

# MAINE STATE LEGISLATURE

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**PUBLIC DOCUMENTS**

OF THE

**STATE OF MAINE**

BEING THE

**REPORTS**

OF THE VARIOUS

**PUBLIC OFFICERS  
DEPARTMENTS AND  
INSTITUTIONS**

FOR THE TWO YEARS

**JULY 1, 1926 - JUNE 30, 1928**

PUBLIC DOCUMENTS, 1926-28

(Explanatory Note)

Three reports in this volume cover periods in variance with the given biennium. They are as follows:

1. The report of the Attorney General covers the period from 1924 to 1928.
2. The report of the Bangor State Hospital covers the period from 1919 to 1928.
3. The report of the department of Inland Fisheries and Game covers the fiscal year ending June 30, 1928. No printed report was made for the fiscal year ending in 1927.

# STATE OF MAINE

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REPORT

OF THE

# ATTORNEY-GENERAL

FOR THE TWO YEARS ENDING

JUNE 30, 1928

be eligible to parole only after he had served his minimum term of imprisonment, as stated in Section 30 of Chapter 137.

Yours very truly,

RAYMOND FELLOWS,  
*Attorney General.*

June 20, 1927.

*G. A. Buker, Warden, Maine State Prison, Thomaston, Maine.*

MY DEAR BUKER: Your letter, with reference to road construction crew and the furnishing of extra commissary supplies for the benefit of the men, received.

I do not know of any provision of statutes which authorizes you to furnish such supplies.

Section 2 of Chapter 195, Public Laws of 1917, provides that the Board of Prison Commissioners shall make and establish such rules and regulations not inconsistent with law as it may deem expedient for the direction of the officers of the prison and the performance of their duties; for the government, discipline, instruction and employment of the inmates; for the supply of food, clothing, bedding therein, and have the custody and preservation of the property connected therewith.

Section 5 of said Chapter provides that said Commission may authorize the employment of able bodied prisoners sentenced for any term less than life in the construction or improvement of highways or on such public works within the State under such arrangements as may be made with the State Highway Commission or other department of the State having such public works in charge, and said Commission shall prescribe such rules and conditions as it deems expedient to insure the proper care and treatment of the prisoners while so employed and of their safe keeping and return. Prisoners while so employed shall not be required to wear clothing which will materially distinguish them from other workmen.

There does not appear to be anything in the statute with reference to food and supplies other than the above. Of course, it is understood that the statute provides that punishment in the

State Prison by imprisonment shall be confined at hard labor.

Yours very truly,

SANFORD L. FOGG,  
*Deputy Attorney General.*

May 17, 1928.

*George A. Buker, Warden, Maine State Prison, Thomaston,  
Maine.*

DEAR SIR: In relation to your inquiry relative to a law regarding the making of presents of money to inmates of the Maine State Prison, this Department wishes to advise you that there is no statute relating to the question of presents by friends or outside agencies to inmates of the State Prison.

The laws of Maine prohibit any system of pay to prisoners. The Revised Statutes provide that "punishment in the State Prison by imprisonment shall be by confinement to hard labor", and no authority has been given the Commission to make any rules or regulations or to do any acts inconsistent with the existing law.

The Prison Commission cannot make payment to a prisoner either directly or indirectly. If a man, however, has paid his debt to the State in any one day by working the number of hours or doing the task assigned, there is no statute that I know of that prohibits him to receive a present for extra interest taken in his work, provided it is merely a present and comes from a source outside of the prison and from a source not connected with the state or any department of the state.

You allow money to be deposited in the Warden's office for the benefit of an inmate sent by friends, and I see no distinction between that and permitting the man to receive a present from some organization whether that organization is charitable or not.

Trusting this answers your inquiry, I am,

Yours very truly,

RAYMOND FELLOWS,  
*Attorney General.*