Q. Do you keep an account of that?

A. Yes, sir.

Q. Have you a book in which you keep the account?

A. Yes; it is kept in my shop subject to examination by the clerk.

Q. How do your prices range with the prices for the same work done outside?

A. I do not know.

Q. But you set the prices—are there not men in Thomaston who have work done at your shop rather than have it done outside?

A. Yes, sir.

Q. Have they not stated that it was done much cheaper than they could get it done outside?

A. Yes.

Q. And have you not stated so yourself, and that it was wrong to do the work cheaper there than it could be done for outside?

A. I think I have.

Questions by Mr. Knowlton.

Q. Do you know the prices for the same kind of work done outside?

A. No, sir; I could not swear to any prices.

Q. Then you are unable to tell whether you do the work less or not?

A. I think we do as a general thing.

Q. Do you think that for this work that you do for persons outside in Thomaston and elsewhere, you charge a fair price, having regard to the stock and the work?

A. I do.

Q. Aside from this work that you do in the way you have spoken of, do you manufacture and sell boots by the case?

A. We do.

Q. Don't you get as much for this work as is paid for those manufactured outside?

A. We do on the case-work.

Q. Have you, in all cases, rendered a strict account to the Clerk for all work done?

A. I have.

Q. To whom are the payments made? When a pair of boots are delivered, who receives the money for them?

A. If they are paid for at the time, I receive it myself and enter it upon the books.

Q. And that book shows all the transactions so far as the sales are concerned?

A. Yes, sir.

Q. Were there any lasts appraised, besides those for wood?

A. There were.

Q. Were you at the prison on the night of the fire?

A. I was.

Q. Do you know what efforts were made to extinguish it?

A. Well, sir, being one of the fire department, I know that we did all that we could.

Q. Were the engines there under the directions of any one as foreman?

A. Yes, both companies.

Q. Have you ever had charge of either of the machines?

A. I have.

Q. Were you present to see the machines worked that night?

A. I was.

Q. Were they worked advantageously?

A. Yes, until we had a bother with one of them.

Q. So far as you saw was everything done that could be done to save the building?

A. It was.

Q. Do you know anything about the origin of the fire?

A. I do not.

Q. Was that the shop in which you was at work?

A. It was not.

Q. What progress had the fire made when you first knew it?

A. The fire was in the place described by Mr. Kelloch, in the west corner. I arrived there in a few minutes after the bell struck. There were but a few there when I got there. The fire spread rapidly inside.

Q. How long before the building was so much on fire that no one could enter it with safety?

A. I should judge within twenty-five minutes or half an hour.

Q. Was there any wind at the time?

A. Yes, considerable.

Q. Was it blowing upon the corner where the fire originated?

A. Yes, sir.

Q. Did you render any assistance yourself, or aid in getting the engine?

A. I did.

Q. Was it done as quick as could be done?

A. Yes, sir.

Q. Who was foreman at that time?

A. Mr. Maxey.

Q. Had you been an officer before?

A. I had.

Q. Why did you resign as foreman?

A. Owing to a trouble in my head, which was on account of going to Waldoboro', 4th of July, where I received a partial sun-stroke. I resigned at Dr. Chase's suggestions.

Q. If you had been foreman at the time would you have located the engine where it was?

A. I should not.

Q. Where was it located?

A. At the east end of the main prison, at the large reservoir.

Q. Where should it have been located?

A. I think it should have been located outside by the stable, where there was a large reservoir.

Q. Do you know whether any instruction or direction had been given by any one, as to where the engine should be placed, in case of fire inside?

A. I do.

Q. Who gave the direction?

A. I was advised by warden Rice that in case of an attack of fire in the prison, the engine should be stationed at the stable outside, first.

Q. Did he give any direction as to where to place the hand engine?

A. Yes, sir; inside.

Q. And where was the hand engine?

A. Inside.

Q. Were there more than two engines inside?

A. There were.

Q. Were the reservoirs drained inside by having all the machines in there?

A. I think some of the reservoirs failed.

Q. There was an abundance of water at the stable outside?

A. Yes.

Q. Now about this house that you occupy—do you occupy the whole of it?

A. I do not; I have the lower part of it.

Q. Is that a reasonable rent, considering other rents about there?

A. I think so.

Q. Now, while you have been connected with the prison have you had an opportunity to see what the treatment was of the convicts in the various shops about the prison?

A. I have in my own shop.

Q. What has it been by Mr. Rice and all the subordinate officers, in regard to punishment, &c: ?

A. I think the treatment has always been good.

Q. Do you know of any cruelty or abuses to the convicts?

A. I do not know what abuse is myself; I have never seen any one abused there.

Q. Are there any established rules and regulations for the officers about the prison?

A. There are.

Q. Have you seen them?

A. I have.

Q. Do you know whether rules and regulations are kept about the office and furnished to the officers of the prison?

A. I don't know where they are kept. I know they are frequently given to the officers.

Q. Now, what is the impression there generally as to Mr. Rice, as to whether he is cruel or lenient in his treatment to prisoners?

A. The only fault I ever found with Mr. Rice was that he was too lenient.

Q. Are the shops and buildings about there kept orderly and neat, and in good condition so far as you have seen?

A. I think so.

Questions by Mr. Shaw.

Q. Were you instructed by Mr. Rice or anybody else, in fixing prices on work to cut under other manufacturers or to set a price below a fair market price?

A. No, sir.

Q. Was Mr. Kelloch in the prison recently to get some work done or for some business purpose?

A. Yes, he was.

Q. Was anything said at that time in regard to the management of the prison?

A. Yes, Mr. Kelloch and I had considerable conversation that day in regard to the management of the prison. I could not swear to all that was said. The inference that I drew from his conversation was favorable to the management; that he knew nothing against the prison management.

Mr. Talbot again interrogating.

Q. Who occupies the other part of the house where you live?

A. Mr. Piper; I in the lower part and he in the upper.

Q. For custom work you receive the pay when it is paid for; do you charge the work and fix the price when it is charged?

A. I do.

Q. Now state as near as you can the amount of custom-work aside from the case-work?

A. I could not say.

Q. Well, estimate it; approximate to it or make a guess.

A. I should judge that we made nearly 50 dozen pairs of calf boots in a year—custom made.

Q. That does not include any repairing?

A. No, sir.

Q. About how many shoes?

A. I should think nearly as many. I don't know as we make as many shoes as that.

Questions by Mr. Morrow.

Q. On the night of the fire do you know whether those reservoirs were filled with water?

A. I do not know whether they were filled at that time.

Q. You spoke about having some difficulty with one of the engines; who was foreman of that engine?

A. Mr. Maxey.

Q. What was the trouble with the engine?

A. I do not know what the trouble was; I was not close to the engine.

Q. Was it his business to see that the engine was in good condition?

A. Yes, sir.

Q. And was it in such a condition that it did not play on to the fire?

A. For a short time only.

Q. In your judgment was all got out of that building that could be got out?

A. Yes; all that could be taken out with safety.

Q. In your branch of the business, where you manufacture custom work, do you consider that it pays as much to the State as to manufacture case work, taking into consideration all the trouble in looking after it?

A. I think it pays better, the class of work we do.

Q. Have you ever consulted with warden Rice in relation to fixing a price on custom work?

A. We have talked it over; he has generally left it to me. I think he has wanted me to come up higher on some of their custom work.

Mr. Talbot: Was it the engine that got out of order that stood near the east end of the prison, by the small reservoir?

A. Yes, that was the steamer.

Mr. Knowlton: What do you sell your boots for by the case

A. From \$45 to \$48.

Q. What do you sell your custom boots for?

A. Pegged boots all the way from \$5 to \$6.50, and sewed boots from \$8 to \$10.

Mr. Morrow again interrogating.

Q. Have you an assistant in the shop with you?

A. I have, while I am away.

Q. Do you find it difficult to attend to the management of the convicts in your shop, and also to give your attention to the custom department of the shop?

A. I find enough to do. I think if I had not as many men to look after I could do better by them.

Q. I understood you to say that the custom work had increased since you have been there?

A. Yes.

Q. If it keeps on increasing as it has for the last year can you alone manage the convicts and also give your attention to the custom department?

A. No; I think I ought to give more attention to each man.

Q. And you have been obliged to call in assistance?

A. Only to relieve me for a short time.

Q. If that branch of the business increases will it be necessary to have an assistant?

A. I think it would be for the interest of the State to have one.

Mr. Knowlton: That would depend entirely upon the number of men in your department?

A. I suppose so.

Mr. Morrow: What number of men have you now?

A. Seventeen.

Q. Has it been less than that since you have been there?

A. It has been down as low as fifteen.

Q. How many have you had?

A. At one time I had thirty-eight.

Mr. Knowlton: Has Mr. Rice, at any time before going away, given directions how to manage in case of fire?

A. He has, frequently.

Q. Any directions as to having the fire department and engines in order?

A. He has.

Q. How about the engine at the prison? In what state of preparation is it kept?

A. She is in order, with the fuel all prepared, ready to touch off all the time.

Q. How long was the engine, the steamer, in use after the fire commenced?

A. She was running, constantly, about two days.

Q. Where was the water taken from?

A. From the bottom of the quarry in the yard.

Q. Through how many feet of hose?

A. A part of the time through 800 feet. She worked all the time.

Questions by Mr. Talbot.

Q. Were there any particular directions given about the time of this fire?

A. None that I know of.

Q. You say that directions were given to place the engine at the reservoir at the stable in case of fire, was it so located that night?

A. No, sir?

Q. Was there not plenty of water within the limits of the prison yard that night?

A. Yes.

Q. And you used water afterwards within the limits of the yard?

A. Yes.

Q. Did you hear Mr. Rice say anything about the position of the engine afterwards?

A. Yes; he wondered to me why I did not put it in the right place, thinking that I was foreman at the time.

Q. Have you heard him say since why he did not order the engineer differently?

A. No, sir.

Q. Do you know that the engine was in order when the fire broke out?

A. I do not. She stopped soon after they began. I cannot swear that she was in order when they began.

Questions by Mr. Knowlton.

Q. Have you any information as to what the trouble was why she did not work well?

A. I have not. I was not close to it, and not being foreman at the time did not consider it my duty to ascertain.

Mr. Talbot. Did not Mr. Rice know that you had resigned?

A. I think not.

Mr. Knowlton. Did the machine work well when it was first started?

A. I think it did, and was disabled afterwards.

Q. Whose business is it to see that the engine is kept in order to work, the warden's or the engineer's?

A. The engineer's.

Mr. Shaw. When the warden spoke to you about the misplacement of the engine, what may I understand by that?

A. That the engine was not placed where it would work to the best advantage.

At this point a motion was again made to proceed with the examination of Mr. Rice, the warden, which motion was not sustained by a vote of the Committee.

CYRUS MAXEY, sworn, and in answer to interrogatories by Mr. Talbot, testified as follows:

I reside in Thomaston. Have been deputy warden of the State Prison; was deputy warden from August 1, 1863, I think, till May, 1867.

Q. Are you in the employ of the prison now?

A. Yes.

Q. In what capacity?

A. Carpenter; am employed in repairing the buildings, &c.

Q. How long have you been employed in that capacity?

A. From two years ago last May up to the present time.

Q. What salary do you now have for your services?

A. \$700.

Q. Do you occupy any of the buildings belonging to the State?

A. No, sir.

- Q. What salary did you have while you were deputy warden?
A. At first I had \$600.
Q. For how long?
A. I am not able to say, definitely; I think it was raised to seven or eight hundred.
Q. You was deputy warden in 1864?
A. Yes.
Q. What salary did you have then?
A. I am unable to say.
Q. Did you at that time, or at any time, occupy any building belonging to the State?
A. No, sir.
Q. What did you have at the last of your being deputy warden?
A. \$800.
Q. Do you know when that commenced?
A. I could not say, precisely.
Q. Did you at that time, or any time, also discharge the duties of commissary?
A. Yes; I had some assistance; I do not know what portion of the time.
Q. Was that while you was deputy warden?
A. Yes.
Q. Did you, all the time while you were deputy warden, also discharge the duties of commissary?
A. Well, I had an assistant in the yard.
Q. State to the Committee what the duties of the Commissary are?
A. Well, as I understand it, it is to look after the clothing and victualing,—supplying food and clothing to the prisoners.
Q. How long did you discharge this duty?
A. It was under my supervision all the time I was there.
Q. Did you have a separate salary for that?
A. No, sir.
Q. Did you, all the time up to 1867, discharge the duties of commissary as well as deputy warden?
A. There was a man who assisted me. It was my duty to look after it.
Q. Who was that assistant?
A. James Henry Piper.
Q. Do you know what pay he had for his services?
A. I do not.

Q. You have had charge of the men at work repairing the buildings belonging to the State?

A. Yes, sir.

Q. Do you know how many buildings belonging to the State there are outside of the prison?

A. I think there are nine.

Q. Do you speak of separate houses or separate tenements?

A. Separate tenements.

Q. Do you know about what they rent for?

A. I do not.

Q. Did you, in having charge of the labor by the convicts, fix the price of their labor?

A. No, sir.

Q. Did you keep any account of their time?

A. No, sir.

Q. What portion of the work was done by the convicts under you?

A. That is a pretty hard question for me to answer. I have had one man at work with me all the time, and if there was any little job to do on the buildings we have done it. I keep the buildings in repair and do such work as that about the prison.

Q. Have you had more than one man?

A. Yes; on the wall.

Q. How many did you have there?

A. I cannot say. I kept their time.

Q. Did you keep the value of their labor also?

A. No, sir.

Q. Did you carry out any price?

A. No, sir.

Q. What was the object of keeping the time?

A. I was told to do so by the warden.

Q. You kept the time, so many days' work, on the wall, when was that?

A. That was this last year.

Q. Did you have some men that were worth more than others?

A. Yes.

Q. Have you had charge of all the repairing done to the property owned by the State since you have been there?

A. No, sir.

Q. Who else had charge besides yourself?

A. A part of the summer that I went there, three years ago, there was a gentleman by the name of Little.

Q. I ask who has had charge within the past two or three years?

A. That was within two or three years. It was when I first went there. Mr. Marden has had charge a short time. Beniah Marden. He was not under me.

Q. When was this?

A. Three years ago, I think.

Q. Do you know what was paid him?

A. No, sir.

Q. While you were in the office of deputy warden you had occasion sometimes to visit what is called the dungeon?

A. Yes.

Q. Was that dungeon furnished with any furniture of any kind?

A. No, sir.

Q. Any beds?

A. No, sir.

Q. Any straw?

A. No, sir.

Q. You was deputy warden in 1865; do you know of Dr. Chase being absent from Thomaston for a while during 1865?

A. No, sir.

Q. Do you know of some other physician being employed there while you was deputy warden?

A. Yes, I have known of others being called. Dr. Baker was called once, to my knowledge, though I am not certain about the year.

Q. When Dr. Chase was absent from Thomaston who was called to take his place?

A. I do not recollect.

Q. Do you know of Dr. Levenseller being called there during that time?

A. I am not sure. I think Dr. Ludwick was called at one time, but it was so long ago I am not able to state very accurately about it.

Q. Have you had the repairing on the stables connected with the prison to do?

A. Yes, what there has been done on them.

Q. Was Albert Peters an inmate of the prison while you were there?

A. Yes.

Q. Do you know whether he had ever been punished by putting him into the dungeon?

A. Yes.

Q. How much of the time did he remain there?

A. Could not say.

Q. Did you keep a record yourself?

A. No, sir; I made out daily reports and gave them to the clerk every day. I kept it on a regular blank, which I filled out and gave to the clerk; kept no book of my own.

Q. Do you know what year it was that he (Peters) died?

A. No, sir, I don't recollect.

Q. Do you know that it was during the year that you was warden?

A. Yes.

Q. You say you were deputy warden up to 1867, now was it in the early or latter part of the time you held that office?

A. I should not want to say positively; I think he might have been in up to the time he died—two years.

Q. How much of the time, according to your best recollection, did he spend in confinement in the dungeon?

A. He was in occasionally.

Q. How long on any occasion there?

A. From twenty-four hours—if it was warm weather he staid in longer, and if cold not so long—from 24 to 36 hours.

Q. Is there anything in the dungeon to sleep on but the bare stones?

A. Nothing to my knowledge.

Q. How long during cold weather was he kept there at any one time?

A. Perhaps twelve hours.

Mr. Knowlton. There is a report of this?

A. Yes, there is a daily report handed in every morning to the clerk.

Mr. Knowlton. Then I move that this be shown by the record?

Mr. Talbot. Did you ever suggest to the warden to try some other mode of punishment upon Albert Peters?

A. I do not have any recollection of it.

Q. Did you ever suggest to him that you thought the punishment was too much for his constitution or that some other punishment would do just as well?

A. No, sir.

Q. Have you ever stated to anybody that you did?

A. Not to my knowledge.

Q. Did not you suggest to him something in regard to that punishment during freezing weather?

A. No, sir.

Q. Do you think his health was any affected by being confined there during the cold weather?

A. I never did; I can explain. I know he was not well afterwards. He hid away under the shop to escape. It was cold weather. He crawled away under the floor and I have the impression that he was there on the cold ground some twenty-four hours and got a violent cold and was never well afterwards.

Q. Was he not punished for that attempt to escape?

A. I think very likely he had a ball and chain put on him.

Q. Was he not put in the dungeon after that?

A. I think not.

Q. How many times was he put into the dungeon before he crawled away under the shop?

A. I am unable to say.

Q. Can you say that he was not put in afterwards?

A. No, sir, I cannot say, because I don't recollect. If he was, the reports that I made will show it.

Q. Did the physician ever express his disapproval of this punishment in the dungeon during freezing weather?

A. I don't know but he has. I have heard it spoken of by others.

Q. Who was that physician?

A. I do not know. Could not say.

Q. Who was the physician during your administration?

A. Dr. Baker and Dr. Chase.

Q. Did Mr. Rice ever apply to you for a copy of the rules and regulations of the prison?

A. Yes.

Q. When was that?

A. Some time during the last summer of 1873.

Q. Do you recollect what he said when he came after that copy?

A. He said he had one that was mislaid, and he asked me if I had one. I looked and found one and gave it to him.

Q. Did you know of any other about the prison?

A. No, sir.

Q. How long before that had you seen any copy of the rules and regulations?

A. I cannot positively swear that I have seen any other than the one that I had.

Q. When was this copy made up?

A. I think Richard Tinker was in that copy.

Q. Do you know of any rules being furnished to the prison since Mr. Rice came in warden?

A. No, sir.

Q. Was your attention ever called, during your administration, to any rules for your direction as an officer?

A. I do not recollect.

Q. Whom did you get this copy from?

A. I think I got it as long ago as when Mr. Hicks was warden.

Q. Did you ever speak to the surgeon of the prison about the punishment of the prisoners?

A. I do not recollect that I ever did.

Q. Do you know of Henry Marden being employed about the prison?

A. Yes.

Q. For how long a time?

A. I could not say. He came there perhaps in 1864, but don't say positively about that.

Q. And has been there up to the present time?

A. Yes, sir.

Q. What has been his business there?

A. He has acted as salesman, as I understand it, to sell carriages.

Q. Do you know of his ever receiving a present of a carriage and harness made there at the prison?

A. No, sir.

Mr. Knowlton: Were you acquainted with the treatment of the prisoners?

A. Yes, sir.

Q. Have you ever known of any treatment other than what was humane and kind?

A. I should not call it any other.

Q. Have you known any other than that which was in accordance with the prescribed rules?

A. No, sir.

Q. And the prisoners were properly treated by all the subordinates?

A. Yes, it was intended that they should be.

Q. Where is that dungeon?

A. The one that was there when I was there is torn away. It was one of the old cells.

Q. Where is the one used now?

A. I never was in it.

Q. Now, being acquainted with the dungeon, is the one used as the present time in as warm place as the one used formerly?

A. Am not able to say, because I do not know where this is. It is pretty hard for me to tell because I have never been in there.

Q. You have been by it?

A. I have been into the prison.

Q. Is it within the outer wall of the prison?

A. Yes, sir.

Q. Do you know of any person, yourself or anybody else ever having property from that prison without paying for it?

A. No, sir.

Q. Are the repairs about the prison and the buildings about there in your judgment made judiciously?

A. I have never seen anything to the contrary.

Q. And the money and labor well expended?

A. Yes.

Q. While these repairs are going on, is the warden frequently consulted as to the best way of making them?

A. Yes.

Q. He has manifested an interest in the business?

A. Yes.

Q. Has there been any severity practiced either by imposing extra labor or by imprisonment?

A. No, sir, not to my knowledge.

Q. Was you present at the time of the fire?

A. Yes, I was.

Q. Did you have charge of either of the machines?

A. Yes, sir, I did.

Q. Were you foreman?

A. The foreman that was regularly elected was not there, and I, being second foreman acted. I had charge of the machine that night. I worked the machine the best I could.

Q. Did you see any want of care on the part of Mr. Rice or any of the officers about the prison to save the property there?

A. No, sir.

Q. Was everything done by all about the prison so far as could be done to put the fire out?

A. Yes, I think so.

Q. Before Mr. Rice was appointed warden, was there any salesman there?

A. Yes; his name was Gates. I think he remained a spell after Mr. Rice came there.

Q. Now, are there rules and regulations for the conduct of the prison?

A. There are.

Q. Are they observed about the labor and everything about the prison yard?

A. I know nothing to the contrary.

Questions omitted.

I am not an officer at this time. I do not know whether Mr. Marden is salesman now. If I am to answer as I suppose, I suppose he is. I do not know what time the Rockland engine reached there the night of the fire. The building was pretty much burned down when it arrived. It was under control.

Mr. Shaw. Have you ever been an officer in any other prison?

A. No, sir, I have not.

Mr. Knowlton, interrogating.

Q. Whose duty is it to instruct a new officer when he goes into prison employ?

A. The deputy warden. That duty devolved upon me. I do not think the rules were ever followed right up. I never knew them to be in every particular.

Mr. Talbot. What engine did you have charge of at the time of the fire?

A. The steamer.

Q. Where was that engine when the alarm of fire was given?

A. I presume in the engine house. I found her in the street when I got down there.

Q. Do you know what order that engine was in, in the street when you first saw it?

A. No, sir.

Q. What did you next do after you met it there in the street?

A. Hauled it into the yard.

Q. Where did you place it?

A. At the cistern of water at the east end of the prison.

Q. Had you received any orders where to place it in case of fire?

A. No, sir.

Q. That was left wholly to your discretion?

A. Yes, sir.

Q. Did any one remonstrate with you for putting it where you did?

A. No, sir. She played on the fire till the water was about out of the cistern, and then stopped working altogether and we could not do anything with her. I presume she worked three-fourths of an hour before she stopped.

Q. Did you then find out what ailed her?

A. No, sir; do not know to this day what the matter was. We had occasion to stop her to shift the hose to another place, and she did not start again. The water in the cistern was very low then. All the water that we could draw with the hose was out. The engine worked after we got her outside without any repairing. She afterwards worked well and threw through 800 feet of hose.

Q. Now, do you know whether there was anything done to her before she threw water again?

A. No, sir, I do not.

Q. Was there any water in the prison yard, in the hole where the lime rock had been taken out?

A. Yes.

Q. How far was that from the building on fire?

A. About 150 feet.

Q. What hindered you from placing the engine there?

A. She could be placed there, but the fire had got so hot we could not pass.

Q. Which end of the building did the fire commence?

A. In the western end and run towards the east. Our steamer was placed at the quarry next day and played upon what was left of the building. She drew water from this place all day. Did not use the water all up.

Mr. Shaw: Are you an engineer?

A. No, sir.

Q. Do you pretend to understand engines ?

A. No, sir, I do not.

Mr. Knowlton : Was the man whom you spoke of hiding under the shop well before he hid under there ?

A. Yes, so far as my knowledge goes.

Q. Has that machine been tried since the fire to see whether it would work or not ?

A. Yes, sir.

ELBRIDGE BURTON sworn and examined, first by Mr. Talbot.

Questions generally omitted.

I reside in Warren. Am not an officer of the prison now. Was deputy warden from 1868 to 1871. Salary first \$800, afterwards \$900. Did not occupy any buildings belonging to the State. Did not discharge any of the duties of a commissary. Wendell P. Rice discharged those duties. I had no copy of rules and regulations furnished me when I had charge as deputy warden. Never saw any there, either written or printed. I kept no record of transactions. I had a blank report that I filled out and carried to the office every morning.

Q. In that did you make a record of the punishment of the prisoners ?

A. Every hour.

Q. Did you ever have any consultation with the physician about the punishment while there ?

A. I have.

Q. State what it was.

A. I don't recollect what it was. Several times we spoke about the punishment. I had some views, and the physician had, that those dungeons were not fit to put men in for any length of time. In cold weather it was rather disagreeable ; there was no furniture or straw in it. A man had his bucket and that was all. Don't recollect that I ever said anything to warden Rice as to the danger of putting men in the dungeon.

Q. Do you know of any person being put in there during the cold weather ?

A. Yes.

Q. Who ?

A. I don't know now ; the report will show.

Q. Do you know the effect produced upon any persons that were put in there for any length of time ?

A. Well, some of them perhaps had their feet chilled a little.

Q. Did the physician forbid any one being put into the dungeon during cold weather?

A. No, sir; he did not forbid it; he said it was better not to put them in; he advised against it.

Q. Do you know of more than one person suffering from chilled feet?

A. Yes; I think there were two persons—Charles Thompson and Wm. McNorton. I don't recollect now when that was. I think there was another; his name has slipped my memory now. I think he is now living; the other two are dead.

Q. Did you aid in taking the account of stock in the guard room?

A. I did in 1869 and 1870. I had charge of the arms. I handed them out and they appraised them. Some of them were out of repair. They were not worthless. I could not state what the value of them was.

Mr. Knowlton interrogating.

Q. You say that some of the men had their feet chilled; how much?

A. I could not tell.

Q. You put them in and took them out?

A. Yes.

Q. Why did you let them stay till their feet were chilled?

A. I did not suppose it was so cold.

Q. Mr. Rice had nothing to do with it?

A. No, sir.

Q. You supposed that it was the discipline of the prison?

A. Yes, sir.

Q. It was your duty to instruct others employed there in their duty?

A. It was the guard.

Q. When a person was put in the dungeon did you release them when they promised to behave better?

A. I always did.

Q. So it was at their own election if they remained till their feet were chilled?

A. Certainly.

Q. Did you call the attention of the attending physician to the fact that their feet were chilled?

A. Not till they came out.

Q. After you called his attention to it did you put others in?

A. I did; we were obliged to.

Q. And it was the invariable rule to release them when they promised to do better?

A. I always did.

ISAAC BURKET sworn and testified as follows:

Mr. Talbot interrogating.

I am not an officer of the prison now. I have been. I went there in August, 1862, and staid till February, 1866, I believe. Have been connected with the prison since, in capacity of overseer in the paint department. I think I commenced in May, 1871, and continued till last of May, 1873. As overseer of paint shop have been paid for salary quite a number of prices. I went there first under Tinker. Since employed there, the last time, my salary has been part of the time \$800. I think two quarters it was at the rate of \$1000. I did not occupy a building owned by the State. I was not there the whole year in 1871. I commenced in May. My salary for 1872 was \$800. Did not work all the year. I always assisted in taking account of stock in my department. I looked after the weighing and measuring of all the articles connected with the department and made a schedule of the paint. I did not fix the price only on the things that I knew as per bill. We did some custom work in our department. I kept an account of the custom work that was done for parties outside.

Q. Was there anything done for parties inside?

A. Only on the State's account. Part of the time I kept as full an account as I could. It was posted from the book and I took no notice of it.

Q. What work do you mean?

A. I mean such carriages as are exchanged and those to be repaired.

Q. Where an old carriage was exchanged for a new one you did not keep any account of it?

A. No, sir; part of them I did and part of them I did not. I kept it for some time for my own curiosity.

Q. Did you keep an account of repairs done on the warden's property?

A. I believe they were on my book.

Q. Did you carry out a price for the work done for the warden?

A. Yes, sir.

Q. Was that posted?

A. I could not tell.

Q. In taking account of stock were there many paint mills for grinding paint?

A. Yes, there were four in use the last of my being there, and three I think not in use. One was pretty nearly worn out. They were rendered in the account of stock.

Q. Was there any account kept there of the number, value or kind of the carriages built there?

A. I do not know of any such account being kept there.

Q. What was the method of your keeping books when you was there?

A. I kept no account of the new work at all during the last time I was there.

Q. If a certain carriage of a certain value was taken out and conveyed away to be sold, was there any account taken of it by which you could identify that carriage?

A. Not to my knowledge.

Q. Did the warden ever direct you to keep any books?

A. No, sir.

Q. When anybody came in to have a carriage varnished or repaired you kept an account of it?

A. Yes, sir. If he paid for it I took the money and gave him a receipt. The money was charged to me on the books.

Q. Who put the price on the work of that kind in your department?

A. I did.

Q. Who had the selling of the carriages and sleighs from your shop?

A. I could not answer that question. Mr. Marden, Mr. Rice and his son.

Q. Well, when Mr. Marden, Mr. Rice or any of his sons took a carriage away you made no account of it?

A. No, sir.

Q. Did any fire occur in either carriage or paint shop when you was there?

A. Yes.

Q. When was that?

A. In March, 1873, I think.

- Q. Do you know how that fire originated?
- A. I do not.
- Q. Were any of the prisoners charged with setting the fire at that time?
- A. I think they were.
- Q. Any of the prisoners punished after the fire on account of it?
- A. No, sir.
- Q. Do you know of Burn Hoswell being punished there?
- A. I do not.
- Q. Was you present at the fire last year?
- A. I was not.
- Q. Was you overseer or have anything to do in the building that was burned in the late fire?
- A. I was not overseer at the time. It was in my department when I was there.
- Q. Were any of the men in your department ever detailed to do work elsewhere out of your department?
- A. Yes, occasionally.
- Q. Do you know anything about what was in the basement of the building that was destroyed last year?
- A. I do not.
- Q. How long before that had you left the prison?
- A. I left in May, 1873, I think.
- Q. What was in there when you left?
- A. Lumber of various kinds.
- Q. What kind?
- A. Ash, oak, and the various kinds used in manufacturing carriages.
- Q. What was your manner of keeping account of tools. Did you make a list of them?
- A. I did not myself.
- Q. Did the inspectors take an account of the tools every year?
- A. Yes, sir.
- Q. Did you assist them?
- A. Yes, sir.
- Q. Did you make a list of the tools?
- A. There was a catalouge of them with their names?
- Q. Had you known of the guards boarding in the prison?
- A. Yes.
- Q. Do you know who had charge of that department—providing board for the guards within the prison?

A. I do not know.

Q. How long did they board there?

A. I do not know.

Q. Do you know of anybody else keeping an account of the carriages in that department?

A. I do not.

Interrogatories by Mr. Knowlton.

Q. When you assisted in taking account of stock, did you make a true schedule?

A. Yes, sir.

Q. Did you make a true schedule of all the things weighed and measured?

A. I tried to.

Q. And also of the tools?

A. Yes, sir.

Q. Do you know what they were appraised at?

A. I do not.

Q. Did you assist them?

Q. Was an account of the stock taken when Mr. Rice was

A. Sometimes they would ask my judgment.

first appointed?

A. Yes.

Q. When they took an account of the stock then they asked you for your judgment the same as since?

A. Yes.

Mr. Shaw. Can you recollect any fact or circumstance that took place while you were there that led you to suppose that the warden appropriated any of the property to himself, or took any of the proceeds of sales to himself?

A. No, sir.

Mr. Knowlton. Did any of the employees?

A. No, sir.

ALVIN A. NEWBERT SWORN:

Mr. Talbot interrogating.

Q. Have you been an officer in the State Prison?

A. Yes, sir.

Q. When and how long were you there?

A. Well, I have served out two sentences. I commenced in 1864, the last time.

Q. How long was you sentenced there ?

A. Seven years and seven months. I went there first to guard on the wall day times, and stopped in the prison every other night on duty till half-past nine.

Q. What salary did you get ?

A. Four hundred dollars. I commenced on that in the spring of 1866, if my memory serves me correctly.

Q. Did you have an increase of salary ?

A. Yes, I think in 1867, my salary was raised to \$500 in April, 1867 ; it was increased again January, 1872. I was then taken off the wall and put into the shop. I was in the paint shop.

Q. What salary did you then have ?

A. \$550.

Q. How long did you continue there ?

A. I closed there the third day of last April, 1873.

Q. Did your salary continue the same till you left ?

A. Yes.

Q. Were you an overseer in the paint shop at this time ?

A. I was. I was an assistant in one room.

Q. Did you take an account of stock ?

A. I assisted Mr. Burket.

Q. When ?

A. In 1871 and 1872.

Q. Do you know anything about what price was put on any of the articles ?

A. I do not, sir.

Q. Do you know of any account being kept of the work done there, the new work ?

A. No, sir.

Q. Did you keep an account of the custom work ?

A. I did, for a time.

Q. Why not afterwards ?

A. The reason why was that the book got filled, and then Mr. Burket kept it. I kept it till that book was full.

Q. Do you know of any of the employees in the prison receiving extra compensation for their services ?

A. I do not, sir.

Q. Did you occupy any of the buildings belonging to the State ?

A. No, sir.

Q. Where is your residence now ?

A. Waldoboro'.

Q. You was not at the fire last fall?

A. No, sir.

Mr. Knowlton interrogating.

Q. So far as you know of the affairs about your shop, were they managed in a prudent way?

A. Yes, sir.

Q. And did persons coming in for work pay a reasonable price for it?

A. Yes, sir.

Q. And that was put on to the book?

A. Yes, sir.

Q. So far as you saw during the time you was there did you see any improper conduct towards the prisoners, by the warden or any of the officers?

A. No, sir.

Q. And they were regularly and profitably employed, to the best of your knowledge?

A. Yes, so far as I know.

HOWARD MORTON sworn :

Questions by Mr. Talbot.

Q. Where do you reside?

A. My residence is in Thomaston.

Q. Have you been an officer in the State Prison?

A. Yes, sir, I have been an officer for eleven years and three months. I am not an officer there now. I was there up to April, 1871.

Q. In what department were you employed?

A. In the wheelwright shop. I was an overseer.

Q. Did you occupy any of the buildings belonging to the State?

A. No, sir.

Q. What salary did you receive in 1871, when you was last there?

A. Nine hundred dollars.

Q. What did you receive the year before.

A. Eight hundred dollars.

Q. And what the year before that?

A. It was eight hundred dollars for two or three before that. I could not tell exactly how long.

Q. Do you have any knowledge of the manner in which the account of stock in your department was taken?

A. I used to take the account and the men with me used to assist.

Q. What did the stock in your department consist of?

A. All kinds of lumber.

Q. Was it surveyed in the presence of the inspector?

A. Not often; I used to survey it and hand them the account.

Q. Did you keep distinctly a just account of the different kinds of hard wood, ash, oak, &c.?

A. Yes.

Q. Did you keep an account of the quality?

A. No, sir, I called them all one quality.

Q. You surveyed the whole amount and kept no account of the quality?

A. We did not designate it by quality at all.

Q. Do you know the qualities and kinds of lumber burned there last fall?

A. I do not, I left in 1871.

Q. What was your salary when you first went there?

A. \$500.

Q. Do you know anything about any accounts being kept of the different kinds of carriages made there?

A. I never knew of any.

Q. You manufactured wheels?

A. All kinds of carriage work; as a general thing they bought the light work all made.

Q. How long did it generally take you to prepare the different kinds of lumber and survey it?

A. As near as I can recollect a week or ten days; we generally did that while the inspectors were there, sometimes we would get a little start of them.

Interrogatories by Mr. Knowlton.

Q. Have you been a surveyor of lumber in Thomaston?

A. Yes.

Q. And have had a large experience in that business?

A. Well, we don't have a great deal to survey there.

Q. Did you make a fair survey of that lumber?

A. Yes, sir.

Q. And the schedule was a true schedule?

A. Yes, I suppose so. I did it to the best of my ability.

Q. And at the time that Mr. Rice went there you was there when an account of the property was taken?

A. Yes, sir.

Q. Was the account taken in the same way prior to the time it was turned over to Mr. Rice?

A. So far as I know, it was.

SYLVESTER B. HAHN SWORN :

Interrogatories by Mr. Talbot.

I reside in Thomaston, near the prison.

Q. Had you any connection with the engine at the fire at the prison?

A. Yes, sir.

Q. What engine?

A. The hand engine at the prison.

Q. Did you work at that engine yourself?

A. Yes, sir.

Q. How soon was you there after the alarm was given?

A. About fifteen minutes.

Q. Did you go immediately to the building?

A. Yes, sir.

Q. What was the state of the fire in the burning building?

A. The fire was in the west end of the building. It was not much under way when I got there.

Q. Had it broken out through the building at all?

A. I do not think it had.

Q. What was the first thing done to extinguish the fire?

A. We got the engine ready and got water into it as quick as we could. The engine that I worked was inside of the prison walls. We got the water from the reservoir right north of the building that was on fire. I was engaged at the engine.

Q. Were there any orders given by Mr. Rice about putting out the fire?

A. I did not hear any.

Q. Was he there at the first of it?

A. I do not know.

Q. Did you have a conversation with the warden soon after the fire was discovered?

A. I do not know that I did.

Q. Did you hear him inquire where the engine "State of Maine" was?

A. No, sir.

Q. Did any of the officers make that inquiry?

A. No, sir.

Q. Where was the steamer at that time?

A. At the east end of the prison.

Q. What were they doing then with the steamer?

A. I should judge they were getting up steam; they had not played any on the fire.

Q. Was there any attempt to put the fire out with buckets?

A. I could not say.

Q. Did you have any conversation with Mr. Rice about the fire at any time?

A. I do not think I did.

Q. Was there anything said about opening the middle door of the building?

A. No, sir.

Q. Could not the fire have been extinguished at that time without the use of engines?

A. I do not think it could.

Q. How soon did the steamer begin to play at the east end of the main building, after you got there?

A. I could not say.

Q. How long did you continue at the fire?

A. I was there till along towards morning.

Q. Were you working all the time?

A. Not all the time.

Q. Was any property taken out of the building?

A. I did not see any.

Q. Could not property have been taken out at the other end of the building if the attempt had been made?

A. I could not say.

Q. Was there any attempt made to save any property in that building after you got there?

A. Not that I know of.

Q. Was you in a condition to see it if there had been?

A. It might have been taken out at the east end of the building without my seeing it; there was none taken out to my knowledge.

Q. Were you anywhere about the fire, except at the engine, where you was at work?

A. I was about the yard after the building got pretty well burned down. We went outside of the prison walls and placed the engine on Wentworth street.

Q. Where did you obtain water there?

A. At this reservoir.

Q. Was the steamer carried out there too?

A. Yes.

Questions by Mr. Knowlton.

Q. Did the fire spread pretty rapidly after you got there?

A. Yes.

Q. Was the wind blowing freshly?

A. I could not say, now. I think the wind was north-west at first, and then changed.

Q. Did you give any attention at all to what other persons did round the easterly end of the building?

A. No, sir, I did not.

Q. And what Mr. Rice might have done, or any other officer, you do not know?

A. No, sir.

Q. Do you think the building might have been saved after you reached there?

A. I am unable to say.

Thursday morning, at half-past eight, Mr. Talbot not having arrived; on motion of Mr. Morrow, A. S. LERMOND was called, sworn and testified as follows:

Questions by Mr. Morrow.

Q. Where do you reside?

A. In Thomaston.

Q. Are you connected with the State Prison?

A. I am, as watchman—night watchman.

Q. At what time do you go on duty?

A. One week I go on at seven o'clock and another at eight o'clock.

Q. What time do you come off duty?

A. When I go on at seven I come off at five, and when I go on at eight I come off at six.

Q. Was you on duty Dec. 4th, the night of the fire ?

A. I was.

Q. What time did the fire break out ?

A. I first discovered it between half-past ten and eleven.

Q. Were you the first one who discovered the fire ?

A. So far as I know of I was.

Q. What called your attention to it ?

A. From the light in the window.

Q. Did you immediately give the alarm ?

A. I did, sir.

Q. How long after that were the engines there ?

A. I do not know.

Q. What did you do when you discovered the fire ?

A. I rung the bell. I had charge of the guard room and could not leave it.

Q. State whether it was your duty to go through this room after the convicts were locked up ?

A. Yes, sir ; I went through that evening a few minutes before seven.

Q. How many and what kind of stoves were in this building ?

A. There were two wood stoves and one coal stove in that building.

Q. Did you take particular care to see that all the stoves were closed and the fire taken care of that night ?

A. Yes.

Q. Do you know that there was no possible way that the fire caught from the stoves ?

A. There was no way that I saw.

Q. Have you any means of knowing how the fire could have caught ?

A. No. I was in the guard-room that night.

Q. Were there any carriages taken from the building that night ?

A. I do not know. I was not in position to know. I had all I could attend to in the guard-room.

Q. In the guard-room there is a window that looked out on to the building that was burned, is there not ?

A. Yes ; but the guard does not sit down at the window.

Q. You could look out ?

A. Yes, but I had enough to do, so that I could not look after the yard. I do not know that any carriages were removed from the burning building.

Q. Have you ever heard any one say whether anything was taken from that building or not?

A. I have never heard anything said as to whether the warden took out anything or not.

Q. Is it true that everything in that building, tools and everything else, was burned up in that building that night?

A. It is so far as I know. It is my impression that everything was burned.

Q. From what you know of the fire, and what you saw there, do you think if a proper course had been taken that carriages might have been removed?

A. I have no way of knowing. I saw nothing that gave me an impression that I could decide about it.

Q. Do not evade the question. I want you to answer whether in your judgment, if proper care and prompt action had been taken by those at the fire that night, some portion of the property in that building might have been saved?

A. I think at the first discovery of the fire there might, but I was not in a position to know.

Q. Did you see Mr. Rice on the night of the fire?

A. I did.

Questions by Mr. Talbot.

Q. Where was Mr. Rice when you saw him?

A. In the guard room.

Q. At the time the fire was burning?

A. Yes.

Q. Where else did you see him?

A. Nowhere else.

Q. Did you hear him give any orders in relation to the fire?

A. I did not.

Q. What was the condition of the fire when you first discovered it?

A. I saw it shining into the windows.

Q. Where was it burning?

A. It was in the southwest end of the building—or the westerly end toward the shoe shop.

Q. Could you look out of the window and see what was going on?

A. I could if I had observed, I had all I could attend to in the guard room. When I first discovered it there was no one down

there that I saw. I gave the alarm. Mr. Keller went towards the burning building first; he and Mr. Herbert came about together. The warden and his wife came up next; it was between half-past ten and eleven. I did not see the warden when he came. I don't know whether he had been in bed or not.

Q. Had any of the engines done anything before you saw Mr. Rice?

A. They had not.

Q. Had any one gone to the building?

A. They went out there. I did not look; I was busy.

Q. Do you know when Wendall Rice came?

A. Not until after his father.

Q. How long, after Mr. Rice came, was it before they commenced to play upon the fire?

A. I do not know.

Q. Do you know of any one going into that building?

A. No, sir.

Q. Were the inspectors there?

A. I did not know the inspectors at that time, still there were men there that I supposed to be the inspectors.

Q. How did you take care of the prisoners?

A. I was not below, where the prisoners were. I had to stand by the door, to let persons come in. Part of the time I attended to that door, and part of the time the side door that went down into the prison.

Q. How long have you been there on the night watch?

A. Since November 4th or 5th of last year.

Q. Had you been an officer in the prison previous to that?

A. No, sir.

Q. You do not know where the warden came from when the alarm of fire was given?

A. I do not.

Q. When the warden came there did you hear him give orders in relation to the fire?

A. No, sir.

Questions by Mr. Knowlton.

Q. Was everything done, so far as you know, that could be done to extinguish the fire and take care of the property?

A. So far as I know, it was.

Q. And was everything done which could be done to take care of the prisoners?

A. Yes; I think it was.

Q. At any time during the fire, or after Mr. Rice came into the guard-room, did he give you any directions or caution you that none of the prisoners should escape?

A. He did.

Q. What did Mrs. Rice do when she came in?

A. She rung the bell.

Q. What were you doing at the time?

A. I was attending the door. I paid no attention to the fire, only to glance out once in a while.

Q. Was there quite a lot of lumber in the basement of the building?

A. I never was in there, only to look in.

Q. Was Mr. Rice there soon after the bell rung?

A. Very soon.

Q. And also the guard?

A. Yes, sir.

Q. Was everything done that could be done to extinguish the fire, so far as you saw?

A. It was.

MR. MORROW:

Q. Do you say that when you were opening the door on the south side, and you glanced out, if there had been anything taken out of the building you would not have been likely to have seen it?

A. Not unless I was looking in particular for it. I was attending to my business.

HENRY A. WILLIS sworn:

In answer to interrogatories by Mr. Talbot.

I reside in Thomaston. I am the Post Master there. I have been an officer in the State Prison; I went there in the year 1868, if my memory serves me right. I went there as a night watchman. I received \$400 a year, and afterwards \$500. The inspectors thought they could do without an extra night watchman, and I was removed and put on to the wall and received \$500 for the rest of the time I was there.

Q. What do you know of the treatment in the lazy cells or the dungeon?

A. I know that they were put in there.

Q. What do you know of their treatment in regard to food and water?

A. I only know what they said.

Q. What did you do in regard to it?

A. According to my instructions from the deputy warden I should do nothing.

Q. Did you obey those instructions?

A. No, not always; I gave the men water on several occasions.

Q. State whether or not you believe they needed water?

A. Yes; I judged from the quantity of water that they drank that they did, and at another time by a story of the man.

Q. Who was that man?

A. I remember one very distinctly; his name was McDougal; he was in the dungeon, or dog-hole, so called; there was nothing in it but his bucket. He was hammering on the door with his bucket cover, and it disturbed the prisoners so they could not sleep. He said if I would give him some water he would stop it. I asked him first if he would keep still while I was on the watch there, and he promised me faithfully that he would, and I gave him some water. I turned out a dipper full once and he drank that, and then some more in the dipper. According to my best judgment he drank three half pints. I do not know how long he had been in there.

Q. What did he say about not having water?

A. I do not remember as to that.

Q. In regard to the other prisoners, did you furnish water to others?

A. Well, there were several prisoners that I furnished it to.

Q. Were there any in the lazy cell?

A. There were always more or less there, and more or less calling for water.

Q. Did you look at the tongue of any prisoner?

A. Yes, they have showed me their tongues.

Q. What was the condition of the man's tongue that you examined?

Mr. Knowlton: I object to that.

Mr. Talbot: Let the witness state what he saw himself. State whether you did examine the man's tongue, and in what condition you found it.

A. I looked at it. It looked red. I do not know whether it had a natural look or not. He wanted water and I gave him

some, and he wanted more, and I told him I would not give him any more.

Q. Did you make any remarks to the warden or deputy about their treatment?

A. Some two years afterwards I called the attention of the warden to it and told him what I had done, and he approved of my course.

Q. Who was it that gave you the directions not to give the water?

A. It was the deputy warden.

Q. Did you at the time say anything to the deputy warden about this?

A. No, sir, I did not dare to.

Q. Why?

A. He was a pretty big man and I was afraid of him.

Q. Because you violated his orders?

A. Yes.

Q. What was your opinion as to the mode of punishment all the time you was there?

A. It was pretty severe, I should judge. I do not know whether they deserved it or not, that is not for me to judge.

Q. How long do you know of any person being kept in the dungeon or lazy cell at one time?

A. I do not know only so far as I heard. I do not want to swear to only what I know.

Q. Did you board at the prison?

A. I did not, sir.

Questions by Mr. Knowlton.

Q. What year was this that you gave water to the prisoners?

A. If I remember right it was in 1868 that I gave McDougal the water.

Q. Who was warden then?

A. If I remember right it was Amos P. Wood.

Q. Who was warden in 1869?

A. Think Mr. Burton was deputy warden.

Q. Who was the second man you spoke of to whom you gave water?

A. I cannot state his name; there were always more or less in the lazy cell.

Q. Do you know the condition of his mouth and tongue before he went there?

A. No, sir.

Q. Do you know how long he was in the dungeon?

A. He was not in the dungeon, he was in the lazy-cell.

Q. Do you know how long he was in there?

A. I could not say.

Q. The deputy warden has the exclusive management of that matter does he?

A. Yes, I suppose so.

Q. And about two years after you say you did mention it to Mr. Rice?

A. Yes; I was not watchman at the time I mentioned it; I told him of both cases and what I had done, and he approved of it.

Q. How long was that before you left the prison?

A. Very near the time that I left.

Q. Did you remain for some two years after the first instance occurred?

A. Yes.

Q. And during that time you never mentioned it to the warden?

A. No, sir.

Q. With whom have you conversed as to what you testify to before this committee?

A. Not any one. I have talked in relation to this matter, but never have told any one what I would communicate before the committee.

Q. To whom have you communicated during the last year what you knew about the matter?

A. With several of the prison officers and others.

Q. To whom not connected with the prison have you communicated it?

A. To Mr. Chase, Mr. Ruggles, Mr. Levenseller, Mr. Gerry, and several others.

Q. Did Judge Ruggles call upon you in regard to it, or did you go to his place?

A. I don't know as I ever spoke to Judge Ruggles, it was John Ruggles, Jr.

Q. Is he a brother-in-law to Dr. Chase?

A. I suppose he is.

Q. Where did you have this conversation with Mr. Ruggles?

A. On the street.

Q. Anywhere else?

A. Yes, sir.

Q. At Dr. Chase's?

A. No, sir.

Q. In the post office?

A. I don't remember of having any such conversation with him in the post office.

Mr. Talbot interrogating.

Q. You have stated two instances where you gave water to prisoners, are those the only instances?

A. No, sir; I have given it in several instances.

Q. Did you understand that it was a part of the punishment not to allow them water?

A. Well, I supposed that a man under punishment was on an allowance of bread and water; that is the way I understood it, that they had a certain amount of water and bread allowed them. I had positive orders not to furnish them any water or bread.

Q. Have you had any conversation in the post office, either with Dr. Chase, Mr. Ruggles, or Mr. Levenseller, in regard to this matter?

A. Well, it has been mentioned in there by a good many, by Dr. Levenseller, Mr. Ruggles, Mr. Whitney, Mr. Stackpole, and I don't know how many.

Q. It has been discussed there pretty generally?

A. It is no such thing; I deny it. I see the direction you are trying to give it, that this is a rendezvous for such discussion. My business is in the post office, and if I make any talk of course it is in the post office.

Mr. Talbot: Now we have only one or two witnesses more to call, unless Mr. Rice is going to testify, and, as they are not here, if Mr. Rice is going to testify he had better be examined now.

Mr. Knowlton: In reply to that I have to say that everything that is to be put in against Mr. Rice ought to be put in before he is called upon to answer.

Forenoon session adjourned.

AFTERNOON SESSION.

HENRY C. MARDEN SWORN :

Mr. Talbot first interrogating.

Q. Have you been employed at the State Prison ?

A. I have, sir.

Q. When did you commence ?

A. Directly or indirectly, I commenced in 1862.

Q. How much of the time since then have you been employed ?

A. I think I sold on commission some three years ?

Q. You received a certain commission upon what you sold from the prison for three years ?

A. Yes, somewhere about that time.

Q. How has it been since ?

A. From September, 1865, I went there on a salary of \$600. I think I went there in September, 1865, and worked till April, 1867, at a salary of \$600. I think the next two years I had \$700.

Q. That would bring up to 1869 ; what have you received since then ?

A. Well, I had \$800 after that, I cannot say whether it is two years or a year and a half.

Q. Are you speaking of the financial year of the prison, or from the time you began ?

A. My salary was raised, I think, the first of April, and whenever it was raised, it was raised in April. I had \$800 till within two years, up to April, 1872.

Q. What have you had since that time ?

A. Well, I have had nine hundred dollars, directly. Well, I have had more than that at that time I gave the warden notice that I should leave.

Q. When ?

A. Previous to April, 1872 ; I think it was in February. I told him that I had had an offer which I considered better than I was doing, and I felt it my duty to leave. He partially discouraged me ; he said perhaps I was going into an uncertainty and had better let well enough alone. I told him what I had been offered, and that I could not stop unless I had more salary. We talked more about it afterwards, and he said I was well situated here and had better stop. I told him I had a much better chance, and I felt it my duty to leave, but if he would give me what I asked I would stop. Within a day or two we talked more about

it, and I told him what I would stay for. I told him if he would give me \$900 a year and my house rent from that time and give me a carriage and harness I would stop another year with him. He did not give me a decided answer then, but when he did give me an answer he said there was considerable more business than he could do, and he had consulted with the inspectors and had concluded to give me what I asked.

Q. Had you, previous to that, occupied a tenement belonging to the State?

A. Not at that time.

Q. Have you, since that time, made an arrangement by which you receive \$900 and have a carriage and occupy a building belonging to the State?

A. Yes, sir.

Q. Was any sum fixed for the rent of that building?

A. I considered it \$100. I had lived in the house two years previous to the warden's buying it.

Q. And you have been in the employ ever since and have occupied that house?

A. Yes, from April, 1873, I have had \$900 and my rent; the carriage was bonus for one year.

Q. Now state your mode of transacting business?

A. Well, I have taken carriages from the prison and sold them by the warden's orders.

Q. When you take a carriage from the prison what account is taken of it?

A. The warden takes an account of it. He takes down on a book that I have such and such carriages, whether buggy or wagon, and I have to make return for the same.

Q. Does he fix the price?

A. He does.

Q. Then what?

A. Well, I sell them to the best of my ability. I swap and trade, and exchange and sell to the best of my ability.

Q. Then, when a carriage is taken out of the prison, say it is put down \$200, are you in any way limited by anybody as to how you shall trade?

A. I render in, every time I come back, what I have done.

Q. When you trade and take an old carriage, who fixes the value, who is to say what the old carriage is worth?

A. The warden is to look after it and see if it is done right.

Q. No ; but suppose you are down to my place and make a trade, who fixes the price ?

A. I do at the time.

Q. And then when you go back to prison you render your account, so much for a second-hand carriage ?

A. Yes, and sometimes he would censure me for it if I did not make a good trade.

Q. Censure is nothing, does he charge you with it ?

A. Of course.

Q. Who fixes the value of the old carriage, suppose you swap with me ?

A. He does.

Q. Have you sold, since you have been in office, all the carriages built there ?

A. No, sir, not wholly.

Q. Have you had any places where you consigned carriages and left them to be sold ?

A. Perhaps I might have one where I wanted to get back, and where I thought I had sale for it, and left it with parties until they decided to take it.

Q. Do you know whether or not the warden does consign carriages to different parties in the State ?

A. I do not know.

Q. Don't you know that carriages are consigned to parties and shipped to different parts of the State ?

A. I think they are.

Q. Can you tell how many carriages you have sold ?

A. The warden has an account of it,—every one I have sold.

Q. Do you know about how many you have sold ?

A. I could not tell.

Q. What commission did you have when you sold on commission ?

A. Ten per cent.

Q. Did not you ever figure up to see whether it was better to sell on commission or on salary ?

A. No ; times were different then.

Q. How much of the year, say take the last year, have you been employed, in selling carriages ?

A. Well, all of the time ; that is all the business I have had.

Q. Has it taken all your time ?

A. No, sir. I have done other business. When it was not

suitable to go out with carriages, I have been round the prison and done trucking for the prison.

Q. Have you been furnished with a horse at the expense of the State, when you were selling carriages?

A. Yes.

Q. Can you tell about how many carriages you sell?

A. Old and new, from one hundred to one hundred and forty to fifty a year.

Q. Where has been the circle of your operations; how far east and west, north or south?

A. My principal bounds are on the Penobscot river, say from Bangor to Rockland; I have sold carriages above Bangor.

Q. What was the average price taking them together, old and new?

A. I could hardly tell you the average. I could tell you the average prices of the new work.

Q. Well, let us have that. How many new carriages have you sold?

A. I do not know as I can tell you anywhere very near.

Q. You say you sold them for from one hundred to one hundred and fifty dollars; what proportion would be new?

A. When I sold I made a minute of what I got.

Q. Yes, but how many carriages have you sold? I want to get at the average.

A. New carriages will average—a common wagon will average \$125—piano box buggies will average \$150 to \$160—what we call grocery wagons will average from \$130 to \$165.

Q. You are speaking of the prices last year?

A. That is what I am talking about.

Q. Now state as near as you can how many you sell of each kind?

A. Well, say one hundred new ones.

Q. Well, what would be the average of that one hundred new carriages?

A. I should say it would average \$140, taking everything.

Q. That would be \$14,000 for a year?

A. For carriages; yes.

Q. How about harnesses?

A. Well, I have not sold a great many harnesses, perhaps the past year I have sold fifteen or twenty harnesses.

Q. What is the average value of a harness such as you make there?

A. From \$28 to \$60; what I have sold would average \$44 I should say.

Q. How many sleighs?

A. Our winters have been very uncertain in regard to sleighs. I will say fifty sleighs.

Q. What would be the average price of them?

A. From \$60 to \$90.

Q. Did you not have some sleighs that you sold for more than \$90?

A. Yes; our untrimmed sleighs we sell from \$60 to \$65; our trimmed sleighs according to the quality from \$80 to \$100.

Q. Have you distributed these within that district you spoke of?

A. Yes; but I have sold some in other places.

Q. Did you have any commission on the sales?

A. No, sir.

Q. Are you authorized to make any discount when you receive cash?

A. No, sir; I have not been in the habit of doing so.

Q. And you receive no commission whatever?

A. No, sir; nothing but my salary.

Questions by Mr. Morrow.

Q. When you take a carriage out of the shop, and the warden fixes the prices, say at \$200, and you take it into the country and exchange it, and bring back \$140 and an old carriage—

A. I don't trade in that proportion.

Q. Well, I am only illustrating; you say in some cases you trade new carriages for old?

A. I do in some cases.

Q. Well, now suppose when you go back with \$140 and the old carriage, which you took for \$60, and the warden says that the old carriage is worth only \$40, there is a difference of \$20 and how is that difference arranged?

A. When he ever censures me for any such thing as that, I always say to him, "Well, Mr. Rice, I can get out of it, and get my price for the carriage."

Q. And the idea is that you took the old carriage and disposed of it in some other way, so as to make it turn the prison \$60?

A. Well, I always calculated to turn it so as to get the price of the new carriage to the prison.

Questions by Mr. Talbot.

Q. When you get back is there any record kept to show to whom you sold the carriage?

A. Yes, sir.

Mr. Morrow. When you sell a carriage, do you give a bill and receipt?

A. I do, when it is required.

Q. Do they not generally ask you for a bill and to receipt it?

A. Sometimes they did. I always give it when they ask it.

Q. When you got back you reported to the warden the sales of both carriages and harnesses?

A. Yes, sir; sometimes I have to trade half a dozen times (old carriages) before I make up enough for the new carriage.

WILLIAM WILSON, SWORN:

I reside in Hallowell. I am one of the inspectors of the State Prison, and have been since 1862, continuously all of the time.

Q. State whether you have from time to time established rules and regulations for the direction of the officers and agents and servants of the prison, in the discharge of their duties?

A. We have, not in writing, but verbal.

Q. Have those verbal orders been approved by the Governor and Council?

A. Not formally. There were rules and regulations there when I went there; they have never been written so far as the officers are concerned; they have been so far as the prisoners are concerned.

Q. Have you established rules for the government, instruction and discipline of the convicts, and for their clothing and subsistence; and for the custody, preservation and management of the public property?

A. We have verbally.

Q. Have you in writing in any way?

A. No, sir.

Q. What has been your custom, if not in accordance with the requirements of the revised statutes, in establishing the compensation of the officers whose compensation is not established by

the revised statutes; how have you fixed the salaries of the officers?

A. We fixed them in writing and they were approved by the Governor and Council.

Q. When was that?

A. The new law, when it authorized inspectors to fix the salaries, we then made out a list of the salaries and had them approved by the Governor and Council.

Q. When was that?

A. I don't recollect the year, but it was soon after the new law was passed.

Q. Was not you a member of the legislature when the new law was passed?

A. I think I was.

Q. Did you not originate that law?

A. No, sir.

Q. Did you, soon after that law took effect, establish the compensation of the various officers of the prison, in writing?

A. I did.

Q. Previous to their commencing upon the discharge of their duties of the year?

A. I could not state definitely the time, but it was soon after the law took effect.

Q. You said that was approved by the Governor and Council?

A. Yes.

Q. How often and at what times have those regulations been changed in writing?

A. Well, as to the dates, I could not say, but the records will show, I presume.

Q. Have you made out the salaries contemplated the year succeeding this law?

A. I did not consider that the law required that. I have not done that.

Q. How have the salaries that have been raised, for subordinate officers, been fixed?

A. Those who received the same, it was not necessary to fix them. I will state Mr. Chase, overseer in the shoe shop; his salary was fixed at \$800, and at that time we had an assistant in his shop at \$700. It was then costing \$1500 to oversee that shop, and Mr. Chase said if we would give him \$1000 he would run the

shop as well as it ever was run. And the result shows that it has been run better than it ever was before. We agreed to give him a thousand dollars.

Q. Did you fix the salary at a thousand dollars in writing and have it approved by the Governor and Council?

A. No, sir. It was a little matter and we did not consider it necessary.

Q. How long is it since you have fixed in writing the salaries to be paid to the subordinate officers of the prison, and had that fixing approved by the Governor and Council previous to their being paid?

A. We have never had the salaries approved by the Governor and Council since the first time—the salaries of the subordinate officers.

Q. By whom are these officers paid?

A. By the treasurer of the prison.

Q. On what vouchers has the treasurer paid them?

A. He has taken receipts from them.

Q. Have these receipts been approved by the inspectors before they have been paid?

A. No, sir, I did not suppose it was necessary when it was established by law, and the treasurer paid them.

Q. Have the accounts of the warden, wherein he has paid out and charged the amounts paid to the subordinate officers of the prison, been approved by the inspectors?

A. Yes, every year. I cannot say that we have formally approved them at the time in writing, but we have approved them.

Q. Have you been in the habit of supervising the books of the prison to ascertain what was paid to the subordinate officers?

A. Yes. When I am there I have looked over the books. Sometimes they got money along during the month, and then the warden charges so much paid for salaries.

Q. Then how could you know, so as to approve them?

A. I say we have not always approved them formally.

Q. Please state the method which has been adopted in taking an account of stock and property of the State, connected with the State Prison, annually. Give it in detail. State what time of year first?

A. We usually commence after Thanksgiving. We take a piece of board about so long and so wide (indicating), some of the inspectors take a pencil with paper upon this, and we go and

appraise each article. We go into the subsistence account, say. We go to the storehouse and we find so many barrels of pork; we enter it, if it is all the same quality, and appraise it at such a price; then we go and take an account of the beef the same, and everything pertaining to that department. If there is anything during the time, that we are not certain about the value of, we take the amount and have the value to be fixed afterwards. Then if we go to the piggery we take the number and each class of swine and enter it, and so go through that department. We call at the shoe department and take account of all the different classes of boots and shoes. We go around and count the number of cases, the overseer assists in getting them together—those that are not in cases; and then the leather and everything in that department. Sometimes we asked the overseer to go and get the different articles together, and he makes a list of them sometimes, and we ask him to count this and that in our presence, and so throughout; that is the course pursued there. Then we come to the carriage department, and we take a number of some style of carriage and we base our price upon these usually by the market price of them, and what is the market price is what they are being sold for every day, and then we deduct what would be the natural expense of getting them to market. For instance: they have made a great many Concord wagons there, and they have sold from \$120 to \$125. I think we have never appraised them over \$105; and carriages, they have been selling right along at \$250, we appraised at \$225, and then we go through and examine each carriage and appraise each one as we go along. The sleighs that sold at \$80, wholesale, at that time of the year when they are usually selling sleighs, we have never appraised over \$75. They sold for \$80, and more than that; I paid the warden \$90 for one myself. Then we go into the blacksmith's shop, and we have the different kinds of iron and steel all weighed off.

Q. Are you giving details of what you do every year?

A. Yes, every year, always since I have been there. On our memorandum we go and enter the number of pounds of Norway iron—seven-eighths and inch iron—the number of pounds of this. The price varies. Then, in the evening, after getting this memorandum, we go into the warden's office and refer to the original bills, and in order to satisfy ourselves whether he buys well or not, I have sometimes taken the memorandum from my own books to compare them. (We do a good deal of business in iron.)

We get the number of pounds and capacity of that, then we enter the price. The lumber—sometimes one of the inspectors has taken the minutes himself, while he had a surveyor and one of the prisoners to overhaul it. Sometimes Mr. Moore (he was a practical surveyor) has taken it, and we have looked at each pile, and, when it could be done, we have taken the measure of it, and had the pile surveyed in our presence. I will add further that in taking the account of the steel and iron, from the bills, we have never added anything for truckage.

Q. Nor made any discount?

A. No, sir.

Mr. Knowlton. Were they net bills?

A. I could not swear that they were net bills always; but so far as I have known they have been net bills.

Mr. Talbot:

Q. About how long has it taken you, annually, to take account of stock, as you have detailed?

A. From two to four weeks.

Q. How many of you?

A. Two of us. I will add further, with regard to the tools, we have not always taken the account of each tool in detail. For instance, here are some number of men in that carriage department; when we had taken everything in detail, even to a pegging awl, the next year perhaps we would look the tools all over and compare them with the schedule of the previous year, and see if all the things were there; of course, if the tools wore out they must get others. When they have remained about the same we have entered them so much. We have done the same in the blacksmith's shop, and they have been entered, in our judgment, the same as the year before; and when we have not weighed every tool in the blacksmith's shop, it has not taken us so long. When we go through in detail, it has taken us about four weeks.

Q. What time did you commence last December?

A. I did not do but little last year towards taking account of stock; I was there twice.

Q. Do you know what day they commenced taking account of stock?

A. I think it was Monday after Thanksgiving.

Q. Was you there when they did commence?

A. Yes.

Q. How long did you remain?

A. One day. Mr. Prince and Dr. Billings took the account. It was almost impossible for me to leave my place. I thought it was not necessary to have more than two to do that. I thought it was not necessary for me to be there, and it was less expense to the State.

Q. How many times were you there after you was there the first day?

A. Only once.

Q. How long after that was you there again?

A. About a week.

Q. How long did you stay then?

A. One or two days.

Q. Was you there again during the taking account of stock?

A. No, sir.

Q. Did you sign the appraisal after it was made out?

A. No, sir.

Q. Was you there on the 4th of December?

A. I think not.

Q. On the day of the fire?

A. No, sir, I left the day before.

Q. Do you know how far the account of stock had progressed when you left the day before?

A. Only from the statement of Mr. Prince.

Q. Didn't you have anything to do with taking account of stock?

A. In that department I did not.

Q. Did you begin to take account of stock the first day?

A. Yes, the furniture in the warden's house and office.

Q. How far along in taking account of stock had you got when you left?

A. I could not state, I had but little to do with it.

Q. Then you did not know at the time of the fire, how far the account of stock had been taken?

A. Only as I learned it from others.

Q. Was you there more than two days this last December?

A. I could not tell whether I was there two or three days. I was there only twice. The second time I was there after the fire.

Q. That was all you had to do last year?

A. Well, I looked over the books.

Q. Was you not there again when you signed the return of the inspectors?

A. I was there when it was signed ; it was not signed till afterwards.

Mr. Knowlton. Did you say that you had always been there before last fall, when the account was taken ?

A. Yes.

Mr. Talbot. Were they taking the account of stock when you was there the second time ?

A. Yes.

Q. How long did they continue to take account of stock ?

A. They were pretty nearly through the second time I was there. I was examining the books and looking over to see what they had done.

Q. Did you do anything the second time you was there towards taking account of stock ?

A. I did.

Q. In what department ?

A. There were certain things that my attention was called to in different departments ; I looked over the accounts that they had taken and some things that they had left.

Q. Did you go around yourself and take account of stock the second time you was there, or merely look over the accounts they had taken in your absence ?

A. I went there for both purposes, to look over their account and to assist in the work.

Q. Where did you assist in the work the second time you was there ?

A. I think I was round in the different departments. I took these books and went through and inquired about the things that were taken. There were some things that were left that they had not taken.

Mr. Knowlton. During the time that you have been one of the inspectors, has the warden, to your knowledge, or any of his subordinate officers, had any of the property of the State except what they have paid for ?

A. No, sir.

Q. Do you know whether the warden has had his wood from the State ?

A. Perhaps I could give the committee a better idea by telling our course of dealing with the warden in that department. In the first place I will state that my idea is that the way with any officer of the State should be to give him his salary without a

single perquisite. As far as the warden is concerned, all the perquisite he has had to the value of one cent, is the house that he has lived in and about half pasturing enough for his cow. He has had his coal and wood, to a certain extent, from the prison, and his meat and kerosene and molasses goes from the prison to the warden's house, and every cent, to our knowledge, has been charged to him. During three years we find on the book \$299 charged to him for fuel. The State keeps his cow, but in consideration of that—or I will state that previous to this wardens have been in the habit of charging for food furnished to sick prisoners—food that has usually gone from the warden's house. We told Mr. Rice, that if he would furnish the food for the sick ones, that in consideration of that we would allow him to feed his cow from the barn. He has had two colts there. We have charged him two dollars per week, \$104 each per year, for keeping the colts, and in my judgment the State has made fifty cents a week on each. The swill that is made goes to feed the hogs of the State, and when the hogs are killed they feed the prisoners.

Q. Do you know whether the warden's wife has received any compensation?

A. She has never received one cent since I have been there; I have felt that she ought to be paid.

Mr. Shaw. Are you sure about that?

A. I never knew that she had one cent.

Mr. Shaw. I asked because I heard yesterday that she had \$800.

A. With reference to the stable—when Mr. Rice first went there, he found his own carriage and horse to do the business of the State. I think now he rides part of the time in his own carriage and part of the time in the State's; in consideration of the use of his horse to the State, it is kept at the expense of the State. With regard to the furniture in the house, I will say that when he went there—there is a very large parlor and a large chamber over it—Mr. Rice came to the inspectors and said he did not know how long he should stay there, and he did not want to occupy, himself, these two rooms; he did not think it would be prudent for him to get carpets for these two rooms, but it was very convenient when the Governor and Council and other officials from abroad were there. It was very convenient and desirable to have those two rooms furnished, and the inspectors instructed him to furnish these two rooms at the expense of the State. The carpet

in the entry is his own. I presume that those two rooms have been opened very little during the year, except when the State officials were there.

Q. What did that carpet cost?

A. It was bought when carpets were cheaper; I would be willing to pay for it, to-day, all that it cost.

Q. When the Governor and Council go there, by whom are they entertained?

A. By the warden at his own expense; and I want to say another thing—the salary of the warden looks large; when he first went there his salary did not near pay his expenses, as he informed us; the business has increased; the number of prisoners is pretty large; he necessarily has a great amount of company. If the Governor and Council go there he entertains them. If the committee from the legislature go down there, he entertains them with a good turkey dinner. And the fathers, mothers and sisters, of the prisoners go there; and I have known women whose husbands were there, to go there with just money enough to get there, and of course could not go to a hotel, and I have known him to keep some of these wives there a week, and he has told me that he gave them money to get home with. This is all at the expense of the warden. At the insane hospital it is different.

RUFUS PRINCE, SWORN:

Interrogatories by Mr. Talbot.

Q. How long have you been an inspector of the State Prison?

A. I think this is my sixth year.

Q. Have you been present every year since you have been inspector, at the taking account of stock?

A. Yes.

Q. All the time?

A. Yes; that is, I did not arrive this year till a day after the rest; but before they commenced work.

Q. What day did you commence last year to take account of stock?

A. I got there Tuesday noon. It was the first Tuesday in December. We commenced immediately. Mr. Wilson and Dr. Billings were with me. I think Mr. Wilson returned home Wednesday. I found him and Dr. Billings there when I got there.

Q. What course did you pursue?

A. I don't know as I can state exactly. Our course has been to go into the several shops and ask the overseers to make schedules so far as they can, and also to ask the commissary to make a schedule of stuff in his department, and then we usually go into the house and the warden's office.

Q. Do you know where you worked the second day of December?

A. We first went into the warden's house, it is my impression. The first part of the appraisal was in the house and warden's office and in the guard room.

Q. How far had you progressed at the time the fire broke out?

A. I could not say positively.

Q. Had you taken the account of the stock in the building where the fire broke out?

A. We had not taken any account of that building.

Q. How did you come at the account which you made in that building?

A. We always went to the overseers to have them take an account and make a schedule. After the fire we went to the overseers and asked them what they had done. The overseer of the paint shop said he had a schedule in there, but it was in his desk and was burned. The overseer in the wood-shop had his; it was in his desk and it was saved, and that schedule we had.

Q. Who was that made up by?

A. Mr. Vanstone, overseer. After the fire we sat down with the overseer in the paint shop, and asked him to give us a schedule from recollection.

Q. Who was that?

A. A Mr. Smith. I cannot give the christian name—and he did.

Q. One schedule in particular was saved from the fire?

A. Yes, and we took that for a true schedule of the property.

Q. And as to the other; Mr. Smith told you that he had made a schedule and that it was in his desk and burned?

A. Yes; and we took it from his recollection. We have on our book the items in the several shops. I sat down and took the book and took the items of the year before, and said to Mr. Smith, "How much have you of this kind, if you recollect, give it as it is, if not, estimate it; but be sure and not estimate it too high." And in the lower shop Mr. Piper had not taken any in his part, which was about the whole of the lower part of the shop. We

took it from his recollection. He had his stuff all together. It was different kinds of wood used in the manufacture of carriages. There was some in the basement also.

Q. How lately before the fire did you yourself see what was in the building?

A. My impression is that it was some time in September.

Q. That time you was not there to tell what there was?

A. Not to particularize.

Q. Do you know whether Mr. Robinson of Thomaston, had any sleighs there?

A. I do not.

Q. Do you know what amount of property was there, that did not belong to the State?

A. No, sir.

Q. Did the overseer tell you what was there that did not belong to the State?

A. He was requested to give us what belonged to the State. Everything that does not belong to the State has a tag on it. The overseer knows what does not belong to the State.

Q. Did you, in getting at what was in the department where no schedule was made, look at the book of the year before?

A. We asked the overseer about the kinds that was there the year before. The overseer knew nothing of the amounts. We took the book of the year before and went right along with it.

Q. When was you appointed?

A. I think I was appointed in March, 1868.

Q. Have you ever known any rules approved by the Governor and Council, fixing the compensation of the officials there?

A. No, sir.

Interrogatories by Mr. Morrow.

Q. Did I understand you that the overseer of the paint shop had taken account of the stock in his shop?

A. Yes, and it was in his desk.

Q. Were you in Thomaston at the time?

A. Yes.

Q. You were in the habit of going through the shops with the overseers and assisting them to take account of the things?

A. Yes.

Q. Had you notified all the overseers to make schedules before that?

A. Yes; they make a schedule and arrange the stuff, and then we take that schedule and go over it to see if it is all there. Sometimes we did not take all the items, but looked them over in parts.

Q. Was that lumber that lay in the prison yard all overhauled and surveyed last fall?

A. Yes; my impression is that one pile of spruce and hemlock was not overhauled. The rest was all overhauled.

Interrogatories by Mr. Knowlton.

Q. Have you anywhere the amounts of property which you estimated in this manner which you speak of, that was destroyed in the shop?

A. Yes.

Q. Have you it with you?—if you can give the amounts it is just as well.

A. It was some sixteen or seventeen thousand.

Q. State whether, in ascertaining the value or the amount of property which was destroyed by fire, whether where there were doubts of the amount of property or the property being there, which way did you give the doubts?

A. We put it at the lowest figure. We instructed the overseers to be sure not to give it too high. There were some items that we will make oath to.

Q. State whether you went through and in detail weighed and surveyed in December last, all of the property?

A. Yes.

Q. In that appraisal, state whether you fixed what you regarded a fair value of all the property?

A. We did.

Q. In regard to the lumber which was in the yard—state whether you took measures to ascertain how much lumber there was, and the condition and quality of it?

A. We do not overhaul all the lumber ourselves; we had the overseers and prisoners to overhaul it, and we would drop out there occasionally, and after they had overhauled and piled it up again, we took a rule and measured to satisfy ourselves whether they were correct.

Q. Did you satisfy yourselves?

A. Yes; there was one small pile I was somewhat in doubt about, and I made them overhaul it a second time.

Q. State whether you classified and fixed a fair cash value on that lumber?

A. That is what we intended to do.

Q. Was it so in regard the entire schedule which you made?

A. Yes.

Q. Have you a schedule which you regard as a fair valuation of all the property?

A. Yes, sir.

Q. And signed?

A. Yes, sir. My impression is that Dr. Billings has not signed it.

Q. Did he concur with you as to the appraisal?

A. He did.

Q. Did you see the lumber overhauled so as to see the condition of it?

A. Oh, some of it; the most of it was in good condition.

Q. At the recent appraisal, please state who overhauled it?

A. The overseers and prisoners the same as when we did it. They had surveyors on to survey it. I think the prisoners kept the account. I think there were no overseers keeping the account.

Q. Who took the account at the shops this last time?

A. Mr. Cushman.

Q. At the blacksmiths shop?

A. Mr. Garcelon and Mr. Prescott got the stuff together and weighed and counted, and I think made the appraisal of the uncut stock, that is, the iron not cut; and then Mr. Garcelon, Mr. Chadbourne and Mr. Prescott figured on the amount. I think all in the shop was appraised together.

Q. Who took the account of the work in the harness shop?

A. Mr. Chadbourne and Mr. Wyman.

Q. And in the carriage shop?

A. I think in the wood work, Mr. Chadbourne and Mr. Wyman.

Q. Who took the property in the cells?

A. Mr. Prescott and Mr. Wyman.

Q. During the time that you have been one of the inspectors, please state whether in your knowledge, Mr. Rice or any of the subordinate officers or anybody, has had any property of the State without paying for it?

A. I do not know that they have.

Q. Have you paid Mr. Rice anything but his salary?

A. We have not.

Q. State whether he has had his wood and supplies for his family from the State?

A. He has not.

Q. Has he had anything?

A. He has not, except that he has used the house and cultivated his garden.

Q. Does the law require that the warden shall reside in the prison house?

A. It does.

Q. Has your course been the same in appraising the property every year, as it was the last time?

A. It has.

Q. Has the appraisal been fixed by the inspectors without regard to the warden?

A. It has; he has had nothing to do with the appraisal.

Q. Have you at any time examined, or been accustomed to examine into the manner in which the purchases were made by the warden, to see whether they were carefully made or otherwise?

A. Yes, somewhat.

Q. How has it been?

A. I think the purchases well made; some things I am not very well acquainted with, and perhaps should not be so good a judge as some one else.

Mr. Morrow interrogating.

Q. You spoke of when the account of lumber was taken by the appraisers recently, that it was overhauled by the convicts and surveyed by the overseers?

A. No, it was surveyed by surveyors employed and obtained there; I think both of them were citizens of Thomaston. The surveyor made the survey, and gave the account to the prisoner, and he put it down. The prisoner kept the account, but the survey was made by the surveyor.

Mr. Knowlton interrogating.

Q. I want to know if you saw the account taken of this lumber recently by the gentlemen that were sent down there?

A. I was down occasionally.

Q. How was it taken?

A. There were two prisoners to overhaul the pile, and a surveyor to measure it. He measured some of it. The surveyor gave the amount to a prisoner and he kept the account. I think he returned it to the surveyor, and the surveyor to the appraisers.

Q. Who were the surveyors?

A. Mr. Cooper and Mr. Beverage.

Q. Do you know whether the surveyor added the account taken of the lumber?

A. I do not.

FRIDAY AFTERNOON.

WM. WILSON recalled.

Mr. Talbot interrogating.

Q. How many overseers have there been in the prison, at any one time, since you have been one of the inspectors—overseers and assistants?

A. In particular shops we have guards.

Q. I do not mean guards; how many overseers and assistants at any one time?

A. I could not state exactly, for the reason that sometimes we have run the lower shop,—sometimes it has been run and sometimes it has not. They put in a carpenter sometimes to oversee, or a man they have around the prison. Mr. Maxcy has sometimes gone in. And, again, in the paint shop, a man with a smaller salary has gone in as disciplinarian, to relieve the overseers.

Q. I mean in the capacity of overseer—all that have acted in the capacity of overseer and assistant at one time?

A. Eleven, I think, including overseers and those who have gone in to assist.

Q. How many overseers in the shoe shop?

A. There have been two—overseer and assistant—but now there is but one.

Q. How many in the blacksmith's shop?

A. Two—overseer and disciplinarian.

Q. How many in the paint shop?

A. Two.

Q. How many in the carriage shop?

A. Three.

Q. In what other department are there overseers?

A. In the harness shop.

Q. How many?

A. One—there is no assistant in the harness shop.

Q. What others are there besides the ones you have named?

A. There is one in the trimming shop.

Q. Have you ever had more than eleven overseers employed there at one time?

A. I do not know that there has been—there might have been.

Q. How many guards have you authorized by the regulations?

A. Five regular guards on the wall.

Q. How many do your regulations authorize?

A. We allow him, if necessary for the safety of the prison, to put on an extra guard; for instance, if he is suspecting an attempt to escape, or of an attempt by people outside to get prisoners out, he puts on extra guards.

Q. What number have you fixed for regular guards?

A. Five on the walk and two night watch—that is the regular number fixed, but when it is necessary to take some of these to put in with the overseers, the number is increased, and we allow him to do that.

Q. What salary have you fixed for those guards?

A. Five hundred dollars.

Q. When was that so fixed?

A. When we fixed the salaries for all the officers in 1865.

Q. Do you not know whether the guards board at the prison?

A. A few of them boarded there a short time. I do not know how long.

Q. Do you know whether the board was deducted from their annual salary?

A. It was or paid.

Q. When was the office of commissary established?

A. I could not state definitely; that grew up in this way: We found the deputy warden could not attend to his duties as deputy warden and commissary both, as we thought he should do, and a Mr. Piper went in there when there was a large number of prisoners, and acted as commissary; I do not recollect when he was appointed.

Q. Where do you get the idea that the duties of commissary belong to the deputy warden? the Revised Statute says that the clerk shall perform the duties of commissary.

A. In the first place, it was impossible for the clerk to attend to the duties of clerk and act as commissary; and then the deputy warden was required to do that.

Q. Was it not because the clerk was so far advanced in years that he could not do the duties? How long has he been in there?

A. Forty years; he is an old man.

Q. You say Mr. Piper was first appointed commissary but did not go by that name?

A. Yes, I think he did not.

Q. When was he first appointed commissary under another name?

A. I don't recollect.

Q. When the office was changed to the name of commissary who was appointed then?

A. I cannot state whether Mr. Piper or —— . I think it was Mr. Piper, but could not state definitely.

Q. Mr. Piper or who?

A. Wm. G. Rice.

Q. What salary did you and the inspectors fix when you found it necessary to employ a man?

A. I have the impression that it was \$600, but cannot state definitely now.

Q. Do you know Wm. G. Rice's age?

A. I do not, sir.

Q. Was he married at the time he was first appointed?

A. No, sir.

Question to Mr. Warden Rice—How old is he, Mr. Rice?

Mr. Rice. Twenty-four or twenty-five, I think.

Q. I find in this report there is an employee of the prison, the name turnkey. What is the business of that officer?

A. I could not state definitely.

Q. I find another one, that is gate-keeper. What are his duties?

A. His duty is to occupy the post by the gate, up on the wall, as guard to open and shut the gate as persons pass in and out.

Q. Does that require a special officer?

A. Yes. I stated that he acted as assistant guard, and kept the gate. \$300 was his salary, I think.

Q. What are the duties of the commissary?

A. To take charge of all the clothing and provisions, and receive all the goods that come there and examine them, and examine all the bills, and return the bills to the clerk; and to oversee the provisions in dealing them out, (the cook is a prisoner); and it is a part of his duty to collect the soiled clothing and see that it is washed, and to see what needs repairing, and those that do need

repairing to send it to the proper room for repairs; and he has charge of the hogs; and it is also his duty to examine the cells.

Q. Since the office has been established under the name of commissary, has it been held by Mr. Rice's son?

A. I do not know.

Q. Did it require any more salary to pay the guards when they performed the duty of gate-keeper?

A. No, sir. When we received at the prison the Bowdoinham Bank robbers, the Norway Bank robbers, and other bank robbers, we felt it our duty to put on an extra guard. We felt that it was not prudent for the guard to go there to attend to that for fear of a raid in his absence.

Q. Was it also necessary to have more gate-keepers on that account?

A. I did not say we got more gate-keepers. There never was more than one on the gate at a time.

Q. Was not you aware that there is a provision in the statute that the commissary duties should be done by the clerks and that the salary is fixed by law?

A. Yes, but it was impossible for any one to perform those duties as they should be performed.

Q. Now, about the salary of the warden. Did you at the time you fixed the salaries in 1865, fix the salary of the warden in writing and have it approved by the Governor and Council.

A. Yes.

Q. How much was it?

A. \$1,800. We did not fix it by the year. The law is that the inspectors may fix anew from time to time the salaries of the officers at their discretion.

Q. Do you know that that was the sum paid the warden for that year?

A. I could not swear to it, for he received it from the State Treasurer.

Q. Have you ever fixed the salary of the warden in writing and had it approved by the Governor and Council since the first time you fixed it?

A. Yes, every time it was raised.

Q. Now tell us what it was for 1866?

A. I cannot state.

Q. When—at what time did you fix the salary whenever you increased it? What time in the year?

A. I cannot state; we fixed the salary in writing and sent it to the Governor and Council, for their approval, previous to his receiving that increased amount. He never received any back or extra pay for his services. His salary began from the time when it was increased. We fixed the salary not for the week or month but for the future.

Q. Did you fix the salary in January, 1872? That is, the time he began to earn it?

A. I cannot say whether it was in January or February.

Q. You could not state what the salary was in 1866?

A. I have stated that I could not, several times.

Q. When did you next increase it?

A. I do not recollect.

Q. Do you know what salary has been paid to the warden for the last five or six years?

A. No, because I have not audited that account with the treasurer.

Q. What was his salary in 1872?

A. \$4000.

Q. What was it in 1871?

A. I have said before that, previous to that, I cannot fix the dates, that it was increased. The documents before the Governor and Council I presume will show that.

Q. Do you know whether there was any trouble with the Governor and Council about approving the salary that was fixed one year?

A. I know nothing about it.

Q. What was the salary of the physician for the past year?

A. \$150.

Q. Has there been a regular physician?

A. Yes; Dr. Chase's salary was \$150.

Q. And the man who has been in since had the same salary?

A. No, sir, \$250, which was offered to Dr. Chase. Dr. Chase received \$150, paid to April 1st, I think it was, and having applied for an increased salary to \$600, we fixed it, I think, April 1st, to \$250. He then served as physician some months, and was removed, and Dr. Walker was appointed.

Q. Was there not a time in which the ministers of Thomaston filled the office of chaplain?

A. Yes.

Q. You have had no chaplain the last year?

A. No, sir.

Q. How long since you have had the office of chaplain?

A. I do not know. The regular chaplain was appointed to serve two years. Last spring the office was made vacant.

Q. Did you have anything to do with fixing the salary of the salesman?

A. It was fixed by the warden and approved by the inspectors.

WARREN W. RICE, Warden, sworn :

Mr. Talbot interrogating.

I am Warden of the State Prison. I took charge of the prison June 20, 1863, and have been warden ever since.

Q. What business do you carry on there?

A. At present we manufacture carriages of various kinds and harnesses, which is a portion of the carriage department, and boots shoes.

Q. How long since you commenced to carry on the carriage department?

A. That was the principal business at the time I took charge.

Q. What other business was carried on at the time you took charge?

A. The boot and shoe business.

Q. And the harness business?

A. That was not carried on at that time.

Q. When did that commence?

A. In the spring of 1870.

Q. What has been your method of carrying on the carriage department there. State in relation to the purchase of the stock, the employment of the men, the disposal of the property and all matters pertaining to it?

A. Well, I have conducted the business operations there, have had the general supervision and made all the purchases, or substantially all the purchases. I have been in the habit of making purchases at cash prices, with few exceptions.

Q. When you make purchases, are the bills made for credit and then discounted for cash?

A. Not always. I intend to get the goods for cash prices, notwithstanding I am not certain that I shall pay in 30 days. (My bills are made out against the prison.) I will say there are

some exceptions to that; occasionally a man makes a bill where I have not given directions, and I purchase on the credit of the Maine State Prison.

Q. State whether or not you have had the benefit of the discount—when you pay within 30 days what has been your mode of dealing?

A. I do not get any deductions; 30 days is considered cash. For some portion of the time, however, I have purchased iron of parties on four months and secured the discount when it was practicable.

Q. Where do you purchase your springs?

A. Of Mr. Wentworth of Gardiner, almost wholly; scarcely any exception.

Q. Do you pay the same as other parties who do not purchase so much?

A. I think I get them for less—they consider the additional security of the State worth a little something, and so I can get a little longer time. In some instances I have found it practicable to trade with one individual, but as a rule I find it better to divide the trade.

Q. The article of wheels—where have got them?

A. For a considerable time I bought the light wheels only and manufactured the large ones. I purchased of three different parties, and I do not know but of more. For a considerable time I purchased of Mr. B. I. Peabody, furnishing him carriages in exchange, and other carriage goods.

Q. When you make exchange of carriages in that way, has there been mutual deductions?

A. I buy at wholesale prices and sell at wholesale prices—this man is buying to sell again.

Q. And you sell cheaper than if he were buying a carriage to ride in?

A. That might not be necessary; if I can sell him at the same rate for him to sell again as I would you to ride in, that is his lookout.

Q. Where have you bought your iron?

A. Almost wholly, for the last year, in Portland. I buy of E. Corey & Co., they are importers. I am purchasing my mixed leather principally of Mr. Thwing of New Sharon; occasionally I purchase of other parties who come to buy a carriage. My sole leather, I formerly purchased of Tyler & Co., of Portland;

during the last year I have purchased considerable of Lamb & Tyler of Portland.

Q. The law says you shall not engage in trade, and still they set you to trading?

A. I trade as the warden, and not as an individual.

Q. What has been your manner of disposing of property manufactured there; take carriages for instance,—suppose a man should come to buy a carriage and did not want to pay for it at the time?

A. If you should come and want a carriage, I should sell it to you, and if I considered you responsible and wanted time, I would take your note, or if you wanted a short time and you might not want to give a note I would simply make a memorandum on the short book, and when you paid I would have it entered.

Q. In your manner of keeping your accounts in the carriage department, have you any way of telling by the books where such and such carriage has been disposed of?

A. Not fully; not all of them.

Q. That is, you make a carriage—say you did two years ago make one worth \$250, have you any way, by the books, of showing where it went to?

A. Not unless it had been entered in that way. If he had paid cash, the book would not show it. I could by looking over the blotter see that I had sold such carriages.

Q. Could you tell to whom they were sold?

A. Not in every case.

Q. Your accounts do not show that?

A. No; but I think they ought to.

Q. Have you sent carriages to difference places for sale?

A. Nothing of any amount; I sell them right out to the individual.

Q. You send a lot of carriages down to Mr. Sargent in Machias, every year?

A. Yes, sir; I have charged them to him.

Q. You make a minute of so many carriages to Mr. Sargent. Do you hold him responsible for those carriages unless he sells them?

A. He is in law holden for them but I would say to Mr. Sargent, that if he could not sell those carriages I would take them back and credit him with them; still I have never had occasion to do it except in one instance—the front seat to a sleigh which cost

\$5. He has closed his account two or three times with carriages on hand.

Q. Have you not other places in the State where you send carriages in the same way?

A. Yes, to several men in the State.

Q. Has anything been allowed to these men; have you sent them on the same condition that you send them to Mr. Sargent for sale?

A. Some would be allowed more than he because they would sell more; for instance, there is a man at Springfield—a man named Gates—I send them to him whenever he orders them.

Q. You do not expect him to pay for them until he sells them?

A. I charge them to him when I send them, but I might consider it for the interest of the State to take them, should he want to return them. There is but a trifle difference between the men, but the more a man sells the more I give him.

Q. What carriages do you sell yourself?

A. The books will show the amount sold. I have not been able—I have not had an opportunity to sell as much the last two years as formerly, because the business has increased to such an extent that it has taken me longer to close up matters. The business is ten times as large as it used to be.

Q. When you send out carriages and exchange for old carriages, how do you fix the price of the old carriage?

A. I will illustrate: You write me and say you want a particular kind of carriage and have one you want to dispose of. I answer back and say I will allow you what I can afford to, or I will add the repairs on it and charge you the difference between the carriages. Almost always I would fix a price and you would pay the difference between the carriages. I would take old the carriage at what we could agree upon, and you would take the new carriage precisely the same as though I owned the carriage. I simply enter the balance of the carriage on my books and run that old carriage right into the shop, and that is sold generally for more than what it cost. I have found that usually there is more profit in swapping than in selling.

Q. In the boot and shoe department do you do custom work?

A. Yes, we do as much as people wish me to, and harness work too. Sometimes we exchange boots and shoes. If you were visiting the prison, and wanted to exchange your shoes, we would exchange with you. We could put them on to the con-

victs. The prices are kept in the shops and the prices are fixed by the overseers. Sometimes it is necessary to direct it. The overseers are inclined to get a good price for everything.

Q. Are not you inclined in that way?

A. Yes, all that it will bear. I am inclined to do justice between the State and the individual.

Q. Have you no way of showing what the labor of the convicts amounts to per month or per year?

A. No, sir, it all goes into the lump. We do not employ other help except the overseers. Some of the men are worth \$4 a day—those who are experts in the business. There is no account kept of the labor of these men; it would be impossible to do it. It would be simply a matter of judgment like these appraisals. Our Report Book shows the average number of men and where employed. The account is kept on a blank sheet and that is copied on to a book, and that book will show the daily work of the convicts.

Q. Suppose you have an appropriation from the legislature of ten thousand dollars, how is that accounted for?

A. That is put into my hands and charged to me. I settle with the inspectors first, and secondly with the Governor and Council.

Q. How do you show that you have used up the \$10,000?

A. When I take the amount home with me I inform the clerk, and the clerk charges me with \$10,000. Now, when I pay a bill, say to Corey & Co., or for any purpose whatever, I receive a voucher for it and that is credited to me.

Q. Supposing you had an appropriation for constructing another building?

A. I put it on the book and use it for that purpose. When the Governor and Council thought proper to draw their warrant for it, either a portion of it or the whole of it, (I would rarely draw the whole of it) I would then take it home and it is charged to me and I commence operations. I purchase bricks or anything of that kind, and when any article that goes to make up a portion of that building is paid for, it is charged to the building and repair account. If I should buy a bill of goods from Corey & Co., for instance, and there should be carriage material and iron, and glass or nails in the same bill, the clerk would enter it on the book, charging the carriage department with what belonged to that, and the other departments with what belonged to them. The accounts

are kept separate. I have kept an account of the labor of the convicts nearly every year since I have been at the prison, and have ascertained about what it was worth.

Q. Suppose you had a certain amount of granite-work, such as in building that east wing?

A. That granite that was taken down from the old building was never accounted for; it was a part of the old building, and it continued to be a part of the new building.

Q. Do your books show the amount of the convict labor and the prices paid for it?

A. Yes; we keep an account of the men that are employed from the different departments, and then reckon it up and credit the departments accordingly. We never really charge perhaps more than half what it is worth to the State.

Q. If you took out of the shoe shop a man, worth two dollars, making shoes, and put him on to repairing or making wall, or anything of that kind, you allowed for him two dollars?

A. I don't know that such a case ever occurred. It is true that we employed men on the building whose services were worth, in the shop, two or three dollars a day, but did not charge that for it. We did that for sanitary purposes. A man employed in the shoe shop for a long time needs some outside work,—it is a relief to him, and he is employed out there for sanitary purposes. He is worth more in the shoe shop, after he gets back, because of his improved condition.

Q. Do you think the accounts are kept in a proper way?

A. Well, if I had sufficient help, I should prefer to have everything entered; the importance of it had never occurred to me so much as it has recently; but I don't believe the State has ever lost anything.

Q. Is there not a fault in the system of accounts kept?

A. If I was going to begin anew, with the knowledge and experience I now have, I should insist on being furnished with a sufficient amount of help, so every identical article could be entered and to whom delivered.

Q. Would you not recommend that this Committee make a report to that effect?

A. I should approve of it.

Q. How many years has the clerk been there?

A. Forty-seven years. If his hearing was more accurate he could perform the service better, but he never did perform the

service as required by law, and no other clerk could. In regard to the Commissary matters, the statute, as you are aware, says, the Clerk and Commissary shall keep an account of all supplies purchased, and articles sold, and assist in effecting sales; attend the meetings of the inspectors, and perform any other services, &c., as though that was not enough for any two men. That would do better when the business amounted to only \$60,000, but not when it is \$90,000 a year. I found many things at the prison that I desired to change when I went there; for instance, the subsistence department was not what it should be, and the inspectors agreed with me, and I changed it, and improved the living very much. And the clothing,—a man's clothing was changed once in six weeks; that is, his shirts were washed once in six weeks. Now, it occurred to me that I should want the clothing washed once a week, and I insisted in doing it. They were not furnished with under-clothing. It was, in fact, put on and worn out without a change. And, in order to have a change, it must be washed, and some one must see to that; the deputy could not do it and be passing from shop to shop as the law requires that he should, so I employed a man. Mr. Maxey performed the duties of commissary, but it was before this change in the amount of clothing and provisions, and when the number of men averaged less than one hundred. When the number of men increased, and it was necessary to use vastly more vigilance; when at the close of the war men had learned ways of escape, I appointed a man—Mr. Piper—for assistant, and for the sake of distinction, I called him a turnkey. That is why you see that there. So it ran along while Mr. Piper remained. Then I appointed my eldest son in the place, (he had previously been on guard) and I changed it from turnkey to commissary, because he looks after all the business of commissary. He looks after the provisions and clothing generally and the cleanliness of the prison, and also assists in guarding the prison.

Q. Did you ask any change in the law authorizing that?

A. No; I did not think it was absolutely necessary, and don't think now that it is. I will also say that the commissary holds himself in readiness to supply a vacancy. We are liable to be away, and we cannot supply the officers' places with green men. We never put a green man in because there are so many peculiarities in the duties, and we should lose men. It would demoralize

the men, too. No oral instruction can qualify a man ; he must go with another officer first.

Mr. Knowlton interrogating.

Q. I want to know, if in cases where you have made purchases of goods, and discounts have been made in the payment, whether in all such cases you have given credit to the State for such discounts?

A. It is not exactly that ; my voucher shows precisely what I have paid ; for instance, I would send a man a check for his account less so much, and the clerk would enter it, making him debtor to me so much and the department credit so much.

Q. Have you ever received for your own benefit any compensation for your trade?

A. I never received a dollar.

Q. When you have accounts for the prison and receive interest on the accounts, have you had, yourself, that interest, or have you credited it to the State?

A. I have always credited the State, and it so appears on the books.

Q. Now, in regard to the help. Have you as much help in the way of subordinate officers and other help, so that men may not be required to do more than they reasonably should do?

A. No, sir, I have not such help as I ought to have, but I will say by the way of explanation that while it might be better to have more help, I doubt whether it would be more profitable to the State.

Q. Now in regard to the matter of compensation, are there any persons employed about that prison who are paid more than in your judgment they would be entitled to receive any where else?

A. No, sir ; I obtain their services at the lowest possible figure that I think is just and proper. I do not think there is a man there that is over-paid.

Q. Do any of the persons employed about that prison receive anything from the State except what they receive for their services?

A. No, sir. I may say that some of the officers are not charged with rent, that being a part of their compensation.

Q. Now state whether you receive, yourself, anything in any way directly or indirectly as compensation, other than that pro-

vided and fixed by the inspectors, except that stated by Mr. Wilson, yesterday?

A. I do not.

Q. And if you have anything belonging to the prison do you account for it at a fair value?

A. I do.

Q. Have any members of your family received any compensation other than what appears in your report?

A. Not at all. One of my sons I have boarded gratis, in order to hold his services—two of them, finally.

Q. The State allows you fuel?

A. That is a fact I have learned since I have been here; I have before paid for every dollar of it.

Q. About what has it amounted to?

A. I asked a clerk to take off my wood and coal account and it amounted to \$299, for what I have burned in my house for two years. I also found in my drawer a voucher for a load of wood that I purchased besides. I remember the circumstances distinctly; the clerk purchased the wood while I was at dinner and paid the money for it, and took a voucher for it, and I seeing the wood there and knowing we were out, ordered the wood put around to my wood-shed. It did not go to the State and hence I did not use the voucher.

Interrogatories by Mr. Talbot.

Q. Do you say you have never received anything but your regular quarters' salary?

A. I have made charges for what I have had to pay out for travel for the State; I mean this: If I am away from home and my horse should be baited the State would pay for it; I charge for whatever I pay out.

Q. Supposing you come up here or go to Bangor to purchase goods?

A. I always charge this expense to the State; that is credited to me in my account. I carry it into my general account.

Q. Can you tell about what your expenses amount to, beyond your salary?

A. I transport most of the convicts to the prison, I can do it cheaper than any one else. They come from Portland, Bangor, and Lewiston, where I have business to transact, though I do not often go to Lewiston. I can transact my business and take the

convicts along with me. I charge my expenses, and the expense of transporting the convicts. Before I went there they were in the habit of contracting with some individual to deliver the convicts at the prison, but there is an objection that. It does not cost the State near as much as it did before, and there is another objection—the convict's behavior after he comes to the prison depends very much upon who brings him. It is desirable that he should not come under misrepresentation; and be excited by ideas that are never to be realized, and this affords me an opportunity to give them instructions and advice that is serviceable, and I think that all the deputies admit that the convicts are better behaved when I take them there, than when they are taken by some person who has less experience.

Interrogatories by Mr. Morrow.

Q. When you take a convict out of a shop that is worth in the shop \$2 a day, and put him out of doors doing repairing, or at work on the building, and you charge the State, say \$1.50 a day, what amount do you credit the shop?

A. Whatever I charge the State.

Q. You speak of the labor there. You think it would be better to have some assistance. Have you ever applied to the Inspectors or Governor and Council for assistance?

A. I never have.

Mr. Talbot interrogating.

Q. Do you recollect of settling your account with the Governor and Council, December, 1870?

A. I do not, especially.

Q. It appears after the settlement of the account that a warrant was drawn in your favor for \$300, to be paid out of the contingent fund of the Governor and Council; that was paid the 6th of January, 1871, and we have not been able to find any voucher?

A. I do not remember the circumstance now; it has entirely escaped me.

Q. Was it not for your salary that had been raised to \$2,800?

A. That I cannot say.

Q. Had you any trouble or difficulty in settling with the Governor and Council, in their allowing you that amount?

A. No, I never had any trouble in settling. If I received the

\$300 at that time, I have no question that it was because they established the salary at \$2,800. If they drew the warrant I suppose they will be able to tell. It is my judgment that it was for increased salary.

Mr. Morrow interrogating.

Q. When you sell a man a new carriage, when he pays for it do you give him a bill and a receipt showing that it is paid for?

A. Sometimes I do and sometimes I do not.

Q. Would your books show to whom it was sold?

A. It would not in all instances.

Q. Have you ever sold John Lynde of Bangor, a carriage?

A. I have.

Q. Do your books show it?

A. Yes.

Q. Have you ever made a carriage for Mr. Bodwell?

A. Yes.

Q. And you say your books will show that transaction?

A. Yes.

Mr. Knowlton. Did they pay you the full value of the carriages?

A. Yes; they paid in cash in both instances, and the full value. I have never sold a carriage to any individual any less than a fair cash value on account of favoritism.

NOTE.—The papers referred to in the report of the Stenographer as put in as evidence, to wit:

Paper marked "A" referred to pages 40 and 46,

Paper marked "B" referred to page 41,

Paper marked "C" referred to page 45,

were not among the papers accompanying the Report of the Committee submitted to the Legislature, neither did they accompany the report of the Stenographer, and not having come into the possession of the Secretary of the Senate, are unavoidably omitted from this report.

SAMUEL W. LANE,

Secretary of the Senate.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
March 4, 1874. }

ORDERED, That one thousand copies of the Report of the Joint Special Committee on the Affairs of the State Prison, be printed, and that the State Librarian be directed, after reserving the usual number of copies for the departments, to distribute the balance to the members of the Legislature of 1874.

Read and passed. Sent up for concurrence.

S. J. CHADBOURNE, *Clerk.*

IN SENATE, March 4, 1874.

Read and passed in concurrence.

SAMUEL W. LANE, *Secretary.*

A true copy, Attest:

SAMUEL W. LANE, *Secretary.*

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