

MAINE STATE LEGISLATURE

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SEVENTY-THIRD LEGISLATURE

HOUSE.

No. 666

STATE OF MAINE.

In House of Representatives,

January 17, 1907.

Ordered, The Senate concurring, that a joint select committee of seven on the part of the House, with such as the Senate may join, be appointed to investigate the Fish and Game Department of the State of Maine and to ascertain what changes, if any, are advisable in the existing laws, and to report by bill or otherwise. Said committee to be authorized to employ a stenographer and to summons witnesses to appear and produce books, papers and other documents and to give evidence pertaining to the inquiry with which the committee is charged.

HESELTON, Kennebec,
CURTIS, Cumberland,
PARKHURST, Penobscot,
SAFFORD, Kittery,
DONIGAN, Bingham,
HILL, Monticello,
ALLEN, Mt. Vernon,
MERRILL, Monmouth,
EDWARDS, Lewiston,
BRACKETT, Sebago.

ITEMS WHICH THE COMMITTEE HAVE DECIDED
SHALL BE SUBJECT TO INQUIRY.

1. The committee desire to inquire of the present commissioners in regard to the official term they have traveled on railroad passes and charged up local fares or any fare not actually paid out by them. As what time did such practice begin and when did it end?

2. The committee desire to learn the names of wardens in the fish and game department who have since January 1, 1905, charged local fares when performing their official duties in connection with this department, and also who of those wardens have, or have had, passes, if any, and who of those wardens have used mileage, if any; and would ask the commissioners to furnish all the information on this subject that they can from the documents in their office.

3. The committee desire Mr. Carleton to explain the charge of \$11.15 made in January 1905 as an item of charge for trip to the Megantic Club, and also to state how this was authorized and what the expenditure was for.

4. The committee desire full details of the charge of \$250 dated March 31, 1905, and for extra services on account of non-resident hunters' license law; under what authority this charge was made and how much was received in full for services under chapter 32, section 32, of the Revised Statutes from the time of its passage until repealed; and what did the extra services consist of, and was there any expense or extra clerk hire or other expenses connected with the matter of the hunters' license.

5. The committee desire the commissioners to give an explanation of the charges made on April 28, 29, and 30, 1905, of hotel charges of \$7 and incidental charges of \$10, and explain what items made up the \$10 charge for incidentals.

6. The committee desire the commissioners to have and produce either their books or an itemized statement showing receipts for licenses and fines for the years 1905 and 1906.

7. The committee desire to know whether an annual report of the department was made in 1905, and if not why not.

8. The committee desire the commissioners to furnish a statement of the money received from the disposal of game siezed by the wardens and forfeited to the State since January 1, 1905.

9. The committee desire to know if any of the labor incident to the publication of the Carleton magazine has been performed by the commissioners or their clerical force at the expense of the State, or if any of the State's stationery, postage stamps or other material has been used in connection with said publication.

Tuesday, February 5, 1907.

Mr. Pattangall, on request, addressed the committee as follows: This investigation is ordered by a member of your committee. I don't understand that there is necessarily any reflection on the department at all in the order of investigation. Mr. Frank L. Dutton, of this city, had some matters which he desired to present to the committee, and I was informed this noon that he was unable on account of sickness to be present today. About those matters I knew nothing. I desire to be present at your hearings purely for the purpose of asking some questions of Mr. Carleton, or of his clerk, in regard to some items of the accounts of the department. I have no charges to make against any member of the fish and game commission; but in 1905 no published report was made by the commission; and on that account certain information which we desired to get we were unable to get, except by going to the office and going through the files. In going over those accounts some items were found which seemed to me to require explanation. The 1906 report I have been over in manuscript very cursorily, because it is pretty voluminous; there were some items in that which I wanted to get at.

Now I want to indicate as fairly as I can matters I want to go into because I realize that Mr. Carleton can get at them a good deal quicker if they are put in definite shape. In the first place I wanted, when I had an opportunity, to inquire so I could intelligently follow the expense account of the department as to when the system, if it ever existed, of charging local fares when traveling on a pass, ended. I also wanted to inquire as to the number of wardens who were furnished with passes in order that their expense account might be understood. I found in connection with the expense account of Mr. Carleton for 1905 but one or two items that are possibly open to criticism and

which very likely can be explained satisfactorily to the committee and everybody. One was a trip to the Megantic Club at Boston, \$11.15. That may or may not be proper according to the explanation the department would give of it. I also found in March, 1905, a charge of \$250 for services in accordance with chapter 30, section 22, of the Laws of 1903, for extra services on account of the non-resident hunters' license law for the quarter ending March 31, 1905. I can see how this is open to explanation. Unexplained it would be rather an extraordinary charge, because of course during those three months no hunters' licenses would be issued. I wanted to ask some questions in regard to the allowance made by the Governor and Council for that work and what the work consisted of; and there were one or two other items in the expense account I wanted to get at.

Here is one I noticed, April 28, 29 and 30, 1905, hotel \$7, incidentals \$10. It seemed to me that undoubtedly that was open to proper explanation, but in that form it required explanation. As I said there isn't much in the expense account to criticise, I think, or much that requires explanation. There are two or three items which it seems to me ought to be explained. I think I have given all I care to inquire about.

In 1906 I have not gone over the expense account of the department for that year. I should like, and I have no doubt that Brother Carleton would accommodate me in that respect, to run over the items in his office, and if there are any items that I want to call the attention of the committee to I can indicate them to Brother Goddard. In the game wardens expenses I find what seems to me to be a matter needing some explanation. If the newspaper reports of the meeting of the committee on passes were correct, Mr. Carleton stated there that a large sum of money was saved the State by reason of the possession of passes by the wardens; and I presume from that that some of them have them. I found a great many railroad fares charged up at local rates by the different wardens. It would be impossible for me to indicate that by items; simply the general proposition that a great many wardens are charging local fares in the State, and if it could be ascertained through the fish and game department which ones have passes then it would be known whether they were properly charged to the State or not. That is in 1906. I haven't the game wardens' expense account for 1906. I have the papers here, copied from Mr. Carleton's bills,

of the names of the wardens. If the information could not be arrived at without summoning them, they could be summoned.

I did want also to get at this: there is a very large sum of money now coming into the State from fines and licenses. The lump sum can be gotten at readily. I haven't learned of any source to go to to find out the items of it. It seemed to me that might have been included in an annual report, except that it may have been pretty voluminous, and if the account is in the office I would like to look it over. In other words, aside from the few items of the account I have criticised without any more than looking at it, it seemed to me that it was necessary to go over, either with counsel on both sides or with Mr. Carleton and some outside party, the accounts and see if there were any items which ought to be explained. I have indicated all I have seen. So far as any other charges are concerned, or any other criticisms are concerned of the administration of the office, I know nothing. Mr. Dutton indicated to me some matters that he wanted to go into; I am not familiar enough with them to give the committee a general idea of them; and with that statement of my position I think perhaps Mr. Goddard could not be bothered, or Mr. Carleton, in knowing how to go ahead to meet what I have. It seems to me that there are very many matters that Brother Goddard and I could go over together and understand. If we agreed on a question of fact, we could simply present that to the committee as a matter on which we did agree, and the committee would then have an understanding of the matter. To illustrate it, to get at the date when the system of charging actual fares began. If Mr. Goddard and I agreed on that and both stated to the committee that we did agree that it began on a certain date, you would not care to hear any evidence on it further than that.

I will state that there is one matter which Brother Dutton definitely stated to me. He said that he wanted to examine Mr. Carleton in regard to the amount of his private business in connection with some publication the name of which I don't know, which was carried on at his office, whether any of it, and if so how much, was carried on at the expense of the State as to the matter of postage and so forth. The other matters were some complaints of guides and wardens and other people in regard to matters which I could not carry in detail in my mind without having made notes of.

MAINE CENTRAL RAILROAD.

1905.			
Apr. 17, 18, 19,	Fare from Farmington to Portland and return	\$4 80	
	Fare from Portland to Cornish	1 20	
Apr. 24, 26, 29,	Fare to Bangor and return	9 30	
May 4,	Fare from Winthrop to Belgrade and back To Farmington	2 25	
	Fare from Farmington to Chisholm	50	
	Fare from Chisholm to Farmington	50	
May 8,	Fare to Burnham Junction, Brooks, Bel- fast, Rockland, Union etc.	11 75	
May 14,	Fare from Lewiston to Augusta	1 50	
	Fare from Augusta to Bangor	2 25	
	Fare from Bangor to Lewiston	3 75	
	Fare from Lewiston to Farmington	1 40	
June 23,	Fare from Farmington to Lewiston and return	2 80	
July 2,	Fare from Farmington to Leeds	1 20	
	Fare from Leeds to Waterville	1 15	
	Fare from Waterville to Bangor	1 65	
	Fare from Bangor to Waterville	1 65	
	Fare from Waterville to Leeds	1 15	
	Fare from Leeds to Farmington	1 20	
July 10,	Fare from Farmington to Lewiston	1 40	
	Fare from Lewiston to Augusta	1 50	
	Fare from Augusta to Portland.....	1 26	
	Fare from Portland to So. Windham and return	44	
	Fare from Portland to Farmington	1 66	
July 24,	Fare from Farmington to Leeds	74	
	Fare from Leeds to Waterville.....	76	
	Fare from Waterville to Dover	1 14	
	Fare from Dover to Waterville	1 14	
	Fare from Waterville to Leeds	76	
	Fare from Leeds to Farmington	74	
July 28,	Fare from Farmington to Lewiston	98	
	Fare from Lewiston to Portland	60	
July 28,	Fare from Portland to Farmington	1 66	
Aug. 2,	Fare from Farmington to Lewiston	98	
	Fare from Lewiston to Portland	60	
	Fare from Portland to Farmington	1 66	
Aug. 6,	Fare from Farmington to Lewiston	98	
	Fare from Lewiston to Farmington	98	
Sept. 11,	Fare from Farmington to Lewiston	98	
	Fare from Lewiston to Farmington	98	

Sept. 22,	Fare from Farmington to Lewiston	98
Oct. 2,	Fare from Augusta to Foxcroft	1 52
	Fare from Oldtown to Bangor	15
Nov. 20,	Fare from Farmington to Lewiston and return	1 96
Dec. 14,	Fare from Farmington to Lewiston and return	1 96
1906.		
Jan. 1,	Fare from Farmington to Bangor	3 90
	Fare from Bangor to Lewiston	4 25
Feb. 6,	Fare from Farmington to Bangor	3 87
	Fare from Bangor to Lewiston and Farm- ington	4 25
Feb. 8,	Fare from Farmington to Winthrop and return	1 78
Apr. 5,	Fare from Farmington to Bangor and return (via Augusta & Portland).....	7 04
Apr. 26,	Fare from Farmington to Portland and return	3 16
May 30,	Fare from Farmington to Lewiston.....	94
	Fare from Lewiston to Brunswick	40
	Fare from Brunswick to Pittsfield	1 46
	Fare from Pittsfield to Bangor	70
	Fare from Bangor to Pittsfield	70
	Fare from Pittsfield to Brunswick	1 46
	Fare from Brunswick to Lewiston	40
	Fare from Lewiston to Farmington	94
June 5,	Fare from Farmington to Chisholm	32
July 20,	Fare from Farmington to Lewiston	94
	Fare from Lewiston to Brunswick	40
	Fare from Brunswick to Bangor	2 16
	Fare from Bangor to Portland	3 10
	Fare from Portland to Farmington	1 20
July 25,	Fare from Farmington to Lewiston	94
	Fare from Lewiston to Bethel and return..	2 65
Aug. 10,	Fare from Farmington to Portland	1 54
	Fare from Portland to Dover	2 76
	Fare from Dover to Portland	2 76
	Fare from Portland to Farmington	1 54
Aug. 21,	Fare from Farmington to Lewiston and return	1 96
Aug. 25,	Fare from Farmington to Portland and return	3 16
Sept. 11,	Fare from Winthrop to Monmouth and Farmington	94
Oct. 8,	Fare from Farmington to Lewiston	94
	Fare from Lewiston to Brunswick	40
	Fare from Brunswick to Foxcroft	2 22
	Fare return via Portland	5 06

Nov. 14,	Fare from Augusta to Lewiston and return	2 32
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		\$150 12

TO PRINTING IN MAINE WOODS.

1905.	
Nov. 10 to Dec. 31 inclusive, 8 times 9 inches, 72 inches at 37½ cents	\$27 00
Nov. 17 to Dec. 29, inclusive, 4 inches 7 times, 28 inches at 30 cents, time table.....	8 40
1906	
9 inches 52 times—468 inches at 37½ cents.....	175 50
Jan. 1 to Oct. 26, 4 inches 43 times—172 inches at 30 cents, time table	51 60
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	\$262 50

Fifteen cents in stamps or coin sent to the general passenger department, Maine Central Railroad, Portland, Me., will bring the finest guide to the Rangeley Lakes and Dead River region ever issued. Printed in colors; 100 pages of text, fully illustrated; has valuable map showing all waters, trails, carries, elevations, carriage and buckboard roads, etc.

Tells what the sportsman, tourist and canoeist wants to know.

You will get your money's worth.

GEO. F. EVANS, Vice-Pres. and Gen. Manager.

F. E. BOOTHBY, General Passenger Agent.

MAINE CENTRAL RAILROAD.

From the Rangeleys to the sporting points in Maine and New Brunswick.

Lv Rangeley,	5 55 a m	12 00 noon	6 30 p m
Greene's Farm,	5 25	11 30 a m	6 00
Phillips,	7 20	1 25 p m	7 50
Farmington,	8 20	2 25	9 00
Ar Portland,	11 55	5 25	3 40 a m
Boston,	3 55 p m	9 05	7 00
Belgrade,	10 55 a m	7 47	
Bingham,	5 59 p m		
Hartland,	5 35		
Bangor,	3 15	3 00 a m	10 50
Ellsworth,	4 35	7 19	12 08 noon
Machias,	6 47	9 42	
Calais,	8 30	11 30	
Eastport,	8 35	11 35	
Princeton,		12 25 noon	
Bar Harbor,	5 55	1 35 p m	1 35 p m

Greenville,	5 10	10 40 a m	
Kineo,	7 05	12 45 noon	
Norcross,	5 17 p m		10 03 a m
Millinocket,	5 30		10 20
Patten,	6 40		11 40
Ashland,	9 10		1 28 p m
Caribou,	9 25		2 25
Van Buren,			5 40
Winn,	5 11		4 51 a m
Vanceboro,	6 55		6 45
St. John,	11 00		11 00
Frederickton,	11 40		11 20

Send for guide book and folder giving other details. •

GEO. F. EVANS, V. P. and Gen. Mgr.; F. E. BOOTHBY, G. P. A.,
Portland, Maine.

SANDY RIVER RAILROAD.

1905

May 4, Fare from Phillips to Farmington and return.....	\$1 50
May 4, Fare from Phillips to Farmington and return.....	1 50
June 3, Fare from Phillips to Farmington and return.....	1 50
July 2, Fare from Phillips to Farmington.....	75
July 2, Fare from Farmington to Phillips.....	75
July 10, Fare from Phillips to Farmington.....	75
July 10, Fare from Farmington to Phillips.....	75
July 24, Fare from Phillips to Farmington and return.....	1 50
July 28, Fare from Phillips to Farmington and return.....	1 50
July 28, Fare from Phillips to Farmington and return.....	1 50
Aug. 6, Fare from Phillips to Farmington.....	1 50
Sept. 11, Fare from Phillips to Farmington and return.....	1 50
Sept. 22, Fare from Phillips to Farmington and return.....	75
Nov. 20, Fare from Phillips to Farmington and return.....	1 50
Dec. 14, Fare from Phillips to Farmington and return.....	1 50

1906

Jan. 1, Fare from Phillips to Farmington and return.....	1 50
Feb. 6, Fare from Phillips to Farmington and return.....	1 50
Feb. 8, Fare from Phillips to Farmington and return.....	1 50
Apr. 5, Fare from Phillips to Farmington and return.....	1 50
Apr. 26, Fare from Phillips to Farmington and return.....	1 50
May 30, Fare from Phillips to Farmington and return.....	1 50
June 5, Fare from Phillips to Farmington.....	75
July 20, Fare from Phillips to Farmington and return.....	1 50
July 25, Fare from Phillips to Farmington.....	75
Aug. 10, Fare from Phillips to Farmington and return.....	1 50
Aug. 21, Fare from Phillips to Farmington and return.....	1 50
Aug. 25, Fare from Phillips to Farmington and return.....	1 50

Sept. 17, Fare from Phillips to Farmington.....	75
Oct. 8, Fare from Phillips to Farmington and return.....	1 50
Oct. 17, Fare from Phillips to Farmington and return.....	1 50
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	\$39 00
By cash	10 00
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	\$49 00
To printing in the Maine Woods, 3 inches for 2 years.....	\$93 60

RANGELEY LAKE STEAMER COMPANY.

1905	
June 19, Fare from Rangeley to Oquossoc and return.....	\$1 00
July 17, Fare from Rangeley to Oquossoc and return.....	1 00
July 31, Fare from Rangeley to Oquossoc and return.....	1 00
1906	
June 5, Fare on boat.....	75
July 11, Fare to Mt. View and return.....	1 00
July 11, Fare to Mt. View.....	75
Aug. 6, Fare on steamboat.....	50
Aug. 14, Fare on steamboat.....	1 00
Sept. 24, Fare on steamboat.....	1 00
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	\$8 00
By cash	20 00
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	\$28 00
To printing in the Maine Woods,	
1905, 2 inches	\$31 60
1906, 2 inches to Sept.....	21 00
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	\$52 60

PHILLIPS AND RANGELEY RAILROAD.

1905	
April 2 & 4, Fare from Phillips to Rangeley and return.....	\$2 25
May 14 & 15, Fare from Phillips to Rangeley.....	1 50
May 29, 30, 31, Fare from Phillips to Rangeley and return....	2 25
June 19, Fare from Phillips to Rangeley and return.....	2 25
June 19, Fare to Oquossoc.....	1 25
July 17, Fare from Phillips to Rangeley and return.....	2 25
July 31, Fare from Phillips to Rangeley and return.....	2 25
Sept. 22, Fare from Rangeley to Phillips.....	1 50
Oct. 7, 8, 9, Fare from Phillips to Rangeley and return.....	2 25
June 5, Fare from Rangeley to Phillips.....	1 50
July 11, Fare from Phillips to Rangeley and return.....	2 25

Aug. 6, Fare from Phillips to Rangeley and return.....	2 25
Aug. 14, Fare from Phillips to Rangeley and return.....	2 25
Sept. 24, Fare from Phillips to Rangeley and return.....	2 25
Sept. 29, Fare to Oquossoc.....	1 50
Sept. 29, Fare return from Rangeley.....	1 50
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	\$31 25
By cash	20 00
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	\$51 25
To printing in the Maine Woods,	
4 inches for 2 years.....	\$124 80

BANGOR AND AROOSTOOK RAILROAD.

1905	
July 2, Fare from Oldtown to Caribou.....	\$4 70
July 2, Fare from Caribou to Bangor.....	4 70
July 24, Fare from Dover to Greenville.....	1 02
July 24, Fare from Greenville to Dover.....	1 02
Oct. 2, Fare from Foxcroft to Greenville.....	1 02
Oct. 2, Fare from Greenville to Foxcroft.....	1 02
Oct. 2, Fare from Foxcroft to Oldtown.....	1 12
Oct. 2, Fare from Oldtown to Greenville.....	2 09
Oct. 2, Fare from Foxcroft to Greenville.....	99
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	\$17 68
To printing in the Maine Woods,	
1905	
Jan. 1 to June 9 inclusive, 23 times 5½ inches—126½ inches at 30 cents	\$37 95
June 16 to Oct. 6 inclusive, 17 times 6¼ inches—106¼ inches at 30 cents.....	31 87
Oct. 13 to Nov. 24 inclusive, 7 times 5½ inches—38½ inches at 30 cents	11 55
Dec. 1 to Dec. 8 inclusive, 2 times 6½ inches—13 inches at 30 cents	3 90
1905 & 1906	
Dec. 15, 1905, to Dec. 28, 1906 inclusive, 55 times 7 inches— 385 inches at 30 cents.....	115 50
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	\$200 77

PORTLAND AND RUMFORD FALLS RAILROAD.

1905	
May, Fare from Chisholm to Oquossoc.....	\$2 55
May, Fare from Oquossoc to Chisholm.....	2 55
May 14, & 15, Fare from Bemis to Rumford Junction.....	3 10
May 14 & 15, Fare from Rumford Junction to Lewiston and return twice	60
Sept. 22, Fare from Lewiston to Oquossoc.....	2 55
1906	
June 5, Fare from Chisholm to Canton.....	45
June 5, Fare from Canton to Rumford.....	35
June 5, Fare from Rumford Falls to Oquossoc.....	1 75
July 11, Fare from Rumford Falls to Oquossoc.....	1 75
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	\$25 65
By cash	10 00
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	\$26 65
To printing in the Maine Woods,	
1905	
Jan. 1 to Dec. 31 inclusive, 52 times 1½ inches—78 inches at 30 cents	\$23 40
1906	
Jan. 1 to July 6 inclusive, 26 times 1½ inches—39 inches at 30 cents	11 70
July 13 and 20, 2 times 4½ inches—9 inches at 30 cents....	2 70
July 27 to Oct. 5 inclusive, 10 times—50 inches at 30 cents..	15 00
Oct. 12 to Nov. 2 inclusive, 2 times 4½ inches—9 inches at 30 cents	2 70
Nov. 9 to Dec. 28 inclusive, 8 times 4 inches—32 inches at 30 cents	9 60
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	\$65 10

The CHAIRMAN: The Committee under the joint order of the Legislature are now in session prepared to proceed. Under the arrangement the first inquiry prepared by the Committee is as follows:

1. The Committee desire to inquire of the present Commissioners in regard to the official term they have traveled on railroad passes and charged up local fares on any fare not actually paid out by them. At what time did such practice begin and when did it end?

Mr. CARLETON: Mr. Chairman and gentlemen of the Committee: In answer to this question I desire to say that I was appointed a member of the Inland Fish and Game Commissioners, I believe, in April, 1896. Some months after I was appointed I was given a pass over the Maine Central Railroad by one of the directors. I was told that it was a personal present to me and not to the State. Later on I got passes on most of the other railroads in the State, and during the time I have been Commissioner I have had such passes most of the time. I traveled on these passes, charging local fares as laid down in the Year Book up to some time in 1904. I will state that I have stated this before four committees of the Legislature heretofore.

Mr. O'BRIEN: Mr. Chairman, I wish to state that I am here representing the proponents of this investigation, and I would like also to say that I may be compelled to draw it out a little more than somebody else. Mr. Pattangall does not appear for the reason that he is bordering on a severe attack of pneumonia and has been for some days past, and I was brought into this matter yesterday, and I presume I will be allowed to ask any questions I see fit.

The CHAIRMAN: Whom do you appear for?

Mr. O'BRIEN: I appear in various capacities, first as a citizen, which I think is sufficient. I also appear as counsel for the Democratic caucus committee. I also appear as the paid attorney of Mr. Worcester; so I feel I have a right to be here.

The CHAIRMAN: Is Mr. Worcester present himself?

Mr. O'BRIEN: I think he is. He came in with me.

Mr. CARLETON: I wish to add further that I traveled on passes up to some time in 1904, since which time I have traveled on passes but charged nothing whatever to the State.

Mr. PARKHURST of the Committee: That was the inquiry I proposed to make. Since then such charges as you have made were such as you actually paid?

Mr. CARLETON: Actually paid, yes.

CROSS-EXAMINATION.

By Mr. O'BRIEN.

I would like to ask if you have filed with the Committee any written replies to these inquiries?

A. I have not.

Q. Are you willing to do it?

A. Certainly.

Q. When may we have them?

The CHAIRMAN: You speak for yourself, do you? The Committee will decide whether they wish to have them.

A. Whenever the Committee requests it and I have an opportunity to copy them.

Mr. O'BRIEN: I would like to state to the Committee, with all deference and due respect to the persons interested in this, that inasmuch as the Committee required them to confine themselves within a certain limit, we feel that even now we are entitled to the answers to the questions carefully framed and submitted a week or ten days ago. I really expected to find the answers here today, and I feel in justice to the persons interested in this investigation of affairs in this important department that the Committee should insist that these answers be filed in order that they may be used for any purpose for which any citizen of the State may see fit.

The CHAIRMAN: We have a stenographer here who is taking the report of this hearing and the answers of the Commissioners are taken by him and they will be for the benefit of the public as well as of the Committee.

Mr. GODDARD: I wish to say in behalf of the Commissioners that when Mr. Pattangall appeared before the Committee he mapped out the line which he wished to pursue. There was no hint or suggestion on Mr. Pattangall's part or anybody's part that the Commissioners or either of them were expected or required to file anything in writing, but they were to be here prepared to be examined upon such questions as had been filed by Mr. Pattangall.

The CHAIRMAN: One of the members of the Committee desired me to state to you, Mr. O'Brien, that while certain interrogatories are framed here that we did not limit this inquiry or any inquiry at a future examination on any subject which you might wish to ask about and submit to the Committee. You may proceed.

Mr. O'BRIEN (continuing cross-examination):

Q. You say you were first appointed a Commissioner in 1896?

A. Yes.

Q. And shortly after that appointment you received a pass?

A. Several months after.

Q. Now you continued to use that pass, as I understand it, up to and into the fall of 1904?

A. Well, these passes were given to me yearly.

Q. You rode on a pass from the few months after your appointment up to the fall of 1904?

A. Yes, I traveled on a pass practically all the time since I was first given a pass.

Q. Now from 1896 to the fall of 1904 did you charge up any expenses for railroad tickets?

A. Yes.

Q. At what rate did you charge them?

A. At rates laid down in the Year Book.

Q. How did those compare with the railroad rates?

A. They are supposed to be accurate.

Q. Do I understand by that that they are mileage rates or local fare rates?

A. They are local fare rates, through rates.

Q. So that from 1896 until the fall of 1904 the State paid Year Book rates for all railroad traveling done by you and in reality you traveled on a pass?

A. Yes, the State paid for it when I was traveling on official business connected with my department.

Q. But you used a pass at all times?

A. Yes.

Q. Since 1904 have you had a pass?

A. Yes, sir.

Q. Have you charged anything for travel?

A. Not since some time in the latter part of 1904.

Q. Say December?

A. I think before December. I am not able to state precisely.

Q. Will you tell us how you reconcile the fact that you were entitled to expenses, traveling expenses, when in reality you were not paying out any money?

A. Well, I was informed by what I considered good authority that that was my personal property, a pass, really a part of my salary.

Q. You were informed that a pass was practically a part of your salary?

A. Yes.

Q. Who gave you that information?

A. I am not able to state. It was general information—everybody that talked about it told us—when I was appointed the matter of the salary was discussed, if I got a pass I would get my travel which would be so much in addition to the salary. The salary was very small. That was an inducement to take the office.

Q. I would like to know just from what sources you felt authorized to do that. Doesn't the statute specify just what your duties are or your rights were?

A. One of my associates had been on the Board at that time I think twenty-five years. I was informed by him that he had always done that, that all other State officials did it, that it was recognized as the common law, common custom of the State.

Q. Now a man as learned in the law and who had achieved the distinction at the bar that you certainly had prior to your appointment, do you now think that it was a good interpretation of the statute for you to accept and use that pass and yet charge the State local fare prices?

A. I thought then and I think now that it was no part of the State's business, that it was a personal present to me. Whether I traveled on a pass or not the law provided that my expenses should be paid. If the railroad saw fit to give me a pass it was a matter personal between me and the railroad. I thought so then, I think so now.

Q. You claim that that pass, the presentation of that pass, was a personal matter to you, and in another sentence you claimed that it had always been accepted or considered as a part of your salary?

A. Yes.

Q. Do those two things jibe?

A. Added so much to my salary.

Q. Now you say that the pass was a personal matter, a present to you. Had you ever received a pass prior to your appointment as Commissioner?

A. Yes.

Q. Did you have a pass when you were appointed?

A. I did not happen to have one that year before I had been appointed.

Q. Do you presume if you had not been appointed Game Commissioner that you would have received a pass that year?

A. Yes, I believe I should.

Q. For what personal reasons?

A. Well, I don't know that I could state for what personal reasons.

Q. From 1896 to 1904, during any one year that you may wish to take, while riding on a pass, will you give this Committee some idea of what you collected from the State to reimburse you for money paid to railroads?

A. Yes, I could do it. I couldn't do it without examination.

Q. Approximately?

A. I remember when the Governor and Council reversed the precedent of thirty years that the traveling expenses of the Commissioners did not include their coming to Augusta and we were cut off from any personal expenses in coming to Augusta from our homes, at that time I went through my bills and reckoned up how much my railroad fare amounted to that I had charged the State, and as I recollect it now, stating from memory, it was not far from \$300.00.

Q. Now did it ever occur to you, for example in the year 1897, that instead of charging local ticket fares you might have saved the State some money by riding on a mileage?

A. I didn't take that into consideration.

Q. You didn't think that money was worth saving for the State?

A. I didn't take that into consideration.

Q. If you were actually paying the money out of your own pocket without any hope of reimbursement would you have ridden on a mileage book or on local fare tickets?

A. Well, that would have depended on whether I had the money to buy mileage books on hand.

Q. In such a case as this where you knew you would be riding constantly during the year wouldn't you have inconvenienced yourself somewhat and provided yourself with a mileage book in preference to riding on a local fare ticket?

A. I might and I might not.

Q. Then in other words—

A. In other words I don't think I ever bought a mileage book in my life.

Q. Have you ever had any other office prior to having this one?

A. I was for eight years County Attorney of this county.

Q. You did some traveling during that time, too?

A. Some.

Q. And never bought a mileage book?

A. I don't think I ever bought a mileage book. I have hired some from those who had them to let.

Q. Now have you ever charged up any fare to the State that was not actually paid out by you?

A. No, sir, not actually paid out except as I have stated when I traveled on passes.

RE-DIRECT.

By Mr. Goddard.

Q. You spoke about the matter of charging the local fare rates as given in the Maine Year Book, and you have spoken also of the practice of riding on a pass and charging these fares being prevalent among State officials at that time, being informed that it was the custom, considered a perquisite, part of their salaries. Whether or not that was the prevailing custom to charge at the local fare rate, as you understood it?

A. That is the way I understand it. I know Mr. Stanley, my associate at that time, instructed my clerk from the Year Book, the rates laid down there, how to make up the bills.

Q. I don't think perhaps the last question that was asked you was quite understood between you and the gentleman asking it. He asked whether or not you had charged up and received from the State any fare that you had not actually paid out. I assume that he meant any fare for any travel you had not made, actually made for the State. I wish to put it in that way. Whether or not you have ever charged up and received from the State pay for travel which you did not actually make in the State's business?

A. No, I am not.

Q. You stated on your direct statement to the Committee before you were asked any questions that you had stated before three or four legislative committees what your practice was in traveling on a pass and charging and receiving from the State these local fares. Now can you remember how far back, how many years ago it was that you made that statement for the first time to a legislative committee?

A. No, I cannot tell how far back it was, but I know Judge Reynolds was in the Senate from Cumberland county.

Q. Was that soon after you were appointed, do you remember?

A. No, I think it was some little time after I was appointed.

Q. And whether or not when you made these statements before four different committees previous to this the matter of your salary was under discussion?

A. Well, before two of the committees it was. I don't think the matter of salary was under discussion before Judge Reynolds' com-

mittee. The last committee was the special committee on transportation appointed by the last Legislature to investigate this question of transportation. I don't know that the matter of salary was particularly before that committee. But the Committee on Salaries, I think it was Senator Stetson's committee, and it sat during the recess, they had that especially investigation during the recess of the Legislature, and then at the last Legislature they appointed a Committee on Salaries and Fees and it was directly under discussion then when I testified before that committee. The other two times I don't think the matter of salary was really under discussion.

Q. Could you give the Committee some idea of about how long ago it was when you first made this statement before a committee?

A. I can only recall it as being Judge Reynolds' committee when he was a member of the Senate.

Mr. PARKHURST of the Committee: Was it previous to 1900, do you think?

A. I think it was as long ago as that. I could ascertain every readily.

Mr. GODDARD (continuing):

Q. As I understand it, the Governor and Council have audited your bills?

A. Always, every bill I ever put in has been audited by the Governor and Council.

Q. Have you ever made any concealment, when your bills have been audited and allowed by the Governor and Council, of the fact that you were traveling on a pass and charging these local fares?

A. Not the slightest. I supposed and believed then and do now that they knew perfectly well.

(Questions by Mr. Parkhurst.)

Q. What was your salary when you received the appointment?

A. \$1,000.00.

Q. After the Salary Committee met, the Stetson committee I believe it was, what was it made then?

A. \$2,000.00.

Q. And that was changed almost coincidentally with the practice of giving up this charging of mileage?

A. Yes, practically that.

Q. Previous to the meeting of that committee it was \$1,000.00?

A. Previous to 1905, July, the law went into effect increasing my salary a thousand dollars.

Q. And that was the result of the recommendation of a committee which met in the year 1904?

A. Precisely, as I understand it.

Q. And it was before that committee that you testified as you have stated about the mileage?

A. Yes.

Q. And can you give the Committee in sequence the proximate time of these committees before which this information has previously been given?

A. Well, the Stetson committee met during the time from 1903, during the recess of the Legislature, 1903 to 1905. Then during that session of 1905 the Committee on Salaries and Fees, then last fall this third committee.

CROSS-EXAMINATION RESUMED.

By Mr. O'Brien.

Q. Do I understand that you gave up the practice of charging fares with an understanding from the committee that they would recommend an increase of salary for you?

A. I expected them to.

Q. Was that your reason for giving up the charging of fares in the fall of 1904?

A. Well, I don't know as I can say.

Q. Why did you stop charging fares in the fall of 1904?

A. I simply stopped.

Q. Was it because you decided that this general practice was wrong or that you were wrong?

A. I didn't think there was anything wrong about it.

Q. Did you think it was all right?

A. I thought it was all right.

Q. Why didn't you continue to do it?

A. Well, I didn't. I don't know exactly why. I expected an increase of salary and got it.

Q. You say your salary was \$1,000.00 a year prior to 1905?

A. Well, prior to 1905—the Legislature by act increased by salary in 1905, in July of that year, to \$2,000.00. Prior to that under the provisions of the non-resident hunters' license law the Governor and Council by the terms of that law had authority to allow me an increased compensation in such sum as they believed just and right for the extra work devolving upon me by that law. That comes later in the questions as I understand it.

Q. Now you had a salary, prior to the beginning of the present salary of \$2,000.00 a year, your salary of \$1,000.00, what you collected for local fare tickets approximately \$300.00 a year, and what the Governor and Council allowed you for work connected with the issuance of licenses—are those the only sources from which you derived any money as Commissioner?

A. Yes.

Q. No other sources?

A. No other sources except sometimes when a civil action was brought under the statute for the recovery of a fine, if I brought the writ and collected it I charged for the writ and costs.

Q. Did the statute give you the right to do that?

A. Any person the right to do it, any citizen may bring an action to recover the penalty for a violation of the fish and game law.

Q. The statute entitled to the penalty, does it?

A. No, sir, not the penalty.

Q. The price of the writ?

A. That is the way good lawyers construed it.

Q. There were four sources from which you derived revenue, your salary, local fare tickets, hunters' licenses and civil suits. Those were the only sources from which you received any revenue whatever as Commissioner?

A. Yes, sir.

Q. For example, what was the fee for the writ, what did you charge for a writ?

A. Five dollars, I think.

Q. Five dollars in all cases?

A. That is my recollection.

Q. No matter how small or great the damage or ad damnum?

A. I never brought but few of those anyway, very few.

Q. Were all that were brought brought by you?

A. I think I made the writs so far as I now recall.

Q. Did you attend to the cases in court?

A. Well, they were usually settled before they went to court.

Q. Such as were not settled?

A. I don't recall a civil suit brought but what they desired to settle before it came to court, and was settled.

Q. So as a matter of fact you simply made your writ and handed it to the proper officer and he served it and a settlement was made and you took out five dollars for your services?

A. Yes, if I took out anything.

Q. In most cases didn't you take out something?

A. I think so in most cases, but as I said, there were but a few of them.

Q. Now I wish you could give the Committee some specific information on whose statement you felt authorized to collect this local fare money when you were traveling on a pass?

A. Some person's special statement?

Q. Yes, who were some of the parties?

A. I named one of them, my associate who had been on the commission twenty-five years.

Q. Had he gone off?

A. No, sir.

Q. Is he still on the Board?

A. He has gone off now.

Q. Was he a lawyer?

A. No, sir.

Q. Did you think that his interpretation of the law was better than yours who had been trained in the law?

A. Well, his interpretation of the law was the same as mine.

Q. So as a matter of fact you didn't need his advice?

A. I got the practice and was informed what the practice was, the universal practice as I understood it of all State officials, including members of the Legislature.

Q. You say it was the universal practice of all State officials?

A. I said I so understood it.

Q. When you were elected County Attorney for example was it the universal practice for you to receive money from any other revenue than from your salary?

(Objected to.)

The CHAIRMAN: The fact that he did receive a pass, that he charged up fares, is before the Committee, and do you think that that last question is germane?

Mr. O'BRIEN: I am simply trying to find out on what this general practice was founded. It seems to me that a man learned in the law, in a case in which the statutes specifically define what he should be allowed—I would like to get something specific as to where he got any other authority outside of the statutes.

The CHAIRMAN. The facts are all before the Committee, are they not, on that subject?

Mr. O'BRIEN: It is true that he has admitted that he charged local fare and traveled on a pass.

The CHAIRMAN: And it would not change the fact that someone else told him he could do it, would it?

Mr. O'BRIEN: I think it might help the Committee. It might enlighten me. (Continuing cross-examination.) Under this same question can you answer for us whether or not it was the practice with all your wardens to travel on a pass?

A. I know of no warden in the State of Maine so far as I am aware who has ever traveled on a pass and charged up anything for fares.

Q. At any time?

A. At any time.

The CHAIRMAN: That comes up in another question on the subject of wardens.

(Questions by the Chairman.)

Q. Instead of employing an attorney you made the writ yourself?

A. Yes.

Q. Who paid the costs?

A. The party against whom the suit was brought.

Q. And out of the costs that were paid you deducted the charge for the writ?

A. Yes. I wish to say that I did not make all these writs. Some attorneys were employed sometimes to make the writs. I didn't make them all. They were very few in number anyhow.

Q. The writs that you did make?

A. Those that I did make were paid for by the party against whom they were brought.

Q. And not by the State?

A. Not by the State.

(Mr. O'Brien continuing cross-examination.)

Q. Did any of those attorneys ever take more than five dollars for a writ or did they take all the costs?

A. Well, now, I don't know. I should have to look that up.

Q. Did you ever take anything more than the writ fee?

A. I think so.

Q. I understood you that you took the writ fee and the costs.

A. I think I charged sometimes the writ fee and something more.

Q. What more?

A. For instance, I recall a case where I collected \$500.00 on a moose fine where I did the work myself, where I did the warden work, worked up the case and took the matter before the Governor and Council and I would say, "I think I am entitled to extra compensation for this extra work that I was not called upon as Commissioner to perform," and I have been allowed to charge something.

Q. Doesn't the statute define just what your duties as Commissioner are?

A. Well, in a general way.

Q. And wouldn't it be naturally expected to include just such services?

A. Not at all. It isn't naturally expected that I shall go into the woods and be a warden.

Q. In that particular case where you collected \$500.00, what did you get out of it except the \$5.00 for the writ?

A. One case I think was \$533.00 and I think I got \$33.00 out of it allowed by the Governor and Council, the writ and the extra work.

Q. That case was settled as I understand it.

A. Yes, settled in the woods.

Q. The other \$500.00 you turned over to the Department?

A. Yes.

(Questions by the Chairman.)

Q. Were the \$33.00 the costs?

A. The costs.

Q. The \$33.00 came from the defendant in the case?

A. Yes, sir.

Q. And the \$500.00 was the fine and was turned over to the State?

A. Paid into the treasury.

The CHAIRMAN: The Committee suggest that each one of the Commissioners be examined on the inquiry under the head of number one. Will you give your answer to that, Mr. Ring?

Mr. RING: I will say that since December, 1904, I have traveled on a pass but have made no charges to the State for my transportation expenses, except in the very few instances where in my official capacity I have traveled on railroads over which I had no pass. In these cases I have charged to the State my actual transportation expenses. My conduct in this matter prior to December, 1904, was made the subject of an investigation by a legislative committee appointed by the Legislature. I testified before that committee that prior to December, 1904, I had traveled on passes and had charged railroad fares to the State and that said action was following a custom that had been practiced long by State officials, and one which I believed was in violation of no legal or moral restrictions. Now I have no doubt you remember that they had a special committee called for the purpose of looking into the

salaries and passes, and I testified to this fact to that committee. Since then I have charged no passes, only actual fares. I paid out in the last two years \$6.00.

Mr. PARKHURST: Since December, 1904, you have paid \$6.00 for railroad fares and charged that amount to the State?

Mr. RING: Yes, sir.

Mr. PARKHURST: That was over lines where you had no passes?

A. In other words, I accepted the passes and turned them over to the State.

(Mr. Ring cross-examined by Mr. O'Brien.)

Q. What rate of fare did you charge the State?

A. The local fares, just the same as Mr. Carleton did and the other States officials with whom I have talked.

Q. When were you first appointed?

A. 1901.

Q. For three years you charged local fares?

A. Well, two years and a half.

Q. Now your salary was the same as Mr. Carleton's?

A. More, I had \$1,400.00.

Q. Was that the only source of revenue you had, the \$1,400 and what you charged the State for local fares?

A. Yes, sir.

Q. Did you get anything out of these hunters' licenses as Mr. Carleton did?

A. No, sir.

Q. How was that? Why didn't you get your share of that? Did Mr. Carleton take it all?

A. I don't know anything about Mr. Carleton's matter. I didn't get anything but my salary.

Q. You simply got the \$1,400 and what you collected for local fare tickets?

A. \$1,400 and what I got from the railroad companies in the way of passes.

Q. Now you traveled on a pass all the time?

A. Not always. I didn't have passes over all the roads.

Q. In such instances where you didn't have a pass did it ever occur to you that you might have ridden cheaper and saved money if you traveled on a mileage book?

A. I suppose I could have bought mileage books, for instance, over the Grand Trunk Railroad where I might make one trip a year. I could perhaps have saved something by buying mileage books from the Maine Central. And in Washington County I could have bought a mileage book there, but if I had been traveling on my own private business I should not have done so.

Q. Didn't you have a pass over the Maine Central?

A. Yes, sir.

Q. What road was it that you didn't have a pass on besides the Grand Trunk?

A. I didn't have a pass over the Boston & Maine. I had a pass over the Washington County and Bangor and Aroostook and Maine Central.

Q. Did you have one on the Somerset road?

A. No, sir. I think I have had a pass over that road for the last two years.

Q. Now you say that up to December, 1904, you continued to collect local fares from the State. Why did you cease in December, 1904?

A. Well, I was informed by the Committee that they would prefer I should charge no more fares where I rode on a pass, and the Chairman of the Committee, Mr. Stetson, asked me what it amounted to. I told him and they increased my salary to offset it.

Q. How much did it amount to?

A. I think on the Fish and Game business \$100, but I was in three departments, Land Agent and Forest Commissioner. It might have amounted to \$300 a year, the three departments, between \$200 and \$300.

Q. I presume you charged up for the time in which you did charge these local fares, I presume you charged them because of a general impression that you were entitled to it?

A. Yes. I was told that before I accepted the office.

Q. Did the Attorney General tell you that?

A. I didn't ask him.

Q. Did you ask any attorney?

A. No, sir. I asked the other State officials.

Q. Did you even read the statute yourself?

A. Well, I don't remember that I read them particularly.

Q. And all that was necessary for you to cease charging local fares was to have Senator Stetson suggest that the Committee would rather you did not charge them?

A. Well, yes, he suggested to me that I had better not do it. I think the law was changed at that time.

Q. In the summer of 1904?

A. In the summer of 1905.

Q. You stopped collecting fares in December, 1904?

A. Yes.

Q. This new law didn't go into effect until some time in 1905?

A. I think it went into effect in the summer of 1905, but I charged no fares after December, 1904.

Q. Did Mr. Stetson give you any reason why it would be desirable to have you stop charging local fares?

A. He didn't state any special reason why I should stop.

Q. Without any hesitation, simply because he requested it you stopped charging?

A. Yes.

Q. Up to that time it never occurred to you that it was not right for you to charge those local fares when traveling on a pass?

A. Not in the slightest.

Q. You thought it was all right?

A. Certainly, or I should not have done it.

(Questions by Mr. Goddard.)

Q. Mr. Carleton is the Chairman of the Fish and Game Commission, is he?

A. Yes, sir.

Q. And has been ever since you have been a member of the Commission?

A. Yes, sir.

Q. And you are the Land Agent?

A. Yes, sir.

Q. And were appointed as such in 1901?

A. Yes, sir.

Q. And ex-officio are a member of the Commission?

A. Not ex-officio. I am in as good standing as any of them.

Q. I mean it goes with the Land Office?

A. I am appointed Fish and Game Commissioner because I am State Land Agent.

Q. So you held both those positions since 1901?

A. Yes, sir.

Q. And you are also Forest Commissioner?

A. Yes, sir.

Q. You were asked something in regard to your not getting your share of the compensation for fixing up these guide licenses. Whether or not the Chairman of the Commission, being Chairman and being a lawyer, did practically all that work in looking up and arranging for the guide licenses?

A. That work is all done in the office under the direction of Mr. Carleton. I want to say this to Mr. O'Brien, that I was allowed under the new law by the Governor and Council at their own suggestion for extra work for six months \$150. I didn't understand what you meant. That extra work was in connection with the hunters' licenses for the non-residents.

(Mr. O'Brien resuming cross-examination):

Q. You say the work, the most of it, was done in the office of the Commission?

A. Well, the larger part was done in the office but the money is all paid out from our department. We make all the checks, pay out all the money and make up the pay-roll and take the receipts and they are all filed in the office of the Land Agent. That is the only part of the Fish and Game work that is performed outside of the Fish and Game office. All the detail work of this Fish and Game Department is performed by Mr. Carleton. This was at the suggestion of the Committee on Accounts. He told me to bring in a bill for \$150 under the new law.

Q. You say the Committee on Accounts, a committee of the Governor's Council?

A. The Committee on Accounts of the Governor's Council.

Q. Did I understand you that the most of the work in connection with the hunters' licenses was done in that office?

A. Yes, sir.

Q. You didn't do any of that except what you did for this \$150?

A. Well, we did some of it, for instance we used to pay out about \$25,000, and with the additional money coming in from the non-resident licenses made it about \$60,000; so it really doubled our work in the office of paying out money.

Q. What was the work of paying out the money—making the checks?

A. Making up the accounts and making the checks.

Q. Did you folks as Commissioners do that or did the clerical force do it?

A. Well, it was done under my direction in the office. I wrote all the checks personally. That part I do myself.

Q. The clerical force in the office really did the work?

A. The mailing of the letters and writing the letters was done by the clerks.

Q. About making up the account, did you do that personally or did somebody of the office force do that?

A. My clerk made it. I approved the bills, looked the bills over and paid them.

Q. All you did was to look them over, approve them and draw a check?

A. Yes; I didn't do the typewriting work.

Q. Isn't that practically all the work that has been done by the Commissioners in connection with this hunters' license business?

A. Well, it is practically all that is done in my office, but down stairs of course you can see there is a great amount of work connected with the selling of \$40,000 worth of licenses.

Q. What great amount of work is there?

A. I think Mr. Carleton could explain better than I.

Q. From actual experience you never had any of that work?

A. No, sir, that is done down stairs.

Q. Do you know whether or not the usual form is for a person to send in an application for a license, and after examination the license is issued or refused—isn't all the work that there is the issuance of a license, simply the looking over of the application and deciding whether or not a license shall be issued to that applicant, notifying that person if it is to be issued, receiving the license fee and then issuing the license? Isn't that really all the work there is?

A. The records have to be kept of all these licenses.

Q. Do you as Commissioners keep those records?

A. I don't individually.

Q. Does the office force do it?

A. Down stairs it is done in the Fish and Game office.

Q. What is your salary as Land Agent?

A. I get as Forest Commissioner, Land Agent and Fish and Game Commissioner \$2,000 all told.

(Questions resumed by Mr. Goddard.)

Q. When you speak of "down stairs" you mean the Fish and Game office where Mr. Carleton is?

A. Yes, sir.

Q. Your office, the Land Office and Forest Commissioner Office, is right above his?

A. Yes, sir.

Q. The bulk of the work in preparing and issuing these non-resident licenses is done at Mr. Carleton's office?

A. Practically all of it is done there, except such as I have explained. (Cross resumed by Mr. O'Brien.)

Q. You send the checks out?

A. I send out the checks; and the extra help—where we spend \$60,000 it requires more work than if we spent \$25,000.

Q. Do you spend your time in the office of the Fish and Game Commission or in your office as Land Agent?

A. In the office of the Land Agent nearly all the time.

Q. You don't know whether Mr. Carleton does the real work in connection with this license business or not?

A. We have monthly meetings and I go down into the Fish and Game office quite often. If I see anything there that I don't understand Mr. Carleton explains it to me, and I think I know pretty near what is going on all the time.

Q. If he can't explain it of course somebody else in the office corps can?

A. I suppose so?

(Questions by Mr. Goddard.)

Q. At the time you received this \$150 at the suggestion of the Committee on Accounts for extra work, as I understand, that was before your salary was raised to \$2,000?

A. Yes, sir.

Q. That was when you were receiving how much?

A. \$1,400.

Q. And since then, since your salary has been raised to \$2,000 have you received anything extra for any of your services as Fish and Game Commissioner?

A. No, sir.

(Questions by the Chairman.)

Q. Your work was examined by the Governor and Council?

A. Yes, sir.

Q. And they understood what amount of work you did?

A. Yes, sir.

Q. And they considered it worth \$150?

A. Yes, sir.

Q. And allowed it?

A. Yes, sir.

JAMES W. BRACKETT called.

(Mr. Brackett said:) I will state in reference to question one that all my transportation has been paid for, dollar for dollar, since I have been on the Commission, for the past two years. I was appointed in 1905. I have traveled to the amount of about \$300 during the two

years. I want to state, however, for the information of the Committee that I have had for the past eight or ten years an arrangement with the railroads of the State for certain advertising in one of my newspapers for which I received transportation, in exchange of accounts in that way; and I have drawn off a detailed statement here showing each trip I made since I have been on the Commission, where I went and the amount expended, and so forth, showing the amount of advertising that I furnish and the amounts charged to the State.

(Questions by the Chairman.)

Q. I understand you that you continued an arrangement which you had made with the railroads years before you were appointed?

A. Yes, sir.

Q. And did continue that arrangement how long?

A. Continued it for the past two years.

(Questions by Mr. Parkhurst.)

Q. Can you tell the Committee in detail just what that arrangement was?

A. That was an arrangement for publishing the time tables of the railroads in one of my newspapers called "The Maine Woods," which is an outing newspaper, and the railroads have been in that newspaper with their time tables for ten years under that arrangement and furnished transportation in payment for it. So I have had no free transportation at all and have continued the arrangement just as I had done formerly, paying dollar for dollar.

Q. In what form did they furnish that transportation?

A. In various forms, mileages and advertising transportation card.

Q. Did you charge them with their advertising?

A. Yes.

Q. On your books?

A. Yes, sir.

Q. And did you credit them with the value of the transportation?

A. Yes; I have a record here that shows the amount that I furnished during the past two years in advertising and the amount I took up in transportation.

(Questions by the Chairman.)

Q. You are the editor of a paper?

A. Yes, "The Maine Woods."

Q. And have published that paper how many years?

A. About twenty years. During about half of that time I have had this arrangement with the railroads for actual space. I have made clipings showing the actual space used and have attached a copy of my advertising rates showing the amount charged, and so forth, inch per inch.

Q. Will you leave that paper with the Committee?

A. I will.

(Questions by Mr. Parkhurst.)

Q. Has the amount of your transportation equalled the value of the advertising space as charged against them on your books?

A. The amount of advertising I furnished under that arrangement in 1905 and 1906 was \$799.37. The amount of transportation charged to the State under that arrangement was \$322.70, which left a balance, had it been paid for in cash, of \$476.67. In addition to that I have had personal transportation which I charged up at the same rates amounting to approximately \$150, which left a balance of \$326.67.

Q. You spoke of this arrangement lasting down to some recent time?

A. The first of December. I started about two years ago undertaking to have the railroads pay me cash each month for what they used and then I go to the window and pay transportation for the reason that I believed I was over-paying on this, that they were getting larger spaces than they otherwise would for the amounts that I received. And it drifted along and we could not make the arrangement until last summer when I took the matter up with the local railroad there and got their consent, and now I have brought it to a short halt the first of January and it is all on an absolutely cash basis.

Q. I understand that now the railroads pay you for this space?

A. Yes, and I pay my transportation. That will give me a considerable balance in cash in the future, provided they use the same amount of space.

Q. And you will pay them for the transportation?

A. Yes.

(Questions by Mr. Goddard.)

Q. The railroads are getting the best end of the bargain right along?

A. Yes, sir.

Q. You will get now a cash balance coming your way?

A. Yes.

CROSS-EXAMINATION.

By Mr. O'Brien.

Q. When were you appointed?

A. In 1905.

Q. What is your salary?

A. \$1,000.

Q. Do you have any other source of revenue in the office?

A. No.

Q. You don't get anything out of the extra work?

A. I got \$50 in 1905. I went and asked for it.

Q. Whom did you ask?

A. The Committee in the Council.

Q. The Committee on Accounts?

A. Yes, sir.

Q. For what were you paid that \$50?

A. The bill was made out on account of extra work for hunters' licenses and so forth.

Q. Did anybody else collect anything for that same extra work?

A. Not that I know of.

Q. You cannot say that they did not?

A. No.

Q. I don't know as I quite understand what you have been telling the Committee. As I understand from these papers of yours, in 1906 you used up \$150 in transportation?

A. Yes.

Q. Now you have here, fare from Brunswick to Foxcroft, \$2.22. Is that a local ticket—October 8, 1906?

A. I will state in regard to that that when I was appointed I was traveling and charging local rates, giving credit on local fares. And that continued a short time. I found I was traveling a good deal and that it wasn't consistent under the circumstances. I went into the main office in Portland and requested that they issue me a mileage so I might charge up mileage rates to the State and put it on that basis, which they did. That was about two months there. You will find it in July some time.

Q. I understand that you don't travel on a pass at all?

A. No free transportation since I have been a member of the Commission.

Q. Have you been tendered a pass the same as the other gentlemen have?

A. I have not because my arrangement had been a permanent one for years.

Q. Where is this "Maine Woods" printed?

A. At Phillips.

Q. Do you do any of the work connected with the "Maine Woods" in connection with the office of the Fish and Game Commission?

A. None whatever.

Q. Do you do any work for the "Maine Woods" in the office of the Fish and Game Commission?

A. No.

Q. Does that take any of the time of the Fish and Game Commission, the office corps or your own time?

A. No, I never have.

Q. Your mail in connection with the "Maine Woods" does not come to the Fish and Game office?

A. No, none of it.

Q. You don't answer any of it from there?

A. No, none of it.

Q. You had this "Maine Woods" before you were appointed on this Commission?

A. Yes.

Q. What arrangement did you have for printing then, for your payment for printing?

A. Precisely the same before I was appointed. There was no change.

Q. You paid your fare?

A. Yes, always in that way, in precisely that way. No change whatever.

Q. You had a mileage book?

A. Yes, just as we have it there.

Q. And the balance you collected in cash?

A. No. I furnished the railroads their time tables for such transportation as I needed and I found I was actually overpaying, that I have been in former years.

Q. At what time do you claim that you discovered you were overpaying the railroads?

A. I took the matter up over two years ago with some of the railroads.

Q. Do I take it that while you have been a member of the Fish and Game Commission you have been getting all that was coming to you from the railroads?

A. No. It lacks for the last two years about \$300, according to the statement there at the head of the first page.

Q. You now have an arrangement with them so that you really get pay for everything you do for them?

A. Yes, sir.

Q. When did that begin?

A. The first of last January.

(Questions by Mr. Goddard.)

Q. Your publication is published in Phillips?

A. Yes, sir.

Q. That is your home?

A. Yes, sir.

Q. Your office is there?

A. Yes, sir.

Q. You conduct the whole business of publication from that office?

A. I do.

Q. None of it is conducted from any other place?

A. Yes.

The CHAIRMAN: Question 2. The Committee desire to learn the names of wardens in the Fish and Game Department who have since January 1, 1905, charged local fares when performing their official duties in connection with this department, and also who of those wardens have, or have had, passes, if any, and who of those wardens have used mileage, if any; and would ask the Commissioners to furnish all the information on this subject that they can from the documents in their office.

Mr. CARLETON: No wardens, so far as the Commissioners are aware, or the records of the office disclose, have charged local fares, or charged any fares at all when traveling on a pass, or when traveling on a mileage, charged more than actually paid out for mileage.

The following wardens are the only ones who have used mileages at all, so far as we know, and these but part of the time: George W. Ross of Vorceboro, Walter I. Neal of Waldo, George E. Cushman of Portland, F. M. Perkins of Bradley, F. H. Clark of Smithfield, and G. N. Dyer of Franklin. This information is supplied from the weekly reports of wardens while in this office, and the monthly bills filed with the Governor and Council, and from letters on file in the office. I submit a

sample of the weekly reports that all wardens are required to make to the office.

The followning named wardens have had passes a portion of the time, not all of the time, over portions of the followning named railroads: W. T. Pollard of Foxcroft on B. & A. and C. P.; Frank J. Durgin of The Forks on C. P. and a short time on the Somerset Railway; Herbert E. Pierce of Bingham, a 50-trip pass from Bingham to Dead Water over the Somerset Extension; D. L. Cummings of Houlton on the B. & A.; George H. Huston of Perham and Bangor on the B. & A.; H. E. Redmond of Solon on a portion of the B. & A.; F. W. Austin of Fort Kent Mills on a portion of the B. & A.; David F. Brown of Greenville Junction over a portion of the B. & A.; Irving Hamilton of Greenville over a portion of the B. & A.; Lowell E. Ward of Solon over a portion of the B. & A.; Charles S. Adams of Jackman on the C. P.; George W. Ross of Vanceboro over the C. P. part of the time, and over the Washington County Railroad up to the time the Maine Central Railroad took it, since then a part of one year; F. M. Perkins of Bradley on the B. & A. part of the time; F. H. Clark for a short time once on the B. & A. and some of the Somerset Railway; G. M. Estey on the P. & R. in 1905 (one trip charged).

The express companies have carried our fish free, and all the railroads have given free transportation to the messengers going with the fish to various points in the State; they have never charged any railroad fares in their bills for services.

I made personal application yearly to those roads that would grant our wardens passes, and they would send them to the office, and I would deliver them to the wardens and it was usually several weeks, and sometimes months, before they would get them.

I have a blank here which shows the weekly report which the wardens are obliged to make.

CROSS-EXAMINATION.

By Mr. O'Brien.

Q. How are these wardens paid—for every day?

A. Some of the game wardens, our regular force, are hired by the year. They are paid \$2.00 a day and actual expenses.

Q. This game warden Ross, how is he paid?

A. He is paid by the day. We have hired Mr. Ross for several years. There has been a break in his services for a few months during the last two years in the summer months.

Q. What do you mean by a break?

A. He has not worked for us.

Q. Was Mr. Ross one of the men who you said did not have a pass?

A. Mr. Ross, I said, had a pass a portion of the time over the C. P. Railway and over the Washington County Railroad about the time it was built up to the time it was absorbed by the Maine Central Railroad, since which time he has not had a pass on it except a portion of one year.

Q. He has not a pass on it now?

A. No, I don't think he has. The Maine Central Railroad never has given our wardens passes.

(Questions by Mr. Parkhurst.)

Q. There had been filed with the Committee an anonymous communication, unsigned. It was, I believe, given to one of the senators, who handed it to me, and in that is this inquiry: "It is reported that George Ross, game warden at Danforth, was engaged all last summer traveling with a circus and that his salary was drawn by someone during that period." As you have mentioned Mr. Ross the Committee thought they would ask about this.

A. Mr. Ross has never received pay for a single day that he was not on duty.

Q. There was during last summer a period when he was not paid by your office?

A. There was a period from the time he went away the first of the spring until he returned in the fall that he was not paid a cent and nobody was paid a cent for him.

The CHAIRMAN: That answers for the whole Commission question number 2?

A. Yes.

(Questions by Mr. O'Brien.)

Have you as Chairman of the Commission charged up to the State any expenses other than those actually expended for the State?

A. Not that I know of, no.

Q. Since January 1, 1905?

A. No, sir.

Q. Will you state again who the wardens are that have passes?

A. W. T. Pollard of Foxcroft has had passes—there would be a break at the commencement of the year, there would be a break on the B. & A. and that portion of the C. P. from the boundary line to Brownville. Frank F. Durgin of The Forks has had a pass a portion of the time on that part of the Canadian Pacific road; a short time he had a pass on the Somerset Railway. Herbert E. Pierce of Bingham had a 50-trip pass from Bingham to Dead Water on the Somerset Extension. That was a railroad that ran fifty miles through the wilderness from Bingham to Moosehead Lake and that was his territory to guard. As the road went along they gave him a 50-trip pass. D. L. Cummings of Houlton on the B. & A. George Huston of Perham and Bangor on the B. & A. while he worked for us; he has not worked for us for three or four years. H. E. Redmond of Solon on a portion of the B. & A. He is located at Millinocket and on that portion of the road over which his beat would be had he had a pass. F. W. Austin of Fort Kent Mills a pass over a portion of the B. & A., that part where his beat would come. David F. Brown of Greenville Junction over a portion of the B. & A. Irving Hamilton of Greenville and Lowell E. Ward of Solon over a portion of the B. & A. He is stationed at Millinocket. Charles S. Adams of Jackman over a portion of the C. P. He is stationed at

Jackman. That is from the boundary line to Greenville. George W. Ross of Vanceboro over the C. P. a part of the time and over the Washington County Railroad up to the time the Maine Central absorbed it and since then but a part of one year. F. M. Perkins of Bradley on the B. & A. part of the time. F. H. Clark for a short time once on the B. & A. and some on the Somerset. G. M. Estey on the P. & R. in 1905—one trip charged.

(Questions by one of the Committee.)

Q. What is included under these items of warden service in your report?

A. That is what we have paid wardens.

Q. Is that the salary?

A. Their salary and expenses.

Q. The one I had reference to was Mr. Ross. There was quite a break in his time of service last year—\$2 a day paid—I notice here that his amount for warden service was \$698 and some cents.

A. That included service and expenses.

(Questions by Mr. Donigan.)

Q. Is Mr. Durgin hired by the year or is he hired by the day?

A. We have to make our contract with the wardens, those with us all the time, for a year. We cannot keep them unless they know they are going to have a continuous job; but the rate of pay is fixed at \$2 a day and actual expenses.

Q. I asked you if Mr. Durgin was one of those that was hired by the year.

A. Yes, he has worked for us by the year for several years.

Q. Is Mr. Clark also hired by the year?

A. We haven't had a definite arrangement with Mr. Clark like what we have to have with Mr. Durgin. Whenever we have work for him to do he does it. I think since the hatchery was up there and he became expert in the handling of fish eggs—and I have sent him all over the country—that his time has been pretty well occupied for the last two or three years.

Q. Mr. Clark had no pass?

A. Mr. Clark I don't think ever had a pass. He might possibly have had one once for a short time on the Somerset Railroad. If so, it was given to him directly and did not come through the office.

Q. Do you expect them to work all the time where they are paid by the year?

A. Yes.

Q. Every day?

A. Well, we expect that they are going to work for us from year's end to year's end. Of course sickness or important business takes them away. That time comes out which they don't actually work.

Q. You don't expect them to work at their own trade or business?

A. Not when we are paying them for it, no, sir.

Q. Mr. Pierce, is he hired by the year or by the day?

A. He has been paid, I think by the day. I think the contract with Mr. Pierce was the same as with Mr. Durgin, that he shall work for us regularly right along until discharged.

(Questions by Mr. O'Brien.)

Q. I find in your report, Walter I Neal \$1,575. How does that happen to be so large?

A. Mr. Neal is the general warden of Waldo, Lincoln, Knox and Sagadahoc counties. He has charge of those counties and he has to travel a great deal of the time. Railroad facilities are not available for traveling in those counties and his bill for expenses for that reason is large.

Q. What do you pay him as a salary?

A. \$2.50 a day.

Q. And the rest of the \$1,500 is all expense account is it?

A. Yes, sir; and I want to say further that Mr. Neal for ten years, I think it is ten, has been in charge of the railway service at Bangor during the hunting season. He has to board at a hotel there, he is up nights every night until one or two o'clock on account of the way the trains run and he necessarily has to be at a hotel, consequently his bill is large. That is three months in the year.

Q. There was one other charge here—Charles W. Curtis, clerical service.

A. Mr. Curtis is the clerk in the Land and Forest Commissioner's office, Mr. Ring's clerk. He is the party who keeps the books of the expenditures, money paid out, and the ledger account of each individual. Mr. Ring as treasurer of the Commission allows all the money and it is paid out from his office by checks and Mr. Ring's clerk is Mr. Curtis, who does the clerical work in making up the bills. For instance, we ordinarily meet once a month a few days before the meeting of the Governor and Council. The bills of the wardens, the bills of the men in the hatcheries and all that are doing any work are sent to us to the office, and we look them over and if they are found correct approve them, each member of the Commission. Then they go up stairs to Mr. Curtis, who makes a list of them, of their names, the amount against each name, and those bills are taken with that list to the Governor and Council. Then the Governor and Council audits them. If found correct the check is drawn for the whole amount of all the bills in favor of Mr. Ring, the Secretary of the Commission. Mr. Curtis has to do that work of making up those lists and taking them to the Governor and Council. Then when the warrant is drawn Mr. Ring writes his check for the various parties and sends it out to them. Not a dollar is handled down stairs.

Q. You have a clerk in your office?

A. Several of them.

Q. You have a young lady clerk there?

A. Yes, sir.

Q. What salary do you pay her?

A. Her salary is fixed by statute at \$750.

Q. How many other clerks?

A. Sometimes two and sometimes three, sometimes one.

Q. What do you pay the others?

A. I shall have to ask the head clerk. It is not a fixed amount. The law provides that in addition to one clerk at \$750 we shall have authority to employ such additional clerical service as is necessary, to be paid out of our fund—not by the State but out of the Fish and Game fund. The head clerk is paid by the State.

Q. You say to be paid out of your fund. What is the amount of your fund in that department?

A. I have it here itemized in an answer to a question farther along.

The CHAIRMAN: I think the Committee would prefer to pursue the regular order of the inquiry; but you may give the amount if you have it.

Mr. GODDARD: That is all explained later on in answer to another question.

A. The total amount received for licenses and fines in 1905 was \$39,946.55. To that should be added the regular appropriation for fish hatcheries and feeding stations, \$25,000. That is exclusively for the fish hatcheries and feeding stations, and the protection of fish. In 1906 the total amount was \$40,294.73, to which should be added the regular appropriation of \$25,000.

Mr. DONIGAN (continuing): So you have a fund of \$65,000 to draw from in your department?

A. Yes, sir.

Q. And you spend it every year?

A. We draw it from the treasury. It is all paid into the treasury.

Q. The sum of \$65,000 is expended through the department of the Fish and Game Commission?

Mr. GODDARD: I think this inquiry comes under another question.

The CHAIRMAN: Question 3. The Committee desire Mr. Carleton to explain the charge of \$11.15 made in January, 1905, as an item of charge for trip to the Megantic Club, and also to state how this was authorized and what the expenditure was for.

Mr. CARLETON: I went to Boston on this occasion for two purposes—to attend the annual dinner of the Megantic Fish and Game Corporation, by whom I was invited to deliver an address on the attractions of Maine as a fishing, summer tourist and hunting resort, and also to ascertain what I could as to whether or not game was being illegally shipped from points in Maine to the Boston markets. I went to Boston on the evening of the 20th. My expenses were as follows: Chair in parlor car, 80 cents; food en route, \$1.00; porter, 50 cents. I returned Sunday, the 22d, returning via Augusta—chair in parlor car on return trip, 80 cents; lunch, breakfast and dinner, \$2.00; hotel bill, \$2.00; paid typewriter in Boston to rewrite my address, \$3.00; paid for hack and car fares, \$5.00. A few other incidentals not mentioned made the expenses of the trip over \$20.00, and I charged \$11.15.

In further answer I would say that I distinctly recall that Mr. Ring, one of my associates, and myself, called on the Governor, and we talked over the matter of this trip; we called attention to the law that all expenditures by law were "under the direction of the Governor and Council"; that they were supreme in the matter; that we were but agents or clerks, though called by the high-sounding name of Commissioners, that not a cent could be expended without their direction. As I understood it, the Governor thought it a proper trip to make, especially as I had spent much time in getting up an address on the attractions of Maine as a resort, and as this club, composed of business men from many states, spent a large amount of money yearly in Maine, and the papers gave wide publicity to what I said of Maine attractions. This particular conference with the Governor was my authority for making this particular trip. Fish and Game Commissioners of the New England States were expected to be present, as I understood, representing their respective states in their official capacities. I went to impart and collect information in the interests of my department and for the State of Maine. I was invited officially and attended in my official capacity.

The CHAIRMAN: Mr. Ring, do you recall that?

Mr. RING: I do. I was present when the Governor told Mr. Carleton to take the trip.

(Mr. Carleton cross-examined by Mr. O'Brien.)

Q. You say you spent considerable time in the preparation for that address to be delivered at the Megantic Club dinner?

A. Yes, sir.

Q. How much time did you put into it?

A. That would be an impossible question to answer as you can well understand. A man preparing an address would prepare it by piecemeals as he had an opportunity—sometimes fifteen or twenty minutes, perhaps sometimes half an hour. I remember that my papers were all covered with notes when I got to Boston and I got a typewriter there to rewrite them.

Q. How long did you remain in Boston to deliver that address?

A. I came home Sunday.

Q. And went when?

A. I went there Friday night.

Q. You came home Sunday?

A. Yes.

Q. You got there Friday night?

A. Yes, sir.

Q. You were there all day Saturday?

A. Yes, sir.

Q. What time Sunday did you leave?

A. On the regular train that gets here some time in the afternoon.

Q. You say you were authorized to charge up that expense of \$11 by Governor Cobb?

A. We went to see Governor Cobb, who had just been inaugurated. It had always been my custom from the time I was appointed by Governor Cleaves to consult every Governor.

.Q You saw Governor Cobb?

A. They are supreme—the law provided that this money shall all be expended under the direction of the Governor and Council; and following my custom I went and saw Governor Cobb with Mr. Ring. The Chairman of the Committee on Accounts, a member of the Council, and possibly Mr. Murchie was present, and the matter was talked over and I was authorized to go up there for this purpose and to charge my expenses.

The CHAIRMAN: Question 4. The Committee desire full details of the charge of \$250 dated March 31, 1905, and for extra services on account of non-resident hunters' license law; under what authority this charge was made and how much was received in full for services under chapter thirty-two, section thirty-two, of the Revised Statutes from the time of its passage until repealed; and what did the extra services consist of, and was there any expense or extra clerk hire or other expenses connected with the matter of the hunters' license?

Mr. CARLETON: Section twenty-two of chapter thirty-two of the Revised Statutes was passed in 1903 and was section one of chapter ninety-nine of the Public Laws of that year, and is as follows:

"Such licenses shall be issued by the Commissioners of Inland Fisheries and Game, upon application in writing and the payment of fifteen dollars, and under such rules and regulations to be established by them, and approved by the Governor and Council, as may be required to carry out the true intent of this act and not inconsistent herewith. . . . Provided, further, that the Governor and Council shall have authority to allow the Commissioners of Inland Fisheries and Game, out of the funds received for licenses and fines, such compensation as they may deem just and fair for the additional work required of them in carrying out the provisions of this act."

It will be seen by the provisions of this law that non-resident hunting licenses were to be issued under rules and regulations established by the Commissioners and approved by the Governor and Council. It involved much time and study to formulate these rules and regulations and get the approval of the Governor and Council and promulgate them. We had to get up a series of license blanks to be used. In order to do this I examined the license blanks issued by every state that had this law, and after much work—it necessitated a great amount of extra correspondence and clerical services, and so forth, I got up the blank license which is now in use. To place these licenses at convenient points we appointed hundreds of agents in different parts of the State, and this occasioned a great deal of extra work, as we had to get out detailed instructions to the agents, explaining explicitly as to how the licenses were to be issued. The disposition of the money collected—it involved a great amount of extra correspondence on this score, as we wished to place them in the hands of only responsible parties. We had to keep them supplied with licenses, keep track of them, open accounts with them, all of which was no small task, collect the money, pay it to the

State Treasurer, and settle with these agents at the close of the season. We are responsible for every license printed and must either pay the money to the State Treasurer for them or return the licenses. For instance, the State Treasurer certifies that he delivered to the Commissioners so many licenses and no more, say 2,500. That becomes a matter of record. Then at the close of the year the Commissioners have got to pay for every license that we do not return. Those that are unsold we return to the Secretary of State. He examines the receipts from the State Treasurer for what we paid in, gives us credit for those returned and burns up those that we return to him. We are responsible for every license printed and must either pay the money to the State Treasurer for them or return the licenses, and of course we had to use great care about appointing agents, and so forth, and the whole matter had to be looked after very carefully. In consequence, therefore, the work of the office increased enormously, new clerks had to be hired; the funds received from the license fees enabled us to employ more wardens—our warden service was more than trebled—and generally our work in the office was more than doubled. I went before the Governor and Council and made a detailed statement to them of the amount of extra work involved, and after considering the matter they allowed me \$1000 per year—just doubling my salary—to be taken out of this money, and in accordance with this allowance of the Governor and Council I drew \$250 per quarter until July, 1905, when the new law went into effect increasing my salary \$1000, precisely the amount the Governor and Council had increased it under that law. I was, therefore, paid under that law \$2500 in two and one-half years and I submit the rules and regulations which we commissioners were required to formulate and get the approval of the Governor and Council of.

(Question by the Chairman.)

Q. Was it in payment of what Mr. Ring did in connection with this service that he received the extra \$150?

A. Yes, it was under that law in connection with his extra work that he received \$150.

Q. And the same statement is true in regard to Mr. Brackett?

A. Yes, he received the \$50.

CROSS EXAMINATION.

By Mr. O'Brien.

Q. Prior to July, 1905, your salary really was \$2500?

A. No, sir, \$2,000. In two and one-half years I received \$2,500.

Q. Which two years?

A. From 1903, to 1904, and the first six months of 1905, when the law went into effect.

Q. You were getting a salary of \$2500?

A. No, sir, \$2,000.

Q. And besides that you getting all you collected for local fares and travel?

A. Yes.

Q. That amounted to at least \$300 a year?

A. I didn't say that. I said I reckoned up one year and my recollection was that it amounted to about \$300.

A. A member of the committee: You didn't get that after the latter part of 1904, did you?

A. No.

The CHAIRMAN: Question 5. The Committee desire the Commissioners to give an explanation of the charges made on April 28, 29 and 30, 1905, of hotel charges of \$7 and incidental charges of \$10, and explain what items made up the \$10 charge for incidentals.

Mr. CARLETON: I went to Houlton on the 27th day of April, 1905 to attend the Supreme Court to try the Smith-Dunlop moose cases. They lived out of the State and I did not think they would show up and I obtained all the papers necessary to bring them to Maine on extradition process. While at Houlton I was taken very sick. My doctor's bill was \$6. I thought it was but fair that I should be reimbursed. My doctor's bill was \$6.00; paid a nurse \$3.00; I paid the girl who took care of my room \$5.00; paid for medicine \$1.80; I paid the hotel \$7; hack, 25 cents; paid for man to sit up with me two nights \$5.00; I paid the cook who made me gruel and toast—I cannot recollect how much. I succeeded in collecting of Smith and Dunlop \$300 which the State never would have got but for my going there, and I thought it was but fair that I should be reimbursed for my unusual expenses. I might legally and properly have charged \$50 for extra services—not required of me by law—the amount we should have had to pay an attorney for like services, but I only charged \$10 as incidentals. And I will say that I have attended a great many trials, prepared and tried the cases, and thereby added thousands of dollars to our fund that otherwise we should have had to pay out in attorney fees.

(Questions by the Chairman.)

Q. Was this \$10 item submitted to the Governor and Council?

A. That was charged in the regular bill submitted to the Governor and Council, and allowed.

Q. And the circumstances connected with the case, were they talked over with the Governor and Council?

A. I don't think so; I don't recall that.

(Questions by Mr. Goddard.)

Q. You did not give the total footing of all those expenses?

A. I paid out over \$20, but I charged as incidentals \$10 and the regular hotel bill \$7.

Q. Your total expenses were over \$20 and you charged only \$17.

A. Yes.

CROSS EXAMINATION.

By Mr. O'Brien.

Q. You paid \$7 for hotel expenses?

A. Yes, sir.

Q. For the 28th, 29th and 30th of April?

A. I got there at night, the evening of the 27th of April, and came away the morning of the first day of May.

Q. You paid \$7 for hotel?

A. Yes, sir.

Q. That included the care of your room, and besides that you gave the girl \$5 for taking care of your room?

A. Well, I did, for changing the clothes and looking after things. I was very sick there, very sick.

Q. If you had been taken sick at your home in Winthrop would you expect the State to pay any of the incidental expenses?

A. No. But I was up there and collected \$300 for the State as an attorney that the State never would have got if I had not gone there. I might properly have charged \$50 extra for attorney's fees, and I thought it was no more than right and just, having had the extra expense, that I should charge incidentals to that amount.

Q. You say if you had not attended to that matter the State would have lost \$300?

A. I think so.

Q. Of course there are a great many instances in connection with your department that if you did not attend to them the State would lose money?

A. Yes; but that is not any part of my official business to try cases in court.

Q. If you did not attend to a good many instances the State would lose money?

A. Yes, but it is no part of my official business to try cases.

Q. Did you try this case?

A. No. I went there to try it and by my being there and ready to try it they concluded to settle.

Q. Suppose on the other hand that you did not pursue just such a course in such instances, of what value would you be to the Department of Fish and Game and to the State?

A. I am not going to argue that point.

The CHAIRMAN: I don't think it is called for, Mr. Carleton.

A. I don't know as my services are regarded as of any importance whatever to the State of Maine. I have given it the best of my ability for twelve years.

The CHAIRMAN: This is an inquiry to discover wherein he has *failed* to do his duty.

Mr. O'BRIEN: It seems to me that he has collected money from the State for doing duty that certainly, a portion if it at least, is incumbent on him under the terms of the statute.

The CHAIRMAN: Does the statute require the Governor to appoint an attorney as Commissioner?

Mr. O'BRIEN: I don't think it does.

The CHAIRMAN (to Mr. Carleton): Is that so?

A. No, there is no requirement of the law as to what profession any of the Commission shall belong to.

A member of the Committee: You really saved the State \$40 or \$50?

A. Yes, they would have had to employ a lawyer and he would have charged at least \$50, as they do in other cases of less importance, and I saved that amount to the State, and I charged incidentals because I had that extra expense by going there.

The CHAIRMAN: Question 6. The Committee desire the Commissioners to have and produce either their books or an itemized statement showing receipts for licenses and fines for the years 1905 and 1906.

A. I have here the itemized statement from the books. For the year 1905 we received for licenses \$37,253.32. Total of fines in 1905 \$2,693.23. Received for licenses in 1906, \$37,614.92. Received for fines in 1906 \$2,679.81.

The CHAIRMAN: This covers the list as you have it?

A. Yes.

The CHAIRMAN: Question 7. The Committee desire to know whether an annual report of the Department was made in 1905, and if not, why not.

Mr. CARLETON: The annual written report of the Commissioners was filed with the Governor and Council as required by law, on December 31, 1905, the same as it always has been filed each year since I have been Commissioner. It was filed as required by law with the Governor and Council.

CROSS EXAMINATION.

By Mr. O'Brien.

Q. Was that report ever published?

A. A resume was printed in all the newspapers of the State at the time I have been informed. We have nothing to do with the report or the printing of the report after we file it with the Governor and Council. I have been informed that it was not printed for this reason: For three sessions of the Legislature they have ordered an extra edition of the Fish & Game Commissioners Report set up at great expense because there wasn't enough, the members wanted more and they ordered an extra edition and they had to set it up all over. The odd year when the Legislature is not in session there isn't so very much call for it. I understand the reason of its not being printed was to have an extra amount printed the year that the Legislature was in

session. That is purely a matter with the Governor and Council with which we have nothing whatever to do.

Q. Can you say whether or not that report ever was printed either in the odd year or the legislative year, the 1905 report?

A. I don't think it ever was printed as a report.

Q. Will you inform the Committee whether or not in any other year since you have been made commissioner a like circumstance has happened?

A. Yes, sir.

Q. When?

A. I think there were two other odd years. I know there was one certainly.

Q. You didn't bother with this report after you once filed it with the Governor?

A. I have no more authority than you.

Q. You didn't have any more interest in it?

A. Interest is another proposition. My official duty ended when it was filed. Then it became the official duty of somebody else.

Q. Whose duty is it to have it printed?

A. The Governor and Council.

Q. You filed that with Governor Cobb in 1904?

A. I filed that with Governor Hill the 31st day of December, 1905, or whoever the Governor was at that time.

Q. That is the last one, isn't it, 1905?

A. Yes, that was Governor Cobb's first year.

Q. You say it is the duty of the Governor and Council to print them?

A. I will point to the statute which says what the Governor and Council's duties are.

Q. You filed that report?

A. I have answered yes.

Q. In December, 1905?

A. Yes, sir.

Q. You never made any inquiries about it as to why that report was never printed?

A. I don't believe I have.

Q. You didn't take interest enough in your own department to know why the people of the State were not furnished with the report of that Department?

A. I filed it as required by law and my duty ended.

Q. You felt that so long as you complied with the law there wasn't anything more for you to do?

A. When I comply strictly with the law so far as my Department is concerned I think I have done my duty.

Q. Did you do that for example in the matter of collecting fares?

A. Well, that is a question we have been over.

(Questions by Mr. Donigan.)

Q. Aren't the Fish & Game Department obliged to have this report printed by law?

A. No, sir; we have nothing more to do with it than you do after we file it with the Governor and Council.

Q. There is a law that this must be printed, isn't there?

A. There is a law defining the duties of the Governor and Council in that respect which I would refer you to.

Q. And it is in your game laws?

A. Oh, no, I don't think it is in the game laws.

The CHAIRMAN: Do you know of any law that obliges the Fish & Game Commission to print their report?

A. If you desire me to answer what I understand to be the law without having the statute before me I will do so. The law says that this report shall be filed with the Governor and Council on or before the 31st day of December, who shall cause three thousand copies to be printed. It does not say when or how soon they shall be printed.

The CHAIRMAN: Question 8. The Committee desire the Commissioners to furnish a statement of the money received from the disposal of game seized by the wardens and forfeited to the State since Jan. 1, 1905.

Mr. CARLETON: Strictly and legally speaking, there has been no money received for game seized and forfeited to the State. Under the statute game seized is not forfeited to the State until there has been a conviction of the party having it. The language of the statute is as follows, Section 26, Chapter 32, R. S.: "All birds, fish and game, hunted, caught, killed, destroyed, bought, carried, transported or found in possession of any person or corporation, in violation of the provisions of this Chapter shall be liable to seizure; and in case of conviction for such violation, such game shall be forfeited to the State to be sold for consumption in this State only."

When I was appointed the law had been for a good many years that the person making the seizure should have the game. That was the law up to the time I was appointed and had been for a good many years—the warden or any person making the seizure—it became theirs. I didn't like that proposition. I thought it created friction, and people would say to the warden, "if you were not going to have this yourself you would never seize it." I went before the Legislature and asked to have the law changed, that the person making the seizure should not have it but after it became forfeited the money should be paid to the State; and while there have been no convictions of parties of whom fish and game have been seized, and strictly never any of it forfeited to the State, I have treated it as though it were legally forfeited to the State and have paid it into the State treasury. Now since this change we have always treated game birds or fish seized and not released—perhaps two-thirds of all seized is released, it being shown that there was no intentional violation of the law—as belonging to the State and

have disposed of it for the benefit of the State. I want to say that perhaps two-thirds of all the fish and game seized is released within a day or two. If it is found to be a mere technical violation of law we never intend to do it; and I have always tried to give the party whose fish or game has been seized the benefit of the doubt and have restored to him his fish and his game; and I should say that two-thirds of all we seize is restored. In 1905 we received in money for game, birds and fish seized \$157.97. In 1906 we received in money for game, birds and fish seized \$172.67.

(Questions by Mr. Donigan.)

Q. Did you ever give away any fish or game or birds that were sent into your Department from outside that were seized?

A. I have disposed of it sometimes for considerations other than money.

Q. Do you do it quite frequently?

A. No.

Q. You have done it, though?

A. We have given sometimes, and I have authorized the wardens to do it, for instance two messengers on the train a piece of meat or some fish, and I find that it has paid the State to do it that way ten times what the money would do to settle.

Q. Did you ever give any to any parties here in the city that were not interested in these things, for instance, Governor Hill or Mr. Haines or Mr. Spear?

A. I don't think I ever gave Wm. T. Haines anything.

Q. Did you ever give Governor Hill anything?

A. I presume I may have sent some partridges to Governor Hill.

Q. Did you ever order any sent to your own house?

A. No, sir.

Q. Never ordered any?

A. No, sir.

Q. Did you ever take any?

A. That was seized?

Q. Yes, sir. Did you ever take any birds or ducks from Locke & Hewett's and take them to your own home?

A. Perhaps I may have, one or two.

Q. Did you have any more right than any other citizen to take those?

A. I had a legal right to do it. The State had no right to them, absolutely no right to them.

(Questions by Mr. O'Brien.)

Q. Why did you have any more right than the man who shot them?

A. They were being illegally transported.

Q. Weren't they being illegally transported from Locke & Hewett's to your house?

A. No, sir.

(Questions by the Chairman.)

Q. If you failed to establish your case in court and had seized this game, who would have had to pay the man damages for taking the game?

A. We would, the party who took them.

Q. That is true up to the time that the legal forfeiture is established?

A. Yes, sir, until the person is convicted and the legal forfeiture is established?

(Questions by Mr. Donigan.)

Q. Haven't they been out at the door for sale at Locke & Hewett's and haven't you gone there and ordered them sent to different parties in the city or taken some yourself?

A. It may be so. Parties have spoken to me when they ascertained that they were there for sale that they wanted them and wanted the pay for them and I may have told Locke & Hewett to send them to those parties. They were not paying Locke & Hewett perhaps for them but would pay me and the money would go into the treasury.

Q. How much money is put into the treasury?

A. I read the amount for 1905 and 1906, and will do so again if you wish.

(Questions by the Chairman.)

Q. How much game has been legally forfeited to the State and you disposed of it?

A. I don't believe there has been the amount of three deer.

Q. Why not?

A. During the time.

Q. Why not?

A. Because you don't know who the parties are. They don't show up. You have no way of arresting anybody. And then another thing you take it in warm weather and before you could get a forfeiture of the birds or the game it would be all spoiled. Take it in the transportation of fish and you could not get a legal forfeiture until the fish were all spoiled, and we simply take our chances of a suit to sell it, dispose of it and turn the money into the treasury. For instance, we might proceed against a man that we have seized fish from that were being sent illegally. We didn't think it was of sufficient importance—in the case of a prominent man for instance, fish going through Portland and being shipped in violation of law—of importance enough to prosecute the man, we didn't believe it would help the Fish & Game Department to do it, didn't believe that the people called for it. We exercised our discretion and judgment.

(Questions by Mr. Donigan.)

Q. Did you ever ask Locke & Hewett to have the game that is seized stand in your name and tell them that you would be responsible to the State for it?

A. I don't know as I catch your meaning.

Q. Did you ever ask Locke & Hewett who sell the State's game to have the game stand in your name and that you would be responsible to the State for it?

A. There was a time that all the game was seized and came here when we thought the market would be better in Augusta than Bangor. The great bulk it seized in Bangor. When the market was glutted there we thought there was a better price here for it. There was a time that Locke & Hewett received it. They sent it in my name. The wardens would send it to L. T. Carleton, Chairman of the Commissioners, Augusta, and then the express would take it to Locke & Hewett's. It was there and was sold. They gave credit for it to me. At the close of the year I settled with them and found out the amount and gave the State credit on the books for it.

Q. Why shouldn't have that have been sent in the name of the Inland Fish & Game Commission instead of you personally?

A. Well, that was the way the wardens sent it. There were no orders about it.

A member of the Committee: You turned over the money you received to the State? .

A. Every dollar of it.

CROSS EXAMINATION.

By Mr. O'Brien.

Q. As I understand it, prosecution for illegal transportation of the game or fish with you is wholly a matter of discretion, isn't it? If you think you can convict you may prosecute?

A. Well, I don't care to take on cases where I don't think I can convict. That is the training I had as County Attorney.

Q. As County Attorney most all the cases that you used your discretion in were liquor cases?

A. Oh, I had other cases besides liquor cases.

Q. So far as prosecuting anybody for illegal transportation of game, it is simply a matter of discretion with you?

A. That is the result of it I think.

Q. Now you say that you could not get a legal forfeiture in many instances before the game or fish would be destroyed. Now have you ever come to the legislature and asked to have the law amended so that a legal forfeiture could be secured within the time that would not destroy that game or fish?

A. No. I came to the Legislature and had the law changed that the person who seized the game should not have it; and I have been to the Legislature for so many changes that they tell me that I am constantly trying to tinker the laws too much.

Q. On the other hand, you made a statement here that you were entitled to take some of it to your home because it didn't belong to the State and because it had been seized from the man who shot it?

A. In one or two instances I think I had it done; in one or two instances I had a duck and perhaps a partridge or two.

Q. That is really the only result of the legislation which you requested the Legislature to make?

A. I am not arguing it.

Q. That the fellow who shot it should not have it?

A. I didn't know who the fellow was that shot it. He didn't show up.

Q. And on the other hand legal forfeiture could not be acquired so it did not belong to the State—hence it was discretionary with you.

A. We stood behind it legally to the State. I stood behind the wardens in it.

Q. Wouldn't a case of this kind arise—suppose somebody wanted a deer. It might be seized because of illegal transportation. Now it doesn't belong to the State because a legal forfeiture has not been gone through with and you can dispose of that deer in any way you want, it is discretionary with you?

A. I think so.

A member of the Committee: If you had a deer in your possession and you thought it would spoil and there was no sale for it you could give it to a party if you pleased?

A. Exactly—and we have had this last year in cold storage, kept it as long as we can to see if the party will show up, and it has become absolutely worthless from keeping it in cold storage.

A member of the Committee: So you lose nothing by giving this away?

A. No.

Mr. O'BRIEN (continuing): Don't you believe it would be possible for you to seek the enactment of some legislation which will obviate that condition which might exist?

A. If you mean to draw a bill that will obviate this difficulty I would like to see a copy of it. I did the best I could in the matter when I stopped those who seized the game from having it themselves.

Q. You made it possible for you to do with it as you saw fit?

A. Yes, and I made it possible to put the money in the treasury that we got for it.

Q. Is there anything that compels you to deposit the money received in that way?

A. I called it a matter of honor.

Q. The same kind of honor that prompted you to charge local fares?

The CHAIRMAN: Is it necessary to argue that question?

(Questions by Mr. Donigan.)

Q. Dec. 15 is the time limit of the express company carrying game in the State?

A. No.

Q. When is it?

A. The statute provides that a party after the 15th, which is the close of the open season, shall have a reasonable time in which to get his game home, lawfully shot.

Q. On any express train?

A. And I construe it, the statute giving a man a reasonable time to get his game home after he has legally shot it, for instance on the 15th, that he may take that on trains.

Q. Our people in my section don't construe it in that way.

A. Your people may be right about it. That is the way I construe it.

Q. We don't understand that you can take any game on an express train after Dec. 15th?

A. Well, it is done every year and done repeatedly, done this year. People have shot their moose on the last day of the open season, they have shot their deer and they have used due diligence. The streams may freeze up or the traveling is such that they cannot get them out and they write to the office.

Q. Isn't it against the law to do so?

A. No.

Q. It isn't?

A. Because the law says that they shall have a reasonable time to get the game to their homes after having shot it in open season lawfully; and where it is shown that it was shot legally and lawfully and they could not get it home in open season we have always said to the express company, "this game was shot lawfully and the law provides for it being taken home in a reasonable time."

Q. Now as a matter of fact, isn't the express company after the 15th of December—isn't there a law which expressly states that they cannot take them?

A. No, sir.

Q. That they cannot take them after the 15th?

A. No law that states so.

Q. Why did you have to telephone to Bingham a year ago last fall and say that they might take them?

A. Right under this very provision that I told you of, that a man who shot his game in open season and hadn't had time to get it home, that the law provided that he might bring it home, and I telephoned there what the law was, that they could lawfully bring it.

Q. I don't see why they should hesitate.

A. I am not going to argue the case. I have simply stated the facts in answer to the questions.

Q. Did you last fall, I think it was at a dinner you were to have here in Augusta, have some partridges sent from Bingham down here in a box?

A. Oh, no, sir, we had no dinner here. Mr. Durgin shot some partridges and sent them to me. They did not belong to the State. The State never had any interest in them at all after they were legally shot and they came by the way of Augusta.

Q. Were they sent without anybody coming with them?

A. I don't know. I was away at the time. Whether he came with them or not I don't know. I never saw the partridges.

Q. Do you know that they refused to allow a man to send some to his sick wife at the hospital at Lewiston a day or two before that?

A. I don't know anything about that?

Q. Because they would not send them without somebody going with them?

A. I don't know anything about that.

Q. But you know you got those birds?

A. I never saw them. I wasn't at home.

Q. You know they came?

A. I was told they came to Augusta and I think they went into Locke & Hewett's and were sold.

Q. They were sent to you?

A. They were sent to me so I was told. My clerk told me so.

(Questions by Mr. O'Brien.)

Q. Did you ever receive anything for them after they were sent to you?

A. No, I had nothing personally from them.

Q. Whom did Locke & Hewett pay for those partridges?

A. They didn't go to Locke & Hewett, they went on the other side of the street. We haven't sent to Locke & Hewett for several years.

Q. They were sent to you?

A. That is what I was informed.

Q. That concern sold them?

A. I should have to inquire of my clerk because I was in the woods at the time and I was merely told that there was a box of partridges that came while I was gone. Whether the clerk ordered them to the store to be sold or gave them away or what she did with them I don't know.

Q. You never got anything out of them?

A. I never saw them. I never got a cent out of them.

(Questions by the Chairman)

Q. You say they were shot by Mr. Durgin in open season?

A. Yes, legally shot.

Q. And it was lawful to send them as they were sent?

A. I am informed that there was a transportation tag on them.

Q. They were your private property?

A. When he gave them to me, yes.

Q. Whether they were sold or given away or rotted, you don't know?

A. I don't know. I never saw them. I didn't get home for weeks afterwards.

(Questions by Mr. O'Brien.)

Q. Do you know how many of those birds there were?

A. No, I don't. I simply know that my clerk said that I had a box of partridges while I was gone.

Q. Who paid the expressage on them?

A. I think it was paid at the other end before they started.

Q. You don't know?

A. No, I don't know. I didn't see it paid. I was so informed.

(Questions by Mr. Donigan)

Q. Do you know that there was a tag on those?

A. I was told so.

Q. Do you know that there was?

A. I didn't see it; I never saw the box.

Mr. O'BRIEN: You never made any inquiries?

A. No, they were gone when I returned. I lost all interest in them when I found they were gone.

The CHAIRMAN: Question 9. The Committee desire to know if any of the labor incident to the publication of the Carleton Magazine has been performed by the Commissioners or their clerical force at the expense of the State, or if any of the State's stationery, postage stamps or other material has been used in connection with said publication.

Mr. CARLETON: No labor on Carleton's State of Maine Sportsman's Journal has been performed by the Commissioners or their clerical force to the expense of the State. No postage stamps belonging to the State have been used in connection with it. I have sometimes, occasionally, used a letter head of the Commissioners, but have used many more of the Company's letter heads in answering official communications—in fact, used quite a number at one time when we were out for a time of the official stationery. I have had my own personal supply of stamps, as well as a supply of the Company's, on hand always, and always used them in this connection. The State mail carrier has not carried the mail of the paper, the Company hiring a post office box and getting the mail at the office. Aside from this all I have used has been a few dozen large mailing envelopes which we had on hand—which were not used for anything—some we had in the office for mailing books in—all of which I have paid for at just what they cost.

The clerks have done some work on the paper, but when this commenced I directed Miss Hodgdon to keep an accurate time account of all work thus performed, which she did and gave me the amount each month, all of which I have paid to the State.

When the Company which publishes this magazine was organized I was but a small stockholder in it—I did not expect to have to devote any time to it, but some of those interested got tired or frightened and it was either "slump" or carry it on. I was bothered about getting an office, etc., and rather than see the whole thing dropped I put some time into it myself. I have now made arrangements for an office for this work outside of the State House where it will be run wholly—none done in the Commissioners' office. This doing any work on this paper in the office was wholly unlooked for and only of a temporary nature. This paper made its appearance last June—is issued monthly. We got all out of the pamphlet of game laws issued for free distribution by the State, and were constantly receiving a great many requests for them. I printed these laws in the Journal and sent them in this form at the company's expense, and while I might properly have made the State pay for it, I did not, and have not used any of the State's time or property in the publication of this paper.

CROSS EXAMINATION.

By Mr. O'Brien.

Q. I understand you that the mail for this paper comes to a mail box here?

A. Down street.

Q. Do you attend to that mail in Augusta?

A. Yes, sir.

Q. During the day?

A. When I go to my lunch at noon I sometimes call in, not every day, because the box is more often empty than otherwise.

Q. What I mean is when do you reply to your correspondence in connection with that?

A. Well, sometimes in my office, sometimes at my home when I go home at night.

Q. As a matter of fact don't you do quite a good deal of business correspondence in connection with that in the office?

A. What little correspondence we have had, quite a proportion of that little that we have I have replied to in my office.

Q. During the day when your time is paid for by the State?

A. Well, I usually, I have all winter long until I was taken sick, got here to this office at seven o'clock—and last fall—taking the six o'clock car from home and getting the six o'clock car home at night. There is no office in this State House where they work so many hours, the clerks work so many hours, as in the Fish and Game office. I don't understand that my time belongs to the State from the time I wake up until I go to sleep at night. When my duties are properly attended to and the duties of the day are done then my time is my own, whether it takes two-thirds of the day or half of the day.

Q. Is it not a fact that your stenographer has done some typewriting in that office in connection with this publication?

A. Certainly, I so stated in my answer.

Q. And the State is paying for her time?

A. I paid for that time, the Company has paid for that time and every minute of the time that any clerk has put on that paper, to the State.

Q. Is anything deducted from that clerk's official salary for the time which she gives to your publication?

A. Yes, sir.

Q. Is that a matter of record?

A. That is a matter of record in the office, that the clerks who have done that have been paid so much, been paid regularly, and then Miss Hodgdon has taken time by the twenty minutes, by the hour or half a day it may be that they put on that, at the regular price, and I have paid it into the State treasury.

(Questions by Mr. Donigan.)

Q. In sending licenses did you ever send out any of your pamphlets advertising the Carleton Magazine, in sending out licenses to people that buy them?

A. I presume I may have, yes, sir.

Q. Isn't that expending the State's money for your private purposes?

A. That is a matter of inference which I am not going to argue.

(Question by Mr. O'Brien.)

Q. Would you be willing to file with the Committee a statement showing just the amount which you have paid into the State in return for the time of those clerks which you have taken?

A. Yes, and day by day and every day and an itemized statement, kept by the chief clerk, during this temporary arrangement which was entirely unexpected to me and which has now ceased.

Q. What do you pay that clerk? Do you pay her for the time she puts into your publication work at a rate which you have made with her?

A. The same rate that the State pays her.

A member of the Committee: You simply take the number of hours she works for you and you reckon her pay the same as she is getting from the State and turn it into the State?

A. Precisely, and that is under the supervision and direction of my chief clerk, Miss Hodgdon.

The CHAIRMAN: That concludes the series of inquiries which the Committee presented to you. Allow me to ask a question here. One of the senators desires me to make an inquiry of you in regard to an appropriation of \$3,000 for a hatchery at Winthrop or Monmouth, and he wanted some explanation of the disposal of that fund.

A. Very well, we built a cottage for a hatchery at Auburn and we wanted a cottage very much for the hatchery at Monmouth and during one year we had been saving what we could for that purpose. At the close of the year we found we had \$2,260 that had to be drawn out or it would lapse under the statute, go back into the treasury and be lost to our department. Mr. Oak was the secretary and treasurer of the Commission at that time. We had entered into contracts, so far as we could, verbally, for the construction of that cottage. At the close of the year Mr. Oak as treasurer drew that \$2,260 out of the State treasury for that purpose, to build a cottage at Monmouth, and entered it on his ledger. We couldn't do much about it during the winter, and the next spring we ascertained that we could buy the old Pope mill privilege in Winthrop, a most excellent place for a hatchery. We needed other hatcheries very much, and we went to work after talking with the Governor and Council about it and paid \$800 for that privilege out of this \$2,260 that we had drawn out for the purpose of building that hatchery and which appeared on the report as for the cottage. Mr. Berry, general superintendent of hatcheries, was set to work for remodel it—it was an old institution—and Mr. Berry was set to work on it, and every dollar of that, outside of the \$800 that we paid Mr. Pope for the site, went into the remodeling and building a hatchery there. And we built the hatchery there and there is where that \$2,260 went. Instead of going into a cottage at Monmouth hatchery it went to Winthrop and built a new hatchery, and that hatchery stayed there until the Augusta Water District two years ago got permission of the legislature to take

the water from Carleton Brook pond which dried up the stream on which the hatchery was. They paid for it, the Augusta Water District did, and we took that money by the direction of the Governor and Council and an act of the legislature and went to Belgrade and built the hatchery there with that money which is now at Belgrade. And here are the hatchery accounts as I have stated where Mr. Oak charged himself with that \$2,260 and where he has credited with the \$800 when he took the deed of Pope, and Mr. Berry's bills where he expended money in remodeling it and the bills themselves.

(Questions by Mr. Parkhurst.)

Q. In addition to the item about George Ross, that same slip which was given to a member of the Committee and by him given to me contains other questions. One of them has to do with the settlement of a moose case with B. F. Davenport, October, 1903. It proposes an inquiry as to what kind of a settlement was made and how much was paid.

A. I remember that case very well. Going up the West Branch we got to the Half Way House and I found a cow moose anchored there dead and they told me that somebody going down the river the day before had shot that cow moose. I was very indignant about it and I hired a man to bury it and get it out of sight and I went to work on the case personally. And I put in at least ten days of hard warden work on it. I finally succeeded in locating the man sufficiently so he was willing to settle for the shooting of that cow moose. Mr. Davenport paid \$500 fine and the money has been put into the State treasury and we have receipts for it.

Q. A similar inquiry was made in regard to Fred H. King, and the date there given is October, 1905.

A. I remember that case very well. That was a moose shot as I remember it the last day of the close season near night, so near open season that most everybody said "you ought not to treat it as a violation of law because anybody under those circumstances would have done the same." I investigated that case and became satisfied that it was shot the last hours of the day as I remember it of the last day of close season. I went to considerable costs about it. I never saw the gentleman. I did deal with his attorney from Portland. A civil suit was brought, which can be settled of course, and we settled that case for the costs, \$113, which was paid into the State treasury.

(Questions by Mr. Donigan.)

Q. Last July were you in a party at Moosehead Lake, a party of gentlemen including yourself, at Moosehead Lake?

A. I was there with my wife and baby and there were quite a number of gentlemen there.

Q. Wasn't there a party of invited guests that you invited there?

A. No, sir.

Q. Was there the year before?

A. No, I never had a party of invited guests at Kineo.

Q. Didn't you have some game wardens up there?

A. I always take occasion like that to have consultations with my wardens. It is very important that the Commissioners should. That was the most convenient point and the cheapest place.

Q. Were those guides paid by the State at the time they were there rowing the party around a week—they were there a week?

A. No, sir.

Q. How long were they there?

A. I was there two days and a half or three days and I don't think that many were there as long as I was.

Q. Weren't the game wardens there longer than that?

A. I don't know. One or two may have stayed longer. But on those times we had a great multitude of cases as to license matters that had been held up in various localities, whether these men should be granted a license or not. We had a hearing there on closing streams. We worked it in that way, and it is a great deal cheaper for me to have wardens come to a central place and consult with them and go over the work of the year than to call them here to Augusta and go over the work with them.

Q. Wasn't there quite a party of you there, at least six or eight, and didn't the wardens row them around and fish for them?

A. I don't know. I never got into a boat while I was there. I didn't have any time. Whether one of those wardens was gallant enough to escort a lady or row her in a canoe an hour or two or not I don't know; I should hope that they were gallant enough to do it.

Q. Why should they at the State's expense?

A. Well, I think that they would do their work enough better and more of it to enjoy the society of a good lady for a few hours in a canoe or row boat.

Q. Especially if they are paid for it.

(Questions by Mr. Parkhurst.)

Q. I received a few days ago a letter written on the paper of the Rangeley Studio with a statement that F. H. Ham is the proprietor and it asks that the Committee inquire in regard to the settlement of two fines of five dollars each which were received from Mr. Ham and a friend without the matter being taken into court, during October of 1905. I have written to Mr. Ham for the name of his friend and inquiring of him to whom he paid the money and asking for further particulars and to that letter he has not as yet made any reply.

A. On the books we have this "Marchetti and Ham, from Warden Estey, Rangeley, fined \$10." That is undoubtedly the one, and that has been paid to the State treasury. That was paid to Mr. Estey and by him forwarded to the office and the office paid it to the treasury.

Q. Mr. Estey, one of the wardens here today?

A. He has been a warden ever since he served as a member of the Legislature.

Q. Do you know, do any of the Commissioners know, the occasion of the fine? What was the violation?

A. I think Mr. Brackett can tell.

Mr. BRACKETT: Warden Estey telephoned to me that he had found a Mr. Marchetti and a Mr. Ham shooting on Sunday contrary to law, and I instructed him to take a fine and forward it to the office.

Mr. DONIGAN (to Mr. Carleton): Morris Small was fined \$200 August 30. What became of that? That was 1905. He was fined that at Bingham.

A. That was paid into the State treasury by the court from Bingham. It didn't go through my hands at all.

(Questions by Mr. Goddard.)

Q. As I understand it, when fines are paid directly into court they don't go through your department at all?

A. No.

Q. It is the duty of the Clerk of Courts to forward it to the Treasurer?

A. Yes, sir.

Q. It is only those fines that you collect by settlement, or statute, that go through your hands at all?

A. That is all.

Q. So any fines paid into court you know nothing about?

A. I have nothing to do with them.

(Questions by Mr. Donigan.)

Q. Mr. Tripp was getting up a petition against carrying firearms into the woods in close time—did you write him and ask him what he was doing that for?

A. Yes, sir.

Q. What was your reason?

A. I wanted to find out the objection, what objection there was, to get at their arguments.

Q. Didn't you think he had a perfect right to get up a petition?

A. Certainly, only I wanted to find out what the argument of the opposition to the measure was; if it was powerful enough I might give up any idea I had of having a bill of that sort introduced.

Q. You kind of called him down, didn't you?

A. Oh, no, I don't think I called him down.

Q. Did you give Mr. Redmond permission to catch bait anywhere, fish that he could catch beaver with?

A. I don't recall that. If he said I did I should not dispute it.

Q. Would he have a perfect right to catch in any pond any kind of fish?

A. I don't think, Mr. Donigan, that anything of that sort ever passed between Mr. Redmond and me. I have no recollection of it.

Q. If he said so you would not deny it?

A. If he said so I should not deny it.

Q. Can you tell how many beaver were killed in 1903, 4, 5, 6, and 7, each year?

A. Yes, these beaver were all sent to two parties and I sent, to be absolutely sure, and got a transcript of their books as to the number, which I can furnish.

- Q. You don't remember what amount was received?
A. \$1,600 or \$1,700.
- Q. You sold Dr. Wakefield some deer, live deer, a year or so ago, of this city?
A. I sold him some this last fall.
- Q. For how much?
A. \$200.
- Q. After this order was put in for this investigation, did you go to Dr. Wakefield and ask him how much the amount was that you gave him?
A. I think I telephoned Dr. Wakefield to be certain about it.
- Q. Didn't you have a record of that in your office?
A. Yes, but I wanted to be sure that my record was right.
- Q. Telephoned him from where?
A. From my office.
- Q. Couldn't you tell in your office?
A. Yes, but I wanted to verify my record, and I have been doing so to see that I was absolutely right.
- (Questions by Mr. O'Brien.)
- Q. I presume you made that record at the time you received the money from him?
A. Yes, sir.
- Q. Why did you have any doubt about its being right?
A. I wanted to be absolutely sure on everything.
- Q. Did you make a record of it in your day book or do you keep a day book?
A. No, I don't keep any books myself personally.
- Q. Is there a day book?
A. Miss Hodgdon keeps a day book. The day book shows the entry of \$200 from Dr. Wakefield for the deer received.
- Q. Suppose that Dr. Wakefield had paid only \$150, how would that have verified your books?
A. I don't think it would have verified them. I supposed that Dr. Wakefield would tell the truth.
- Q. What good is your book if you are relying on Wakefield's testimony?
A. I wanted to be absolutely sure my books were right.
- Q. Do you do that as a matter of general practice?
A. No.
- Q. Wasn't there some reason?
A. I never had anything like this investigation before in my twelve years' experience.
- Q. You would not have telephoned to the doctor if you didn't know this investigation was going on?
A. No, sir, I should have called it \$200.
- Q. Is your day book here?
A. No.
- Q. We may have it if we want it?
A. Yes, sir.

Q. Have any of the members of the Passamaquoddy tribe applied for hunters' licenses or guide licenses?

A. Yes, sir.

Q. Have they been issued to them?

A. Yes, sir.

Q. Has the Governor, Francis, applied for one?

A. I think so; we issued him a license a few days ago.

Q. Had he had one before that?

A. Yes, he and his boy had one before. In relation to the Indians of the various tribes who applied for licenses, unless we know them and their record is all right we invariably apply to the Indian Agent for a recommendation, Mr. Hunt at Bangor and this gentleman at Princeton. There are 2,200 odd guides, I cannot carry the record of them in my mind as to whether they have a license, but I remember this delegate from that tribe to this Legislature came here—

Q. I do not care to inquire further in regard to that. Did you appoint any extra wardens in the spring of 1904, along in May or June or April?

A. I should have to look at the record.

Q. Do you recall any great number of additional wardens that you appointed at that time?

A. No, I don't recall.

Q. Will you bring in your books and show us?

A. Certainly.

Q. I had an idea that some twenty extra wardens were appointed.

A. I can see how such a thing might have happened because the spring of the year is the time when we make our contracts with the wardens. We don't know during the year how much we will have for the next year for instance, and when application for wardens come in usually we will say, "at the commencement of the year's work we will take up your application."

Q. You cannot tell whether or not you appointed some twenty odd for two or three months and then let them go?

A. There is nothing of that sort, I don't believe.

Q. Will you have your appointment book here at the next session?

A. Yes.

The CHAIRMAN: For what purpose is this line of inquiry? Was it illegal for him to appoint these wardens?

Mr. O'BRIEN: No, the point is this—we want to know what the necessity was for such a large number of special appointments at that particular time, and what did they do during the time they were paid for. I will state the question in this way: Did you appoint large numbers of wardens in the spring of 1904, spring or summer, and if so, why were they appointed at that particular time and what did they do during the time for which they were paid, and what pay did they get? Now another matter: In the fall of 1904, the latter part of August and early in September, were you engaged in considerable campaign work?

A. Well, I always calculate to exercise my right as an American citizen in politics.

Q. Can you give an idea of the amount of time that you did actually put into campaign work in 1904?

A. No, I could not off-hand.

Q. Can you give an idea of how many speeches you delivered?

A. Not off-hand.

Q. Will you at the next hearing?

A. If the Committee thinks it is important.

Q. I will state the question: How much of your time was given to campaigning and how many speeches did you deliver and in what towns did you appear for political purposes?

The CHAIRMAN: And what the result of the speeches were.

Mr. O'BRIEN (continuing): Do you remember an instance when one of your deputies, Fred H. Clark, served a process upon E. O. Peltier and Herbert Pierce—no it is Thomas Peltier?

A. I have an indistinct recollection of the Peltier case.

Q. What I want to get at is this—do you know what fees that warden collected for his services in the service of that process from the parties?

A. I don't think I do.

Q. Do you know what fees he charged and collected for his services?

The CHAIRMAN: Was that a case that went into court?

Mr. O'BRIEN: That I cannot say.

The CHAIRMAN: Was it returnable to a court?

Mr. O'BRIEN: Yes, sir.

The CHAIRMAN: What court?

Mr. O'BRIEN: At Bingham.

The CHAIRMAN: Don't the trial justice there make up the fees?

Mr. O'BRIEN: I don't know. I want to find out how much this man collected.

The CHAIRMAN: Is Mr. Clark here?

Mr. CARLETON: Yes.

Mr. O'BRIEN (continuing examination): Now about this warden, Geo. W. Ross. I have here copies of his expense account for January, February, April and November, 1906. Can you tell us now where he was in those months and what he was doing?

A. I simply know what he told me, that is all.

Q. For example, in November, 1906, he has hotel bills of \$2.25 a day for twenty days out of the thirty charged up.

A. The Commissioners examined that bill and passed upon it at the time and the Governor and Council later. We considered it all right at the time.

The CHAIRMAN: Is Mr. Ross here?

A. Yes.

Mr. O'BRIEN: Then one more question. Is Walter Neal here?

A. Yes.

EVENING SESSION.

The CHAIRMAN: The Committee is prepared to hear any further evidence in this matter.

Mr. CARLETON: Relative to speeches in 1904, I wish to say that I spoke as follows. I spoke from a carriage a little while on the evening of the 22nd of August in the streets of Brunswick; the 23d I spoke at Kennebunk; the 24th at Ogunquit; the 25th at Hermon; the 26th at Kenduskeag; the 29th at Richmond; the 31st at Lincoln; Sept. 1 at Charleston; Sept. 2nd at Bradley; Sept. 3d at Corinna; 7th at Liberty; 8th at Brooks; 9th at Searsport.

(Questions by Mr. O'Brien.)

Q. So you practically put in two weeks?

A. Thirteen times. And in addition to that, or before that, it was not a political speech, August 18 I delivered a lecture before the Dexter Grange, a lecture I have delivered before a great many granges, in fact, a fish and game lecture that I have delivered before every grange I could get an invitation to speak before.

Q. Those places are scattered over the State a good deal in which you spoke?

A. Yes.

Q. Well, now, how much time in those thirteen days did you give to the duties of your office?

A. I think I devoted pretty much all my time to campaigning.

Q. Was there any reduction made in your salary?

A. I haven't any recollection of any reduction being made in my salary.

Q. Now I am going to ask you this question. You are under no obligation to answer this one. Did you receive any pay from the Republican State Committee for services rendered in that campaign?

A. I don't think I received a cent, I don't remember that I did that year. I didn't charge anything to the State for travel where I went to these campaign meetings.

Q. You were traveling on a pass?

A. Yes. Now in relation to the beaver skins. I sold 87 beaver skins in 1905 and received \$503. In 1906 we sold 186 beaver skins for \$1,165.25, making a total in the two years of \$1,638.50 for beaver skins. In addition to that we sold one live beaver to Dr. French for \$20. That was two live beavers for \$20. And one live beaver to Mr. Haywood of Rangeley for \$10. In relation to the question about giving permission to warden Redmond to catch fish for bait for beaver, I don't think that that could be possible because you might just as well try to bait a sheep with fish; he will eat it just as quick as a beaver will.

(Questions by Mr. Donigan.)

Q. During the time you were catching beaver—I asked if he caught fish in the woods, if you gave him permission to catch fish at the time he was catching beaver?

A. I had no authority. It would not be any good to him if I assumed to give it. I had no authority to give anybody permission to do anything that the law don't provide for.

(Questions by Mr. O'Brien.)

Q. By what arrangement do you dispose of these beaver skins?

A. Well, we get the highest bids upon them possible. My friend, Col. Farrington here, an old dealer and a good judge of fur, examined them carefully and made an offer for them, and we got quite a considerable higher offer and sold them at the highest offer we could get.

Q. I noticed something in the report for last year which is suggested by your mentioning the name of Mr. Farrington, where you paid him \$25 for some specimen.

A. Yes, the most beautiful specimen of an arctic owl I ever saw, and I would say that it is worth the money.

Q. Is it a bird that you don't very often get?

A. Very rare to get one so beautiful and white as that. It is a specimen that the citizens of the State take delight in looking at.

Q. That was a matter of discretion on your part?

A. Yes, sir. I would add that it was all mounted.

Q. Prior to 1905, as I understand it, you were not allowed to catch beaver or kill them, were you?

A. No—yes, always was allowed to as a matter of law as I claimed.

Q. What was the law of 1905 relative to beaver?

A. Well, the Commissioners in their discretion have authority to take birds, fish and animals at any and all times under the law.

Q. Any kind of animals?

A. I think so.

Q. In the discretion of the Commissioners?

A. Yes.

Q. I understand from that, if a Commissioner wants to shoot a deer in close time he can do it?

A. If he wants to for any scientific purpose he can under the law.

Q. Is that the only purpose for which it is permissible for him to do such a thing as that in close time?

A. Well, under a broad construction of the law they may take fish and game at any time. The commissioner of sea and shore fisheries has that same general permission. The same applies to the inland. It has always been the law ever since the commission was established.

Q. In the year of 1904 did you instruct any warden to kill beaver at any particular place?

A. I did. It seems to me that it was in the Enchanted region.

Q. What was the object of that?

A. Well, because they were complaining to such an extent about the destruction of their timber lands by the beaver.

Q. Was that done under your broad construction of the law?

A. I directed them to go and take some of those beaver for the benefit of the State. I thought I had a right to do it.

Q. Under that broad interpretation.

A. I think so.

Q. That wasn't for a scientific purpose?

A. Well, it was to preserve the property of the owners of the land. But they made quite a fuss about it and I stopped it. It was only for a short time—only a very few taken. I thought if there was going to be any fuss about it I would stop it.

Q. As a matter of fact you acted as you do in all matters, you used your best judgment and discretion in that particular matter.

A. That is what I tried to do.

Q. Can you tell whether or not they killed beaver or trapped beaver there on a large section of land which had been burned over on which there was no timber?

A. I don't know where they went. I know they took a very few and were there but a short time.

Q. Were you at that time compelled to account for beaver which were trapped or taken?

A. Yes, and did do so.

Q. So these beaver skins were disposed of the same as they have been?

A. Precisely the same.

The CHAIRMAN: Whom did you send there to do that?

A. I sent Mr. Pollard' to stop it when I found that the guides and those up there were making so much fuss about it.

Mr. O'BRIEN (continuing). Do you know what the cause of the feeling was?

A. The cause was that they thought they ought to have them themselves and that the State had no business to have them.

Q. You were going to say something about your extra wardens.

A. Yes. And I want to say here and now for the benefit of the people of the State of Maine that I never had any thought of a man's politics when I appointed my wardens, and in the majority of cases I never knew what his politics was. Democrats have worked for me all the way through—are working for me today. I have endeavored to the best possible way I could to keep this department entirely out of politics, because I did not believe it was a political machine at all, that the people of the whole State of all parties were interested in fishing and hunting and in the development of our State along these lines; and that has been my policy from the beginning, to avoid any appearance of politics in the management of this fish and game department. That I have honestly striven to do, and I want the people of the State to understand it.

Q. It is true that Senator Barrows was appointed as a member originally of this special committee to investigate this fish and game department?

A. You will have to inquire of the president of the senate.

The CHAIRMAN: Senator Barrows was appointed and I heard him decline I think, or at least a declination was read in the senate and Mr. Parkhurst was substituted.

Mr. O'BRIEN (continuing): Did you go to the president of the senate and ask why he appointed Senator Barrows on this committee?

A. No, sir, I did not.

Q. Did you have any objection to Senator Barrows?

A. Not in the slightest. I should have been equally pleased with Senator Barrows or any senator representing the people of the State of Maine to serve on this committee.

The CHAIRMAN: Of course that is taking a pretty broad range. We want to get all the evidence before the committee tonight.

WITNESS: I recognize that Democrats are just as much interested in this fish and game as Republicans, and it is not to be made a political annex, not while I am at the head of it.

Mr. O'BRIEN (continuing): Now what about your extra wardens?

A. In 1904 was when the non-resident hunters' license money became available for warden service and we were enabled then to vastly increase our warden service.

Q. How many were there?

A. I want to say this, that we appoint a great many local wardens or deputy wardens without pay at all and send them their appointment and a written stipulation that they shall receive no pay or compensation from the State unless they are directed to do some work by the commissioners. That is the only way that we can keep the thing down. Otherwise, you appoint a man a warden and let him use his own judgment, and there are so many of them they will run away with us and the money is all gone, and the only way we can do is to say, "You shan't send in any bill unless you are authorized by the commissioners to perform that service." I will run through those. Walter Butler of Bluehill was one of our wardens and was appointed in April that year and continued all the year, and I think afterwards, W. T. Pollard was appointed in March of that year; he has worked for us every day since and before—

The CHAIRMAN: Can't we abbreviate this a little? Didn't you wish simply the number? Couldn't you give the number?

A. There were appointed of the regular wardens during those months that he speaks of, four. And we have a system now by which we appoint a man deputy warden first. That is to try him, see what he is and see if he develops into what we want for a warden, and later, if he does, he is given the regular appointment by the Governor and Council. The fish and game clubs, where they want a local warden they pay him themselves. And all of them combined make for the whole year about 53.

Mr. O'BRIEN (continuing): How many of those were appointed prior to the first of June of that year?

A. Appointments and reappointments, 35.

Q. Have the majority of those 35 been retained?

A. Yes; but the majority of them are local wardens, not under pay.

Q. Were they under pay for any time in April, May or June?

A. No, a majority of them were not at all because they could not have any pay unless they were especially directed from the office to perform service. I see three of them are paid by clubs. That is, the Megantic Club, for instance; we commission a man as warden and they pay him altogether.

Q. About that report of the year 1905. Do you suppose you could get us a copy which you filed with the Governor and Council?

A. It is a public document, anybody can see it at any time in the Secretary of State's office.

Q. You are sure it is there?

A. It should be there.

Q. You have never made a statement that you thought it was lost?

A. I never have made any such statement. I never had any reason to think it was lost.

Q. In this report which has just come out, it closed the 31st of December, didn't it?

A. Yes.

Q. I find an item, Washington County Railroad, mileages for wardens, 1907, \$42.50.

A. Yes.

Q. What does that indicate—that you bought mileages last December?

A. I did. I bought the mileages the very last of the year and have some of them in my desk now and some I have given to the wardens. We decided that instead of having the wardens buy the mileages it would be better that I should buy them and give them out personally from the office.

Q. Now did you make a statement before the Stetson committee that by allowing your wardens to use passes you could save \$5,000 to the State?

A. I don't recall that statement before the Stetson committee, but before the Heselton committee appointed by the last legislature, before which I testified, he was inquiring into this system of passes and fees, and I made the statement without having made the figures that I believed that the amount of transportation that the railroad has furnished the wardens, and the American Express Company carrying our fish free, that it would amount to closely or in the vicinity of \$5,000.

Q. None of them have been riding on passes during the year 1906?

A. Why, yes, all of these that I have named on the B. & A. Railroad in 1906. And you understand it takes between three and four months to distribute our fish from our hatcheries, we have one or two men to do it, and it takes an experienced man to go with these fish and keep them alive. The railroads furnish him transportation free. The American Express Company carry the cans which are very heavy. Now to have to pay those express charges where they are going every day for three or four months and going to Bangor and beyond, down in Washington county and Lincoln county and Knox county and York county and all over the State, it would amount to a very great sum.

Q. I understood this afternoon that those wardens who used these passes don't charge up any expenses to the State?

A. I don't understand that a warden that we have had who has traveled on a pass has ever charged anything to the State for transportation when he has traveled on a pass.

A. W. WORSTER called.

(Questions by the chairman.)

Q. What have you, Mr Worster, to present to the committee?

A. Nothing that bears on these questions, as I understand it. It is a matter between Mr. Carleton and myself in regard to reimbursement for damage done by deer in the fall of 1904.

Q. That should go before the committee on claims, shouldn't it?

A. I presume so.

Q. Have you employed an attorney to appear before this committee?

A. I have employed no attorney.

Q. Two attorneys have represented themselves as appearing for you, and as to one of them it has been so stated by Mr Donigan of the committee.

Mr. DONIGAN: That is the way I understood it.

Mr. WORSTER: I have given no authority for any counsel to appear.

The CHAIRMAN: Mr. Pattangall represented at the last session that he appeared as your attorney, and Mr. O'Brien said today that he appeared as your attorney.

Mr. O'BRIEN: That is the way Mr. Pattangall represented the matter to me. I had no talk with this gentleman.

Mr. DONIGAN: My information came from Mr Pattangall. I think Mr. Pattangall took it from Mr. Dutton.

The CHAIRMAN: Did you employ Mr Dutton?

Mr. WORSTER: I did not. I wrote to him afterwards when I found that he was attorney. He wanted me to present a resolution. I told him I did not have any resolution to present to the Legislature under the circumstances, that I thought it was placing me at a disadvantage and heavy expense and I would not.

The CHAIRMAN: As I understand you, some deer trespassed upon your property and you entered a complaint to Mr. Carleton and you did not get paid for it.

Mr. WORSTER: I never have had any redress.

The CHAIRMAN: And the State did not suffer thereby?

Mr. WORSTER: Not a cent.

The CHAIRMAN: You are the only one that suffered?

Mr. WORSTER: I am the one that suffered.

Mr. PARKHURST: And you have not authorized anybody to appear for you as attorney?

Mr. WORSTER: No.

Mr. O'BRIEN: I did not suppose that anybody understood me that I was employed by Mr. Worcester. I gave my reason for being here as being here as a citizen and as counsel for the Democratic caucus and also as counsel for Mr. Worster. Mr. Worster's part of it was turned over to me by Mr. Pattangall.

F. H. CLARK called.

(Questions by Mr O'Brien.)

Q. Did you make service on one Thomas Peltier in December, 1905, the 20th?

A. Yes, sir. I arrested him on a warrant.

Q. What did you collect for your services?

A. I don't know. I don't remember any part of it.

Q. Is that the amount marked on there, \$11.18?

A. I presume that is it.

Q. Let me ask you, did you collect anything from the State for traveling in that case?

A. I don't think so. I could not tell.

Q. You admit that you got \$11.18?

A. Yes, sir.

Q. And you will not say that you did not collect from the State for your actual expenses?

A. No, I know I did not on what there is in there.

Q. Did you put in any bill?

A. I could not tell you. There is more travel due me on that case than what there is in there.

Q. Did you collect it?

A. I could not tell.

Q. You don't think that the State owes you for any travel you were put to on account of this particular matter?

A. No, sir, whatever I did not put in it is my loss.

Q. We infer, then, that you put in for all it was worth?

A. No, I did not, not in there. There was more travel.

Q. You don't deny that you did put in a bill for the extra that you say is not included there?

A. I don't think there is anything on travel.

Q. For any other expenses?

A. Well, hotel bills went into the State of course. I took on that case just what the court allowed me. As I remember it the whole case was \$25 and he cut my bills down to make it come in within the \$25. That is the way I remember it.

(Questions by the chairman.)

Q. Who cut your bill?

A. Mr. Stewart at Bingham, trial justice.

Q. This bill for expenses was made up in that court?

A. Yes, he made it up himself.

Q. You received that from the court?

A. Yes.

Q. Did the respondent pay?

A. He paid the costs.

Q. So it came out of the respondent?

A. Yes, sir.

Q. And was allowed by the court?

A. Yes, sir.

(Questions by Mr. O'Brien.)

Q. Did you travel up there on a pass?

A. I don't know whether I had a pass that time or not. I had a pass part of the time on the Somerset Railroad, not from the commissioners but from the superintendent of the road, and this travel is for going over to Livermore Falls and summoning a witness. That is where the travel came in.

Q. Are you using a pass now?

A. No, sir.

Q. When you did have a pass on the Somerset Railroad did you always collect from the State too?

A. I never charged up to my recollection anything when I traveled on a pass. I want to correct one statement about the court cutting the fee. We partly made an agreement as to what he should pay for the costs and my travel had to come down to bring it within that. I never had a case of a court cutting anything for me.

(Questions by Mr. Goddard.)

Q. As I understand, this lump fee that you got included not only the long travel but also to summons witnesses in the case?

A. Yes, sir.

Q. They were all brought before the court?

A. Yes, sir.

Q. And then your travel really amounted to more than the amount the court was able to collect as costs?

A. Yes.

Q. Can you give the total travel you actually made in that case, summoning witnesses and all?

A. I think about 140 miles.

Q. And the court allowed you about how much?

A. It is in there—\$5 and something.

GEORGE W. ROSS called.

(Examined by Mr. O'Brien.)

Q. Your residence is Vanceboro—have you been using a pass on the railroad in your section?

A. Not this year.

Q. Did you last year?

A. Yes, sir.

Q. All the time prior to this year?

A. Well, I didn't get the pass last year until along in the year somewhere.

Q. Now when you had a pass did you collect anything from the State for travel?

A. No, sir.

Q. None at any time?

A. No, sir.

Q. For example, in January, 1906, do you recollect where you were the first 20 days of that month?

A. No, I cannot tell now.

Q. There are hotel charges here beginning with the first of January up to and including the 20th. Were you at home?

A. If I was at home there would be nothing charged.

Q. Can't you recall where you were in January a year ago? The 2nd \$2, the 3rd \$1.50, the 4th \$1, the 5th \$1, the 6th 75 cents, the 8th 75 cents.

A. I suppose I was going over Washington county.

Q. Now that month that you have got hotel fares charged up here for 27 days out of the month, were you traveling all the time?

A. Yes, sir, if there is anything charged.

Q. Can you give some idea what you were doing during those 27 days?

A. I was all over the county I suppose. I have charge of all the wardens in that county and part of Hancock county.

Mr. PARKHURST: Mr. Carleton said that a report was rendered to this office showing exactly where every warden was every day when they were under pay. Wouldn't it simplify matters to have those reports brought here?

WALTER I. NEAL of Belfast, called.

(Examined by Mr. O'Brien.)

Q. How much money did you draw in 1906?

A. \$1,575.16.

Q. What is your salary?

A. \$2.50 a day.

Q. Can you account for the difference between your salary and that large sum of money, \$1,575?

A. Yes, sir.

Q. In what way?

A. Well, in a number of different ways. I have charge of four counties and it is down in this part of the State where I have to use teams about every day to get around over the county. Another thing, I have charge of the inspection at Bangor and I am there three months out of the year and I put in there five days and a little over a week and I put in from seven o'clock until two o'clock oftentimes the next morning. The trains come there nights and days and I attend them all. At the same time I have charge of these four counties. And before I go to Bangor I make a hustle and get things straightened out as well as I can down there, and then Saturdays I leave Bangor and go down to my home at Belfast and look up my correspondence there, find out if there are any violations going on, and get back to Bangor Monday night if I possibly can.

Q. Do you travel on a pass or a mileage book?

A. I don't have any pass nine months in the year. When I am taking charge of my own counties there I travel on the regular fares.

Q. Regular fares?

A. Yes, for the reason that I have never been very flush with money and I didn't want to put \$20 into a mileage book.

Q. Don't you get reimbursed by the State?

A. Yes.

Q. Doesn't the State reimburse you afterwards for the fare?

A. Yes, sir, it is one thing that makes my bill larger. I pay fare.

Q. Then the reason why you buy local fares is because you never felt that you could afford to put \$20 out and get a mileage book?

A. Yes.

Q. So that the State is paying at the rate of local fare for your travel?

A. Yes, sir.

Q. Is that still in vogue?

A. It was up to the first of this year. The first of this year Mr. Carleton furnished me a mileage.

The CHAIRMAN: Have you ever rendered any account to the department for moneys disbursed that you have not actually paid out?

A. No, sir, not one cent.

GEORGE W. ROSS recalled.

I have here the papers given me by Mr. Carleton.

(Questions by Mr. O'Brien.)

Q. How does it happen that for 27 days out of that month you had hotel fares to pay? Were you away from home all the time?

A. Yes, sir, I never charged anything when I was at home in my life.

Q. Where were you on the 5th of January, 1906?

A. This report I have here is ending January 7th.

Q. Read the report.

A. Tuesday, Calais to Bangor.

Q. What date?

A. Tuesday of the week ending January 7th.

Mr. PARKHURST: That doesn't contain the monthly date?

A. No. The week would end on Sunday.

Mr. PARKHURST: Then the 5th of that week would have been Friday, wouldn't it?

Mr. O'BRIEN (continuing): Where were you that day?

A. In Calais.

Q. The 4th?

A. At Calais.

Q. The 6th?

A. I went from Calais to Vanceboro that day.

Q. Do you remember whether you made any charge for the 6th for hotel fares?

A. There is a charge here of 75 cents.

Q. What was that?

A. In Calais, before I went home.

Q. Where were you on the 9th?

A. The week ending January 14, Tuesday, the 9th, Calais and Machias.

Q. The 10th?

A. At Machias.

Q. The 11th?

A. Machias.

Q. How long were you at Machias?

A. I was there the next day at Machias.

Q. Where were you the 13th?

A. Saturday, Machias to Calais.

Q. The 14th?

A. Calais.

Q. Where were you on the 18th? That would be Thursday of the week ending the 21st.

A. From Vanceboro to Machias.

Q. Where were you the 17th?

A. Machias to Vanceboro.

Q. Have you got February there? Where were you the 7th of February?

A. The week ending February 11th, the 7th, Wednesday, Calais to Eastport and return, Calais to Woodland and return.

Q. How much did you charge that day for hotel fares?

A. One dollar.

(Questions by Mr. Goddard.)

Q. Whether or not your duties, having the entire charge of Washington county and of the wardens down there and a large part of Hancock county, keep you on the road practically all the time?

A. Yes, sir, all the time.

Q. And whether or not Sundays are practically the only days in the year that you are at home?

A. Yes, sir.

Mr. PARKHURST: (To Mr. O'Brien.) I assume that you have some expense items that match the dates that Mr. Ross has testified about?

Mr. O'BRIEN: Yes.

Mr. PARKHURST: Do you mind letting the committee see one of your copies?

Mr. O'BRIEN: Certainly not (producing.)

One of the committee: Did you your account agree with his?

Mr. O'BRIEN: Yes.

Mr. PARKHURST: In every instance?

Mr. O'BRIEN: I think so.

F. J. DURGIN, of the Forks, called.

(Examined by M. O'Brien.)

Q. Do you know how much you drew in the year 1906?

A. I think about \$100 a month.

Q. What is your salary—are you hired by the year?

A. By the year, or by the day. I work for the whole year, have for several years.

Q. You are supposed to give all your time?

A. Yes, sir.

Q. What pay do you get?

A. Two dollars a day.

Q. Do you travel on a pass now?

A. I had a pass over the Canadian Pacific Railroad after April of (last year. This year I don't have any pass.

Q. How do you travel now?

A. Have to buy a ticket.

Q. Don't use a mileage book?

A. No.

Q. You charge local fares?

A. Yes, sir.

Q. Why don't you use a mileage book?

A. Because I never had a mileage book.

Q. Don't you think it would be a good plan to buy one?

A. Perhaps so. It is kind of bothersome to lug if you are in the woods all the time.

Q. Now have you any other business besides that of a game warden?

A. Deputy sheriff.

Q. Do you get any salary as deputy sheriff?

A. No, sir.

Q. Simply paid for what actual work you do?

A. That is all.

Q. Are you a blacksmith?

A. Yes, sir.

Q. Did you devote any time during the year 1906 to blacksmithing?

A. No, sir.

Q. None at all?

A. No, sir.

Q. Have you in any other year since you were appointed game warden?

A. Not to any extent.

Q. But some?

A. I might have worked a day or half a day or shod a horse or something.

Q. Are you sure you haven't worked half a day in 1906?

A. I might have shod a horse, something like that.

Q. Will you say you didn't work a day?

A. I would. I might have worked a day in the whole year.

Q. When were you appointed a warden?

A. I think in 1898.

Q. Did you always travel on local fare tickets?

A. When I didn't have a pass.

Q. The only pass you had is that one?

A. No, I had a pass for five years over the Somerset road.

Q. Did the State reimburse you for any fares then, during those five years?

A. No, sir, not on that road.

Q. You never collected anything from the road when you rode on a pass?

A. No, sir.

Q. Or any road?

A. No, sir, because the commissioners gave me the pass.

(Questions by the Chairman.)

Q. You never charged for railroad fares when you used a pass?

A. No, sir.

Q. Are you the one who sent Mr. Carleton some partridges?

A. Yes, sir.

Q. Did you shoot them legally?

A. Yes, sir.

Q. And you sent them as a gift to Mr. Carleton?

A. Well, I sent those down to Mr. Carleton with the intention—I thought I was going down in a few days and I sent them down for that reason.

Q. They were his private property?

A. Yes, sir.

Q. That is, you made him a present?

A. I sent them down here, well, I was calculating to come myself and I sent them down here. I didn't know but they might want them.

Mr O'BRIEN: Did you have your partridges tagged?

A. Yes, sir.

(Questions by Mr. Goddard.)

Q. Most of your traveling is through the woods?

A. Yes, sir, a great deal of it.

Q. So outside of what you traveled on a pass which has not cost the State anything, your travel has been comparatively little on the railroads where you have been obliged to pay?

A. My travel has been a good deal more by team.

Q. How far do you live from the railroad?

A. Six miles from the extension; 23 miles from Bingham depot.

Herbert E. Pierce was called for by the committee.

Mr. CARLETON: I have a letter from the doctor attending Mr. Pierce in which he states that he is sick in bed with the grippe.

Mr. CARLETON was called before the Committee.

(Questions submitted in typewriting by Mr. Donigan of the Committee were presented to Mr. Carleton.)

The CHAIRMAN: Mr. Carleton, look those over and see if you are prepared to answer them now, or would like more time and report to us later.

Mr. CARLETON: I think I can answer these questions now.

The CHAIRMAN: Would you like to have your attorney present?

Mr. CARLETON: No.

(Mr. Carleton was then questioned by the Chairman as follows:)

Q. I will ask you the first question: "Have you any book entry which shows the amount of money paid by Dr. Wakefield for live deer?"

A. Yes.

Q. Second: "What does the entry show?"

A. It shows Wakefield, deer, received \$200.

Q. "Does the entry appear in the regular course of moneys received?"

A. Yes.

Q. Fourth: "Does it appear on a regular page?"

A. Yes.

Q. Fifth: "Is it an ink entry?"

A. No.

Q. Sixth: "Is there a date for it?"

A. I think not.

Q. Seventh: "Then you cannot tell when money was paid to you?"

A. Not to a day.

Q. Eighth: "Is that memorandum the only entry you have of this transaction?"

A. No.

Q. Ninth: "When did you pay the \$200 into the treasury?"

A. Either at the very close of the year or at the very first of this year.

Q. Tenth: "Have you any itemized account which shows that it was ever paid into the treasury?"

A. The book account shows it.

Q. Eleventh: "Is that book the only book your department has which will show the moneys received by your department?"

A. Well, we have this book, as I have explained, which shows the moneys received by the department every year. Then, as I have previously explained to the committee, there are so many non-resident licenses delivered to us by the State printer who certifies to the secretary of State that he delivered so many non-resident hunting licenses to us, and no more. Then at the close of the year we have to pay for every one of those licenses or deliver to them those that are not sold. So that of itself is a complete record without any book record. But in addition to that, from day to day Miss Hodgdon enters upon her book what is received for that. Now take the matter of guides. The law requires that they shall be registered in a book kept for that purpose. So at the close of the year, without any book entry whatever other than

that, you can go to work and count up the number of guides registered. And there is one dollar apiece for them that must be paid to the State treasurer, and so of every licensee, hunters and trappers, taxidermists, and so forth, dealers in furs—and the law fixes the amount that they must pay, and there is a complete record right there in that book without any other book. Now these other transactions. Take the Wakefield case for instance. Mr. Wakefield wanted to buy these deer that we had. He went out and looked at them and made an offer and paid the money. I turned to Miss Hodgdon and said, "Make a memorandum of this," which she did; and that memorandum is there on the book.

Mr. DONIGAN: On the cover of the book.

A. Well, it is on the book just where she made it and at the time she made it.

Mr. DONIGAN: Isn't it on the cover of the book?

A. I am making my statement. It is there on the book, and at the time she made it and just as she made it.

Mr. DONIGAN: You won't state whether it is on the cover of the book or not?

A. Then Mr. Wakefield informed me that he was unable to get a portion of the deer on account of their being wild, he was not able to catch them and I did not know whether he would be able to do it or not, but finally later on he did do it—that is, I telephoned him in relation to it and he told me he had caught them; and there was another one at Hallowell that he was looking after. Then I find that Miss Hodgdon in adding up the other matters, in the statement as the amount due to pay to the treasurer, I find moose and deer \$250 added in as paid to the treasury, where we made up our final account; and the moose was the one I was telling about yesterday that was being sold.

Q. We have no report of your statements of yesterday.

A. There was a moose taken care of at a lumber camp, a young moose that came out there and became tame. He was very poor they said and they didn't want to let him loose, he would either starve to death or somebody would kill him, and the curator of the Boston Museum had had a letter on file for a long time that if a case of that sort occurred where he could get a moose they wanted it for the purpose of completing their set. We notified him and he came and looked at the moose and made an offer of \$50 for it, and took it. That entry of that \$50 is there in the same place with the entry of the Wakefield deer, and as I explained yesterday these other matters, where the wardens claimed that they should have the mink skins and the weasel skins, and so forth, in addition to extra pay, is right there on that same page.

Now in relation to these deer. These deer are picked up by somebody in the spring—some little lamb that the mother has abandoned, or the mother has been killed—they don't know what to do with it and they send it down to this hatchery. That is how we got these deer. Now the boys at the hatchery, they care for these deer. It is extra work. Mr. Merrill of the committee has been there and probably knows about it. They raise a few potatoes there on a little ground there, and they feed more or less of these potatoes that they raise themselves by working extra

hours in taking care of these deer, and they have made a claim that they ought to have something if they were going to be sold, and the State get rid of the expense of keeping them—that they ought to be considered in that. Now those items I speak of are outside of the regular course of the office business. Miss Hodgdon made the memorandum of it where she chose. I did not dictate to her where to do it—I told her to make a memorandum of it, and it is there. I find it is in the settlement. I asked her what that was, the \$250. I knew that every dollar we had collected had been paid in and we had receipts for it. That is all there is to that.

Q. Twelfth: "And besides your appropriation of \$25,000 you receive some \$40,000 in the course of a year?"

A. That has been answered over and over again at the other hearing; the amount and the itemized amount was given.

Q. Your answer is yes.

A. Yes.

Q. Thirteenth: "For how many days did Warden Ross receive pay in January 1906?"

A. Now that is a matter of record. Mr. Donigan saw it and saw his bill the other day, he and his attorney. And it is a matter of record down there from the bills allowed by the Governor and Council, which can be ascertained by stepping into the treasury and getting the bills right there. They are on file.

Q. Was each month turned into the treasury for wardens?

A. We paid them usually monthly. We are governed in that as to when the Governor and Council have their meetings. They go through the Governor and Council's hands. They send in their bills, they send weekly reports every week, and we compare them with the bills they send us, we approve them and then they go to the Governor and Council.

Q. You have nothing to do with the money?

A. Nothing. We simply audit their accounts, and the Governor and Council pass them.

Mr. DONIGAN: Will you state whether this record of the Wakefield deer is on the cover of your ledger account or day-book?

A. Well, if the committee deem it important for me to state precisely where my clerk saw fit to make that entry, I could state it.

The CHAIRMAN: The books are here and the clerk is here. The books are the best evidence of where the record was made.

One of the Committee: I wanted to ask if there are receipts for everything including the Wakefield deer account turned over to the State treasury, and the balance?

A. Yes, certainly, we pay into the State treasury from time to time and take receipts; and it is shown by the receipts from the treasury that the Wakefield deer and the moose are in them.

Q. Regardless of where the minute was made?

A. Yes.

Mr. DONIGAN: But it is not itemized?

A. Well, the treasurer won't itemize it. They say, received so much on licenses and fines. When we carry in the account of 15 or 20 guides

they won't do that. They simply enter it upon their books, so much received for licenses and fines. One corresponds with the other.

A member of the Committee: Then there is no discrepancy in the accounts where they finally paid them; it is simply where the entry was made.

MYRTLE H. HODGDON, called.

(Questions by the Chairman.)

Q. You are the chief clerk in the fish and game department?

A. Yes.

Q. Do you keep the book accounts for Mr. Carleton?

A. Yes.

Q. You make the entries yourself?

A. Yes, sir.

Q. Coming to this particular entry of the Wakefield deer—did you make the entry yourself?

A. Yes.

Q. Have you the book in which you made the entry?

A. I have.

Q. Will you produce it.

(Witness produces book.)

Q. Now the entry in regard to the Wakefield deer, as you have pointed it out, is on the book cover of the ledger?

A. Yes.

Q. Will you explain how you happened to enter that on the book cover of the ledger.

A. As I think Mr. Carleton has explained there are certain accounts that are unsettled, we don't know just where they will go, and when such things come up he tells me to make a memorandum of it and later I will decide where it will go; so when Dr. Wakefield paid the money, he said to me, "Make a memorandum;" so I thought that was the proper place to put it.

Q. Did Mr. Carleton indicate to you the part of the book where you were to make the memorandum?

A. No.

Q. It was simply to keep a memorandum?

A. Of how much he paid.

Q. Of different items that you hadn't fully determined about?

A. Yes.

(Questions by Mr. Donigan.)

Q. Why didn't you make an itemized account of that in the ledger at the time you wanted to transfer it on to the ledger?

A. I don't know—it was reckoned into the settlement.

Q. But not put down itemized?

A. Well, yes.

Q. His name doesn't appear there?

A. No, but moose and deer \$250, and that includes those two items, live moose, Brown, \$50, and Dr. Wakefield \$200.

Q. That is put down in pencil?

A. Yes.

Q. When was it put down?

A. At the time Mr. Carleton asked me one day how much there was due. And this is the account of the fines. He asked me along at the end of the year how much there was due on fines. This is entirely separate from the license account. And I reckoned it up and added this \$250 in, and that is where it was.

Q. And that is put down in pencil?

A. Yes, temporary footings, that is all.

(Questions by the Chairman.)

Q. You have turned in this book to page 30 where you say these memoranda on the cover of the book were carried when Mr. Carleton asked you how much the fines amounted to?

A. Yes, sir, and I added that in.

Q. Were those lead pencil entries made before the year 1907?

A. At the close of the year 1906.

Q. And these entries on the cover of the ledger were made from time to time during what year?

A. 1906—odd items.

Q. And these books are all in your handwriting?

A. Yes.

Q. And in your care and custody?

A. Yes, sir.

Q. And made simply from memoranda received into the office?

A. Yes, sir.

Q. So all the money received from these various items such as are mentioned here, were they all accounted for to the Governor and Council and paid over?

A. Yes, sir. Not the Governor and Council—accounted for to Mr. Carleton. I reckoned it all in and gave the amount to him as the amount due.

Q. And that is accounted for in the department's account to the Governor and Council?

A. To the treasurer.

A member of the Committee: How long ago was it?

A. At the close of the year.

A member of the Committee: That \$250 was accounted for at the close of the year?

A. Yes.

(Questions by Mr. Carleton.)

Q. Do you keep all the books?

A. Yes, sir.

Q. All the entries are made by you?

A. Yes, sir.

Q. When we come to settle or pay any money to the State treasury do I ask you from your books how much there is due?

A. Yes.

Q. And I asked you that in relation to this?

A. Yes.

Q. When you told me, you included the \$250, \$50 for the moose and \$200 for the Wakefield deer?

A. Yes, sir.

(Questions by Mr. Parkhurst.)

Q. Do I understand that these matters appearing on the inside of the book cover were items in suspense during the year?

A. Yes, sir.

Q. Items which from their nature did not belong to any specific account?

A. That is it exactly.

Q. The disposition of those items you were uncertain about?

A. Yes, and I didn't want to write it in because I knew later I would have to make the entry under the proper account.

Q. You held them in suspense pending a final allotment?

A. Yes.

Mr. DONIGAN: They were not put in in the regular course of the bookkeeping?

A. No; one reason I keep it separate from the license fees, I make up the schedule and see that the check is drawn to the treasury, and the other goes in to Mr. Carleton.

A member of the Committee: This having been paid in to the treasury before 1907, this \$250, there could not be any question about it being made later, if it was paid in before.

The CHAIRMAN: It was the settlement for the year 1906?

A. Yes.

The CHAIRMAN: And all included and paid into the treasury of the State before the session of the legislature commenced?

A. Yes, sir.

Mr. DONIGAN: All the Dr. Wakefield accounts are in pencil and other items are in ink, aren't they?

A. Yes, the Dr. Wakefield items are in pencil, and the live moose matter is in pencil.

The CHAIRMAN: All the Dr. Wakefield account is in pencil but there are other accounts also in pencil?

A. Certainly, yes, sir.

Mr. DONIGAN: Read the accounts on the book cover of the ledger account that are in pencil.

A. For wardens, 1906, account, for beaver castors, received of Hinds, \$35, mink skins \$51, otter skins \$147, weasel skins \$5.50, mink, another entry \$2; Wight, beaver castors, 87 cents; another entry \$48, another 37 cents, another of \$2.34, fisher skin \$3, muskrat skins \$1.04, another entry 20 cents, weasel skins 60 cents; fox skins \$2.75, mink \$4; then below, live moose, Mr. Brown, Boston Museum, \$50, Dr. Wakefield, live deer \$200.

The CHAIRMAN: Are there any other questions?

Mr. DONIGAN: That is all.

The CHAIRMAN: I have here the letter received by Mr. Donigan. Appended to that letter is this statement:

“Machias, March 2, 1907.

“Replying to the above will say that the only record in this office relating to same is the sheriff’s bill of the days’ attendance of the court officers, and in the bill he has seventeen days’ attendance credited to George W. Ross at the January term 1905 of S. J. Court.”

(Signed)

P. H. LONGFELLOW, Clerk.

GEORGE W. ROSS, called.

(Questions by the Chairman.)

Q. Will you give to the committee the explanation you have in regard to that.

A. Yes, sir. I drew pay from the court, \$2 a day—I don’t know how many days I got—and I charged up my salary and my hotel bills to the State just the same; because that was the understanding, the trade I made with the commissioners when I hired. I was to have what I got from the court and I was to be there at court; and if any papers were given me to serve where I was going I would serve them and have the pay for them, but I was not to take papers and go off in another direction from where I was going and charge up the costs. That is the trade I made with the commissioners when I hired with them.

Q. During these 17 days were you in actual attendance all the time at court?

A. No, I don’t think I was there all the time. I was round there and I had cases there in 1905. I think I was down to Dennysville and Calais once or twice on two dog cases and I settled them I think during that term of court.

Q. And during these 17 days you drew pay from the State also as warden?

A. Certainly, and my hotel bills too, which I had a perfect right to do, because I made that trade when I hired with the commissioners. Mr. Oak is here somewheres and he will say so. I was deputy sheriff then, and I was to have \$50 a month and go all over Washington county and look after the men and had men under me, paying them \$2 a day; and Mr. Oak said, “There is a good place to be, where there is a crowd and at court you can find out lots of things, and whatever you get from the court you can have.”

Q. During the time you were in attendance at court did you neglect your duties as warden?

A. No, sir.

Q. You cared for those just the same?

A. Yes, sir, and did right there at court, settled cases. I didn’t do any work in the court. Sometimes I would sit in the sheriff’s chair, I might take a jury out, but I never served any papers or went off anywhere to do any work for the county.

(Questions by Mr. Parkhurst.)

Q. You regarded your employment by the game commissioners as being of the most importance?

A. Certainly.

Q. And attended to the duties of your office as warden in the first instance?

A. Certainly I did; and it was thoroughly understood. I hired that way. If I was there the first day they might give me \$10 or \$20 after the court was over—a week afterwards the sheriff would come along and hand it to me. I didn't do any work there only sit round the court, and I was doing warden business just the same.

Q. On the days you rendered your account as for warden service you were actually engaged in doing the work of a warden?

A. Certainly. I hired men and handled them; I have got seven now; I am going all the time looking after them; and I tried to keep my expenses down and talked that to my men. I often go to the hotels and get a rate for a dollar a day; and where they charged us \$2.50 for a team, for instance, to go to Princeton I have got it down to \$1.50; and I succeeded in getting passes for myself and men over the Washington County Railroad until the Maine Central took it, then I got passes for myself.

Q. Was this arrangement made with Mr. Oak or Mr. Carleton?

A. With Mr. Oak and Mr. Stanley, and Mr. Oak told Mr. Carleton about it because I had never met Mr. Carleton but once or twice, I think once, and Mr. Oak lived in Caribou and I was acquainted with him and he kind of looked after us fellows and we did our business with him.

A member of the Committee: The commissioners were willing that you should do work for the county and receive pay from the county and draw a salary from the State?

A. In court time, yes, and I was there, about there, because they said it was a good place for me to be. I wasn't to take any papers—they sent me papers to serve in Forest City and I had no business there and I sent them to the deputy sheriff at Danforth; and I received papers from Old Town which would take me all day in Vanceboro to attend to them and I sent them to the deputy at Danforth and asked him to serve them and I went down in Washington county.

(Questions by the Chairman.)

Q. Whenever there was a term of court you went to that term of court and attended it as the sheriff desired. I don't suppose you were there all the time?

A. I was there all the time every term of court since I have been warden I think up until the last April term. I quit working for the State the 18th or 19th of last April.

Q. During the month of January and February 1905 there was a term of court in Washington county?

A. Yes.

Q. You were in attendance at the court a part of the time?

A. Yes, sir.

Q. And during that time you attended to your warden's duty just the same?

A. Yes, sir.

Q. During that time the sheriff of Washington county had you upon the court officers' list?

A. Yes, sir. I don't know how much he gave me, probably that amount is right there. I never gave any account of it. It may be a week after court is over he would hand me what he has a mind to.

Mr. SAFFORD: You present no bill for your services to the clerk of courts?

A. No, sir.

Mr. SAFFORD: It is made up by him, the fees paid to you.

A. The sheriff gave me this. I don't know how many days he put in there, only that must be right there, on that term of court. And that was the understanding with the commissioners. I was to work for \$50 a month, and have that, whatever I could get, and Mr. Oak said, "It is a good place for you to be at court because there is always a lot of jury-men there and a crowd there and you can learn a good many things."

Mr. PARKHURST: You were a deputy sheriff when you received the appointment of warden?

A. For a long time before that. When they wanted me to go to work for them I think I wound up 36 day's works for the United States government at \$6 a day—I think about that time.

(Questions by one of the Committee.)

Q. How much time should you judge it took of your services for attending court during those 17 days?

A. It didn't take any to amount to anything.

Q. You considered you were working for the department?

A. Certainly I was, and hired with that understanding, and was to be at court and whatever the sheriff had a mind to give me I was to have as a part of my salary.

Q. You simply report to the sheriff and then if he hasn't anything for you to do you go where you please.

A. I never report to him. I go there, and go when I like. I never report to him. I go there and if I am there the first day he does with me the same as he does with the rest of them and the judge signs his return and he gives me what he likes. I did that with Mr. Longfellow and with Mr. Tarbox.

The CHAIRMAN (to Mr. Campbell): Have you anything to add, Mr. Campbell, as the former county attorney of Washington county?

Mr. CAMPBELL: I can only vouch for the correctness of the statements as far as I know. I would add that under Mr. Ross' superintendence of wardens in Washington county, he has done very much to create a healthy public sentiment in regard to the enforcement of the game laws; and from my personal knowledge of his services I think he has been fully entitled to all the money he has earned in the service.

Mr. ROSS: I never charged up a cent but what I paid it out.

The CHAIRMAN: Are there any other inquiries to be made before the committee from any other source? If not, the sessions are closed.

The joint special committee appointed by this legislature to investigate the Fish and Game Department of the State of Maine and to ascertain what changes, if any, are advisable in the existing laws and to report by bill or otherwise have attended to their duty and beg leave to report:

The committee met for organization Wednesday, January thirtieth, and elected F. O. Hill of Monticello secretary. It was then agreed that at a meeting to be held February fifth all parties desirous of making complaints should have an informal hearing when their written complaints would be received and submitted to the Fish and Game Department for answer at a public hearing then to be appointed.

On February fifth Mr. Pattangall addressed the committee and later submitted to the committee a series of questions to be asked of this department. These questions were reduced to writing and numbered consecutively one to nine, inclusive, and a public meeting was then appointed for February nineteenth and notice of the same was given in all the daily papers in the State. At the same time a sub-committee was appointed to notify six wardens to be present and give testimony; these wardens to be selected by this committee from the entire list of wardens employed by the department.

February nineteenth the committee met in the hall of the legislature and at the request of Mr. Donigan, who represented that Mr. Pattangall could not be present on account of sickness, and further because the wardens had not been summoned, the hearing was adjourned to February twenty-seventh, 1907.

At this time a further inquiry was publicly made whether any one desired to enter additional complaints against this department and none were presented. Notice of the postponed hearing was again given in all the papers. At this hearing the questions were submitted to the commissioners and with their answers are fully given in the stenographic report which accompanies and is made a part of this report.

At this hearing Mr. O'Brien of Portland appeared as an attorney in place of Mr. Pattangall who was sick and unable to attend. Besides the inquiries of the committee outside of the written questions and the cross examination by Mr. O'Brien, other questions were then asked of the commissioners in regard to certain matters that had come to the attention of your com-

mittee through communications, signed and anonymous, addressed to the members of the committee. These questions and answers are also included in the stenographic report.

On March eighth, Mr. Carleton was asked to come before the committee and answer certain other questions that were then presented to him in writing. This he did and the report of the questions and answers are also given in this stenographic report. At this meeting a letter was received which showed that Mr. George W. Ross, one of the wardens of the department, who was also a deputy sheriff, had as deputy sheriff drawn fees from the county of Washington while performing warden service. He was requested to appear and explain this matter and did appear on the fourteenth of March. The report of his explanation is included in the stenographic report.

From our examination of this matter we find that at each hearing the inquiries by the members of the committee and by the attorneys were fairly met by the commissioners of the Fish and Game Department and the wardens and satisfactorily answered; the question of the use of passes by the commissioners, while charging fares to the state was taken up in the testimony and the examination disclosed the use of passes, under these circumstances by two of the commissioners, Mr. Carleton and Mr. Ring, up to January first, 1905, and the fact that this use of passes by them had been testified to before two other legislative committees and was accordingly before this time public information; the testimony further disclosed that since January first, 1905, railroad fares had not been charged when passes were used.

So far as the inquiries of the investigation covered the matters of moneys paid into the department in the shape of fines or fees (the extent of the inquiry is shown by the stenographic report) the committee are satisfied that the moneys so received were properly accounted for.

The inquiry into several items of expense charged by Mr. Carleton showed that in each instance the charges had been submitted to, and approved by, the governor and council and were contracted in the discharge of his official duties.

The committee so far as the testimony submitted to them discloses are satisfied that the entire department is conducted with a proper regard to the best interests of the state and have no

recommendations to make in relation to changes of the existing law in relation to this department.

GEO. W. HESELTON,
FREDERIC H. PARKHURST,
O. C. CURTIS,
M. A. SAFFORD,
FRANCIS O. HILL,
JOS. W. ALLEN,
HARRY E. MERRILL,
M. O. EDWARDS,
A. L. BRACKETT.

In the matter of the investigation of the Fish and Game Commission the committee requested that charges be filed. As a result Hon. W. A. Pattangall counsel for the petitioners filed with the committee a list of questions and as a result the commissioners had a week in which to prepare their answers. At the time set for the public hearing Mr. Pattangall, because of sickness, was unable to appear. The case of the petitioners was handled by Michael T. O'Brien of Portland. Mr. Carleton testified that he was appointed in 1896 and up to about December, 1904, he rode on a pass and charged local fares to the State, amounting as he said "approximately \$300.00 a year."

In matters in which civil actions were instituted for infraction of game laws he always deducted \$5.00 for the writ and appropriated it to himself. In other cases "I took the costs." He gave a specific instance in which he collected \$533.00 for the illegal killing of a moose and the \$33.00 he appropriated to his own use because as he testified "if I had not done it the State would have been compelled to pay much more for an attorney." In the campaign of 1906 Mr. Carleton testified that he had devoted all his time, for two weeks, to campaigning and drew his salary from the State. In the matter of \$200.00 paid by Dr. Wakefield for live deer, Mr. Carleton testified that he telephoned Dr. Wakefield relative to the amount paid in order that he might "verify his books." Hence the items in the books of commissioners are subject to verification only in case they agree with the oral testimony or memory of parties in interest. A very loose method of bookkeeping for a department which has the expenditure of \$65,000.00 annually. As a matter of fact, the only entry which Mr. Carleton could show the committee of the \$200.00 paid by Dr. Wakefield was a lead pencil memorandum upon the inside of the back cover of a little ledger account book. No date appeared and it is impossible to tell when this memorandum was made. It may have been made since this investigation was commenced.

Moreover there is no voucher or no entry to show that this \$200.00 was ever turned into the State treasury. Mr. Carleton used the bookkeeper in his office paid by the State, for work on his private magazine but claimed he paid her for what time she worked for him. The investigation has revealed a laxity, in the management of this department, beyond comprehension. What

individual or business corporation handling \$65,000.00 a year would permit such looseness? Should the State of Maine permit it? It is the people's money and the department handling it should be able to account for every cent of it. Hence we recommend a thorough overhauling by an expert accountant of this department since Mr. Carleton became a commissioner. The Revised Statutes provides for a salary for each commissioner and also "actual travelling expenses." When an official rides on a pass does he have any "actual" expenses for railroad fares? We think not. Therefore we believe that Mr. Carleton should reimburse the State for every penny collected by him for local fare tickets from the time of his appointment up to December, 1904, for as a matter of fact, according to his own testimony he did not "actually" pay any fare. We recommend that if Mr. Carleton (and Mr. Ring) fail to do this that the attorney general institute the proper legal proceedings to collect such sums of said moneys so collected as have not been outlawed by the statute of limitations. The Revised Statutes also provide that county attorneys shall prosecute all claims for infraction of fish and game laws (upon the request of commissioners) therefore any writ, fees or costs which Mr. Carleton has appropriated to his own use should be returned, upon his failure to do so then the attorney general should institute proceedings for the recovery of all such moneys.

There is nothing in the statute which provides for the State of Maine furnishing campaign orators for any party. Hence Mr. Carleton should return to the State the money he received as salary during the two weeks of 1906 which as he testified "he devoted entirely to campaign work." If he fails to do this the attorney general should institute the proper proceedings for the recovery of that money. Warden Durgin stated before the committee that he had at times worked in a blacksmith shop and deducted nothing from his salary as game warden. Warden Ross collected salary for twenty days in January, 1906. The court records of Washington county show that he was paid for seventeen days and attendance at court. Can there be thirty-seven days in January? This is a matter which the attorney general should also attend to. In the matter of examining books the committee asked for no papers or receipts and but one book of the Fish and Game Commissioners and but three minutes examination of the treasurer's account with Carleton.

The Committee on Investigation of Fish and Game Commissioner which was instructed by an order of the legislature to inquire into the conditions of the Fish and Game Department have had the same under consideration, and ask leave to report.

DONIGAN.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, March 21, 1907.

Majority and minority reports of the Joint Special Committee to investigate the department of the Fish and Game Commissioners.

Tabled pending acceptance of either report on motion of Mr. HILL of Monticello, and reports and accompanying papers ordered printed.

E. M. THOMPSON, *Clerk.*