

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fourth Legislature

OF THE

STATE OF MAINE

1909

**SENATE.**

Wednesday, February 17, 1909.

Senate called to order by the President.

Prayer by Rev Mr. Livingston of Augusta.

Journal of the previous session read and approved.

Papers from the House disposed of in concurrence.

"An act in relation to the compensation of county commissioners of Androscoggin county," came from the House, by that branch referred to the Androscoggin County Delegation. On motion by Mr. Milliken of Aroostook, the Senate non-concurred with such reference, and on further motion by the same Senator the Bill was referred to the committee on salaries and fees.

A communication was received from Pascal P. Gilmore, transmitting his official bond, for the consideration and approval of the Legislature. On motion by Mr. Eaton of Washington, the same was referred to the committee on Appropriations and Financial Affairs.

**House Bills Read and Assigned.**

An Act to amend and correct a clerical error in Chapter 84, of the Public Laws of 1905, relating to the compensation of the clerk to the commissioners of inland fisheries and game.

An Act in relation to supplies furnished any person or family while placed in quarantine by the Board of Health.

An Act to amend Section 9 of Chapter 127 of the Revised Statutes of Maine, relating to cheating by false pretenses.

An Act designating the official flag of the State of Maine, and describing the same; providing for the carrying of such flag by the regiments of the National Guard of the State of Maine; authorizing the adjutant general of the State to provide, and have deposited in the office of the adjutant general, a model of said flag, and making an appropriation therefor.

An Act to incorporate the Universal Electric Light and Power Co.

An Act to extend the charter of the Danforth Trust Co.

An Act to extend the charter of the Sandy River Trust Co.

An Act to extend the charter of the Pepperell Trust Co.

An Act relating to the examination of trust companies and savings institutions.

An Act to extend the charter of the Clinton Trust Co.

An Act to extend the charter of the American Trust Co.

An Act to extend the charter of the Winter Harbor Trust Co.

An Act to extend the charter of the Ocean and Northern Railroad Co.

An Act to extend the charter of the Lincoln Electric Railway Co.

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

An Act to amend the charter of the city of Ellsworth.

An Act relating to temporary crossings over railroads for lumbering purposes.

An Act to authorize the construction of a weir in tide waters of the Saint Croix river in the town of Robbinston.

An Act relative to the use of the Cinematograph.

Resolve in favor of Hon. George H. Eaton, chairman of the committee on appropriations and financial affairs.

Resolve in favor of the town of Cornville.

Resolve in relation to Fort William Henry in the town of Bristol.

Resolve in favor of the Northern Maine General hospital of Eagle Lake.

Resolve in favor of the W. C. T. U. Temporary Home for Children.

Resolve in favor of Maine Children's Home Society.

Resolve in favor of the Webber Hospital Association of Biddeford.

Resolve in aid of navigation on Moosehead lake.

Resolve in favor of the town of Lisbon.

Resolve in favor of the town of Leeds.

Resolve in favor of the town of Paris, Oxford county, Maine.

Resolve in favor of E. and I. K. Stetson, agents.

Resolve for the providing of testimonials for the honorably discharged soldiers and sailors who volunteered

from Maine for service in the Civil War.

Resolve for extra pay to the Maine volunteers in war with Spain.

Resolve in favor of the Children's Heart Work Society of Maine.

Resolve in regard to appropriation due Spanish War veterans for services rendered.

Resolve in favor of an appropriation for a breakwater in Moosehead lake.

Resolve in favor of navigation on Seb-  
bec lake.

"Resolve proposing an amendment of the Constitution providing for the election of the secretary of State, treasurer and attorney-general by the qualified voters." On motion by Mr. Hastings of Oxford this bill, together with majority and minority reports of the committee on judiciary thereon, were tabled, pending the acceptance of either report.

"An Act to appropriate moneys for the protection of trees and shrubs from the introduction and ravages of dangerous insects and disease." On motion by Mr. Irving of Aroostook, this bill, as an emergency bill, under suspension of the rules took its second reading. On motion by Mr. Macomber of Kennebec the bill was tabled pending its passage to be engrossed.

"An Act to authorize the town of Harpswell to construct and maintain a bridge from Great Island in said Harpswell to Hen Island on which Fred E. Dowling now lives." On motion by Mr. Wheeler of Cumberland this bill was tabled, pending its second reading.

Bill, "An Act to amend Section 21 of Chapter 6 of the Revised Statutes, relating to the election of officers," which was passed to be engrossed by the Senate and sent to the House, was, by the House, amended by House Amendment B, and by that branch as amended passed to be engrossed. On motion by Mr. Hastings of Oxford, the Senate reconsidered the vote whereby it passed the original bill. On further motion by the same senator, House Amendment B was adopted in concurrence and the bill as amended was passed to be engrossed.

The following bills, petitions and resolves were presented and referred:

#### Judiciary.

By Mr. Staples of Knox: Petition of S. C. Knight and 125 others in favor of An Act to define and regulate the practice of optometry.

By Mr. Mullen of Penobscot: Bill, An Act to incorporate the Bodwell Power Co.

By Mr. Baxter of Cumberland: Petition of Maine Missionary Society for change of name.

By Mr. Irving of Aroostook: Bill, An Act to amend An Act entitled "An Act to create a lien on manufactured staves and laths."

By Mr. Reynolds of Kennebec: Petition of F. J. Goodrich of Waterville and 71 others in favor of An Act to define and regulate the practice of optometry.

By Mr. Hastings of Oxford: Petition of Eugene F. Smith and 35 others of Norway in favor of same.

#### Legal Affairs.

By Mr. Kellogg of Penobscot: Bill, An Act to amend Section 49 of Chapter 49 of the Revised Statutes, relating to insurance policies. On motion by Mr. Macomber of Kennebec this bill was tabled for printing, pending reference.

Also: Bill, An Act additional to Chapter 49 of the Revised Statutes, relating to filing of policies by casualty insurance companies. On motion by Mr. Macomber of Kennebec this bill was tabled for printing, pending reference.

By Mr. Gowell of York: Bill, An Act additional to and amendatory thereof of Section 22 of Chapter 27 of the Revised Statutes, in regard to the support of minor children.

#### Appropriations and Financial Affairs.

By Mr. Hamilton of York: Resolve in favor of a monumental marker on the Battleground of Cedar Mountain, Virginia.

By Mr. Wheeler of Cumberland: Resolve in favor of W. A. Walker.

#### Railroads and Expresses.

By Mr. Irving of Aroostook: Petition of D. A. Pattee and 31 others of

Easton in favor of the Hall transferable mileage bill, so-called.

By Mr. Milliken of Aroostook: Petition of O. A. Stearns and 17 others of Ludlow in favor of same.

Also: Petition of Albert M. Smith and 17 others of Ludlow for the passage of An Act enlarging the powers of the railroad commissioners.

Also: Petition of Clarence P. Small and 18 others of Ludlow for the passage of a bill for State aid for bridges.

Also: Petition of L. L. Workman and 20 others of Charleston for the passage of the transferable mileage bill.

Also: Petition of William A. Burgess and 17 others of Sangerville for the passage of the transferable mileage bill.

Also: Petition of D. S. Coffin and 36 others of Harrington for the passage of a bill for State aid for bridges.

Also: Petition of W. A. Dunbar and 37 others of Harrington for same.

Also: Petition of W. H. Martin and 47 others of Kingman for the passage of a bill for State aid for bridges.

Also: Petition of Peter Bishop and 46 others of Kingman for the passage of An Act enlarging the powers of railroad commissioners.

Also: Petition of H. B. Osgood and 51 others of Kingman for the passage of the transferable mileage bill.

Also: Petition of Neff O'Brien and 24 others of Ashland for the passage of a bill for State aid for bridges.

Also: Petition of Raymond F. Cole and 8 others of Chester for same.

Also: Petition of Charles F. Tile and 6 others of Chester for the passage of the Transferable Mileage Bill.

Also: Petition of J. D. Kyle and 4 others of Chester for the passage of an Act enlarging the powers of railroad commissioners.

Also: Petition of W. J. Campbell and 22 others of Ashland for same.

Also: Petition of H. E. Watts and 7 others of Roque Bluffs for the passage of the Transferrable Mileage Bill.

Also: Petition of Ellsworth Lougee and 30 others of New Limerick for the same.

By Mr. Osgood of Androscoggin:

Bill, An Act to incorporate the Androscoggin Valley Railroad Company.

#### **Mercantile Affairs and Insurance.**

By Mr. Baxter of Portland: Bill, An Act to incorporate the Fire Insurance Company of Maine.

#### **Agriculture.**

By Mr. Howes of Somerset: Resolve in favor of Lowell E. Bailey.

#### **Interior Waters.**

By Mr. Osgood of Androscoggin: Bill, An Act to authorize the Rangeley Lakes Steamboat Company to maintain wharves in Rangeley Lake.

#### **Ways and Bridges.**

By Mr. Shaw of Kennebec: Petition of C. B. Tuttle and 43 others in favor of State Aid in building a bridge across the Kennebec River at Pishon's Ferry, so called.

By Mr. Milliken of Aroostook: Petition of J. D. Kyle and 8 others of Chester.

Also: Petition of W. J. Campbell and 24 others of Ashland.

Also: Petition of W. H. Martin and 47 others of Kingman.

Also: Petition of V. S. Coffin and 36 others of Harrington.

Also: Petition of Clarence P. Small and 18 others of Ludlow.

Severally in favor of State Ownership and Maintenance of highway bridges.

#### **Inland Fisheries and Game.**

By Mr. Reynolds of Kennebec: Petition of Dana P. Foster and 31 others of Oakland in favor of screening Messalonskee Lake.

Also: Petition of H. W. Greeley and 125 others of Oakland in favor of same.

By Mr. Donigan of Somerset: Bill, An Act to open Robinson Pond, Somerset County to ice fishing.

Also: Resolve in favor of screening Robinson Pond, Somerset County.

#### **Labor.**

By Mr. Looney of Cumberland: Resolve of a meeting in the First Methodist Episcopal Church, Bangor, Maine, in favor of the child labor law, known as Senate Doc. No. 33.

**Claims.**

By Mr. Milliken of Aroostook: Remonstrance of F. W. Matlett and 20 others of Fort Kent against resolve in favor of Alexis O. Robbins.

By Mr. Wheeler of Hancock: Resolve in favor of the Town of Castine.

**Pensions.**

By Mr. Reynolds of Kennebec: Resolve in favor of Eliza A. Getchell of Winslow.

**Temperance.**

By Mr. Howes of Somerset: Petition of Melvin Batchelder and 69 others of Fairfield for the Hastings bill.

Also: Petition of W. H. Kennison and 53 others of Madison for same.

Also: Remonstrance of W. H. Kennison and 68 others of Madison against resubmission.

Also: Remonstrance of Melvin Batchelder and 67 others of Fairfield against resubmission.

Also: Petition of Abel Kimball of Jackman and 23 others against resubmission.

By Mr. Colcord of Waldo: Petition of E. T. Haskell and 57 others of Monroe and vicinity for retention of the Sturgis law.

Also: Petition of W. L. Bradeen and 44 others of Troy for retention of the Sturgis law.

Also: Petition of W. L. Bradeen and 44 others of Troy for mandatory imprisonment of the liquor seller.

Also: Remonstrance of E. T. Haskell and 57 others of Monroe against resubmission.

Also: Remonstrance of W. L. Bradeen and 61 others of Troy against resubmission.

By Mr. Looney of Cumberland: Petition of Rev. J. W. Williams and 78 others of Windham and vicinity for mandatory imprisonment of the liquor seller.

Also: Petition of Sumner B. Varney and 78 others of Windham and vicinity in favor of the retention of the Sturgis law with needful amendments.

Also: Petition of Rev. Thomas J. Ingham and 79 others of Windham and vicinity against the resubmission of the prohibitory amendment.

**Taxation.**

By Mr. Wheeler of Cumberland: Bill, an Act relating to corporations.

**Placed on File.**

By Mr. Shaw of Kennebec: Petition of Tuesday Club of Oakland and others for resolve in favor of the Maine State Sanatorium Association.

**Read and Assigned.**

An Act to amend the charter of the Relief Association of the Portland Fire Department.

An Act authorizing the Merrill Springer Company to make, generate, sell, distribute and supply gas or electricity, or both, for lighting, heating, manufacturing or mechanical purposes.

An Act authorizing the construction of a wharf in Casco bay, Portland.

An Act in relation to insurance upon automobiles.

Resolve in favor of the Daughters of Wisdom of the town of St. Agatha, Maine.

Resolve in favor of the Maine School for the Deaf.

An Act to incorporate the North Yarmouth Water Company.

Resolve in favor of aid in building a highway bridge across the East Branch of the Penobscot river in the town of Medway.

Resolve in favor of the Children's Protective Society of Portland.

**Reports of Committees.**

Mr. Walker for the committee on education, on "Resolve in favor of the Eastern State Normal School at Castine," reported same in new draft under same title and that it ought to pass.

Mr. Milliken, for the same committee, on Bill, "An Act to amend Section 49 of Chapter 15 of the Revised Statutes, relating to public schools," reported same in new draft under same title and that it ought to pass.

Mr. Walker, for the same committee, on "Resolve in favor of Freedom Academy," reported same in new draft under same title and that it ought to pass.

Mr. Gowell, for the committee on pension, on "Resolve in favor of Lewis Robbins," reported same ought to pass.

The foregoing reports were accepted

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

**Pased to Be Engrossed.**

An Act to exempt certain public bonds from taxation.

**Pased to Be Enacted.**

An Act to incorporate the St. George Water Co.

An Act to amend the banking laws of the State of Maine and particularly Section 1 of Chapter 48 of the Revised Statutes by changing the official designation of the head of the banking department and by more clearly defining his powers in relation to expenses and to the employment of clerks.

**Orders of the Day.**

The PRESIDENT: The Chair calls attention to the fact that there are two special assignments for the day: Bill, to create Board of State Charities and Corrections; and, Report, committee on taxation, ought not to pass, on Bill relating to taxation of certain public service companies.

Mr. STAPLES of Knox: Mr. President, referring to Senate Doc. No. 16, which I had assigned for today, I will say that since having it assigned I have drawn a bill and sent the same to the committee on taxation, such bill covering something of the ground that I objected to in this bill. That having gone to the committee on taxation; and as I shall have an opportunity, when it comes back here, to discuss it and to give my views upon it, I will move that Senate Document No. 16 be taken from the table.

The motion prevailed; and on further motion by the same senator, the report accompanying same was accepted.

On motion by Mr. Gowell of York, Senate Document No. 167, "Resolve in favor of increased appropriation for fishing interests of the State," was taken from the table. On further motion by the same senator, the Resolve was passed to be engrossed.

Mr. GOWELL of York: Mr. President, I move that Senate Document, No. 119, "Bill, to create Board of State Charities and Corrections," be taken from the table.

The motion prevailed.

Mr. GOWELL: Mr. President, I understand that several of the senators desire to discuss this bill at length, upon its merits; and I propose at this time to take only a few minutes of your time in presenting to the Senate a few objections to this bill as they occur to my mind.

I understand that this bill, or a similar bill, was pending before the last Legislature; and the last Legislature, in its wisdom, appointed a commission to investigate the matter thoroughly and report to this Legislature. That commission has, I believe, faithfully attended to its duty; and has presented a comprehensive and, I believe, a fair report.

But, Mr. President and gentlemen, I am opposed to this measure because I believe, on the whole, that it is impracticable and does not present a fair business proposition to the people of the State of Maine. I am aware, Mr. President, that the objects of this bill are most commendable, being in the line of legislation to assist the unfortunate people who are peculiarly the wards of our State and entitled to our aid and support. In the first place, the principle of the proposition, to my mind, is entirely wrong. This measure creates a State board, called an advisory board. It might be called perhaps, as my friend the senator from Knox has referred to it, a commission, and that is more practical—for our Democratic friends frequently tell the truth. But I believe that it is not the policy of this State, and should not be the policy of this State, or any other state, to create a board of control or a commission, or whatever name it might be called, unless public exigencies of our several departments which come under the jurisdiction of this measure do not require it. If I have interpreted the report of the commission correctly, they do not claim that the business affairs of the departments are not controlled as they should be. I think that they have even widely commended the trustees of the various institutions. Now the trustees of the Maine Insane hospital and the other hospitals, and the feeble minded and other institutions which we might

name, are men of affairs. They are business men. They are men well known to the people of our State; and it seems to me, gentlemen, that it is rather a preposterous proposition to appoint a board of five, consisting of four men and one woman, to act as an advisory board of those men. I believe those men are second to none as business men, as men of integrity, and that they stand second to none in their native State.

I believe that the conditions are somewhat different in our State from that in many states which have a similar board. If I have been correctly informed, there are but three states in the Union which have an executive council; and the State of Maine is one; and I believe that the Executive Council should perform the duties which are designated for this advisory board.

I believe the school for the feeble minded was established by the last Legislature; and that act provided that there should be a visiting committee from the Governor's Council, and that the Governor should be ex-officio chairman of that committee. I hardly think that it would be a good test for this Legislature to appoint a committee to have control over that board which is represented by the Chief Executive of our State. On reading the first section of this act you would receive an impression that it was entirely a philanthropic measure; but one of the sections provides that there shall be a secretary of the board, whose salary shall be fixed by the board; and the section further provides for an appropriation of \$8000 to effectuate the provisions of the act.

It is fair to assume that, if it will require \$8000 to pay the expenses of this advisory board and to receive the very valuable information and data which they would have us believe they would obtain, that in two years' time it might require \$15,000; and it is creating, Mr. President and Gentlemen of the Senate, a precedent for an expenditure—creating a department which will necessitate an expenditure of a large amount of money. I have heard a little during the past few weeks concerning this measure. The friends of the bill have told me something concerning the merits as they see

them; and they tell us that if this bill has a passage that the State will derive a great deal of valuable information concerning all the institutions under their control. There may be some advantage in that. I had a friend—one of my constituents, and I believe he is one of Senator Hamilton's intimate friends—who called to see me and asked me if I could get him a copy of the State Prison report. I told him I would be very glad to do so. And he said: "I will say that two years ago that was the most interesting report I ever saw. It told who was committed to the State prison, how long they were there for and for what reason they were committed." Now I presume that this board could obtain a large amount of information like that. And it might be of some assistance. But it occurs to me that \$8000 is a large amount of money with which to procure statistics of that kind unless we are to be sure that it would be of some material advantage to the State.

It has also been urged that it would save the State quite a large amount of money in having the different towns and cities prove their pauper claims. I have not had very much experience in cases of that kind; but we have had two or three up in York county, and I thought we were very fortunate when we received our money through the proper channel. I believe the State of Maine, through the Executive Council as an advisory board, requires every city and town in this State to prove their cases absolutely; and after proving their cases they sometimes have to wait several months for their money. And it is my opinion that that point is well taken.

I will not take up the time of the Senate. There are several gentlemen here who are perhaps more familiar with all the details of this measure than I am; but, believing as I do that it is not a business proposition, that the exigencies of the case do not require the creation of a new board to come under the jurisdiction of our State, I move, Mr. President, that this bill be indefinitely postponed.

Mr. LOONEY of Cumberland: Mr. President, the bill before the Senate, Senate Document No. 119, assigned for special consideration this morning, is what is



termed: A bill for the establishment of a Board of Charities and Corrections.

By the terms of the bill, if the bill becomes a law, the Governor is to appoint a commission of five, one of whom shall be a woman, and that board shall elect a secretary who shall be well informed, skilled and educated in matters pertaining the charity and corrections; in other words, what is termed a charity and corrections expert. The scope of the bill is advisory and not of control. But, as you will see on a reading of the bill, Section 3 of the bill provides that the commission, at any time it deems it necessary for the public welfare, shall institute an inquiry and investigation in all of the charitable and correctional institutions of the State.

After an exhaustive hearing, and after patient, careful and discriminating consideration of the case, the judiciary committee came to the conclusion that the highest interests of the State demanded the enactment of this bill; and so the bill comes before the Senate with the unanimous endorsement of the judiciary committee, there being not one dissenting voice. It also appeared at the hearing that the officers of all of the State institutions with the exception of one, and that was only partial, endorsed the bill. It also appeared that the people in the State of Maine who are interested in charitable and correctional work, clergymen of all denominations, prominent educators and philanthropists, all practically without exception endorsed the bill and favored its enactment.

It appeared in the discussion of the bill before the judiciary that every state in New England, with the exception of Vermont and Maine, has a bill practically similar to this. It also appeared that 29 states of the Union have similar bills. Massachusetts enacted its law in 1863. New York enacted its law in 1867. I believe the state of Nebraska is the only state which, after having enacted the law, repealed it; and that was done for political reasons.

Gentlemen of the Senate: In order that we may understand the serious nature of the problem which confronts us and with which this bill deals, in order that we may know how to solve that problem, I desire, with your permission, to call your

attention to a few figures; and I call the attention of the Senate to the report of the commission to investigate the advisability of a board of charities and corrections, Page 80. During the year 1907 the State expended for public institutions \$411,152.43, which extended to aid private institutions in that year \$98,350. It expended on the State prison, \$100,078. There was expended on alms houses the enormous sum of \$600,000; on jails \$200,000; making a total of \$1,409,580.78. The secretary says that these amounts are, of course, constantly increasing, as is shown by State aid to private institutions increasing—and I desire particularly to call the attention of the Senate to this—increasing from \$66,400 in 1905 to \$98,350 in 1907; the cost of public institutions increasing from \$345,769 in 1905 to \$411,152 in 1907; and of the State prison from \$76,809 in 1905 to \$100,078 in 1907.

The State auditor has kindly furnished me with additional data relating to the years 1907 and 1908; and from his figures it appears that, during the year 1907 in this State for public and private institutions which will come under the provisions of this bill \$724,868 and for the year 1908, \$483,280, or for the two years \$1,208,148.

This present Legislature has appropriated money for private institutions doing charitable work \$197,000; and there is now pending before this Legislature other appropriations for similar purposes to the amount of \$159,900 or for the years 1909 and 1910, for private institutions only, the sum of \$356,900.

I think the members of the Senate will agree with me that it is the imperative duty of this Senate and this Legislature to see that every dollar of this enormous sum which is increasing by leaps and bounds, should be properly and economically expended.

There appears before the Legislature every two years a large number of demands for assistance to private institutions, and it can be shown that the demands of the public institutions are also constantly increasing. The question naturally presents itself to the members of the Senate when we are submerged by this flood of de-

mands for appropriations from these different institutions how we can discriminate—how we can tell whether the money of the State is judiciously and properly expended. When a public institution comes before us and asks for one of these gigantic appropriations, we naturally ask: Has the money expended by the State, or appropriated by the State, for that institution, in the past, been properly expended? I think the members of the Senate will agree with me that 99 legislators out of a 100 will say that we have not the data, the facts or the information in order to properly and conscientiously perform our duties in that respect. And so, when a private institution comes before the Senate, or before the Legislature and requests an appropriation, we have no proper data with which to inform ourselves whether the money which they expended in the past has been properly expended.

The question, I have no doubt, presents itself to you as it has to me, whether or not, when one of these institutions comes before the Legislature and asks for a new appropriation—whether or not the same field has not been covered by other similar institutions; and yet, we have no definite, exact information to guide our judgment.

The question also presents itself: Whether or not three or four of these institutions, which are practically doing similar work upon similar lines, cannot be merged into one and thereby reduce to an enormous extent the expenses. But we have, as I said before, no definite information, no data, no exact facts upon which to base an intelligent conscientious judgment.

Gentlemen of the Senate, if this bill becomes a law, that "Consummation so devoutly to be wished" will be in existence. Here will be a board which, before the Legislature convenes, will place before the Legislature all the facts relative to all the private and public institutions of the State. Not only that, but it will place before the Legislature all the information and all the data which the best thought, not only in this country, but in Europe,

can contribute to the discussion. So I think, Gentlemen of the Senate, you will agree with me that, if this board does what I claim it has done in other states, that it will be of untold benefit to the State of Maine. From an economical standpoint it seems to me there can be but answer to this question. It seems to me the argument in favor of this bill is overwhelming. The state of Nebraska saved, after the bill was enacted in that state, the first year, \$75,000. The state of Ohio saved, in the first year, \$200,000. The state of Indiana saved \$379,000. And the state of Illinois saved \$410,000. Now, Gentlemen of the Senate, is it unreasonable to assume—is it unfair to state that, if the board of charities from an economical standpoint proved such an immense benefit to those states—reduced the expenditures nearly 37 per cent.—is it unreasonable to assume that this bill will have a similar effect upon the expenditures for those purposes in the State of Maine.

The present system of charities and corrections, if I may dignify it by that name, in the State of Maine, is, in my judgment, illogical, crude, unsentimental, and ill-digested. Whether or not the present system is wasteful and extravagant—whether or not it breeds graft and corruption, I leave for others to decide; but that, in the judgment of all fair minded men—men who are not influenced by selfish considerations—this system needs a radical reformation, I believe that all intelligent and all conscientious men must agree with me.

Let me call your attention, Gentlemen of the Senate, to the condition which exists in the jails of the State. In the jails of Maine there is no discrimination between prisoners imprisoned or confined for different offences; that is to say, a prisoner who is bound over and who is innocent of the charge brought against him—one who is in jail for petty larceny, or for intoxication, for misdemeanors—while there in jail is obliged to associate with prisoners who are in there for felony and for unnameable crimes. Why, I have known down in the jail

of Cumberland county, or a boy of tender years who was confined in the jail for intoxication, while there, compelled to associate with criminals who were in there for murder, for arson, for adultery and for robbery. In other words, under the jail system of Maine at the present time, the various jails instead of being correctional institutions, are simply seminaries of crime.

Well, will any member of this Senate contend that that system is a just and humane system; or will you not agree with me that the jail system of the State of Maine is a disgrace to the State and a blot upon the escutcheon and the fair name and honor of our State.

Dr. Barrows, the International expert on prison matters, in a speech delivered in Portland two weeks ago said—and this will seem strange to me who have read the lurid pages of Kennan—said that the prison system today in Russia, the most despotic and arbitrary government in the world, is infinitely superior to the present system of Maine.

And yet, Gentlemen of the Senate, we have in the State of Maine a board called the Prison and Jail Inspectors. Now, I ask you, why is it that this board, which has been in existence for over a quarter of a century, has not called the attention of the State of Maine to that disgraceful condition of affairs in the jails of the State? The truth is that reform, in order to be effective, must always come from without and not from within. Men who are trustees of an institution are self-centered—they are wedded to their ideas—they are intimately connected with those institutions; and if they commence an investigation of the workings of those institutions, why then it would be an indictment of themselves; and therefore the disgraceful condition of things which I have illustrated in regard to our jails has gone on from bad to worse, until now it is a standing disgrace, and as I said, a menace to the fair name and honor of Maine.

Before the Judiciary Committee when we had the hearing on this bill, certain objections were made, but

finally the objections crystalized to one, but unlike the Sybilian leaves, they did not increase in value as they decreased in number; and I call the attention of the Senate to this so-called argument made by the gentleman who opposed the bill, not because I deem it of any importance, but because it is the only argument which deserves the name of an argument which was made. The gentleman who opposed the bill, and who, by the way, is the trustee of one of the institutions not a hundred miles from here, opposed the bill because, as he sagely remarked, under this commission the commissioners were not paid—were not getting compensation for their services; and he said that men who were not paid liberally for their services could not properly perform any work of this kind. In other words, in the opinion of that wise and able opponent of this humane measure, there is no such thing in the country and especially in Maine, as disinterestedness—as charity—as philanthropy—as patriotism and all of the higher virtues which enable, sanctify and bless humanity have entirely disappeared, if indeed they were existed. All ideals in his mind—this model officer of a model institution—have disappeared and have given way to low, degraded, mercenary materialism. Everything is measured by the mercenary yard-stick of gain. The circumference of man's intellect is bounded by the periphery of the almighty dollar.

Gentlemen of the Senate, if this bill becomes a law no institution which is economically, honestly and efficiently conducted need have any fear of it. It is true the light of publicity will be poured upon every institution of the State, both private and public, as it ought to be; but there will be no partiality. Every institution will be treated justly and fairly, with the sole end in view, the highest interests of the State. I cannot explain—I cannot understand why it is that certain men connected with institutions of this State, or who have been, are so bitterly and violently, and I almost would say—cruelly opposed to the provisions of this bill. Why is it? It is because they are afraid of the light being pour-

ed upon those institutions—those whited sepulchres in which some men say corruption has long reveled and rioted? If this is not the reason, what is the reason why the officers of these institutions in the lobby here, before the committees, so violently oppose the passage of this bill?

Perhaps during the discussion we shall learn why they oppose this bill; but I desire to call their attention, if they are like me and seldom read the Holy Writ, to the 3d Chapter of St. John, 20th verse: "For everyone that doeth evil hateth the light, neither cometh to the light lest his deeds should be reprov'd."

This question of charity and correctional work is still in its infancy. As Maculey so wisely said: "The evils are old, but the intelligence which discerns and the humanity that remedies them are new." The more the lamp of human charity and Christian charity is lighted, the brighter is its flame and the wider is the circle of light which separates it from darkness.

If this bill becomes a law, in my judgment, under its beneficent, humane and Christian influences, there will be a great future for the State of Maine along the lines of this Christian, beautiful, humane work, when the State of Maine like the angel of the resurrection will clothe herself with a white robe and gaze into a sepulchre that is void.

Mr. SHAW of Kennebec: Mr. President, it is not my purpose to weary this Senate at this time, with any extended remarks upon this matter. I have listened with a great deal of interest to the learned and somewhat extended remarks of the senator from Cumberland. I have also listened with a great deal of interest to the remarks of the senator from York; and notwithstanding the high personal respect and regard which I have for each member of the commission appointed to investigate this matter, I still am opposed to this bill for several reasons.

First, I am opposed to the creation of any commission, except the utmost necessity calls for it. We stand between the taxpayers of this State and the legislation here enacted; and I believe we should render a true account

to them. I believe this is largely a theoretical measure. I believe the conditions in this State are different from those of many of the states of this Union. Our population is meagre. It is sparsely settled, and every institution that receives State aid stands out in the limelight. I believe our State institutions are conducted upon the best economic plan. As has been said by the senator from York, I believe the men who are the trustees of these institutions are men of affairs. I believe they are conducted economically and well, and I do not believe that we need any board of correction over those men. If we are going to have this commission, I would say: Do away with the trustees of those institutions. I do not believe in putting one set of officers over another. We have had that tried and we know its failure. As for the so-called charitable institutions or hospitals of this State, they come here and present their claims to 10 men selected as a finance committee—men, I believe, of as much standing as any man or any committee in this Legislature. They present their claim. These gentlemen hear the facts as they are outlined, and they render their decision accordingly. We see the people of Augusta as they come here to present their claims as to the hospital. We see the people that come down from Androscoggin county to present their claims for their charitable institutions. We see the people of Cumberland county that come here to present their claims for their institutions. Gentlemen of the Senate, what would you say of those people? Would you not say that they were the best people there are in the State of Maine? You saw the character of those people; and I say that when you give those people money to spend in their home cities, they will see to it that it is expended as economically as any board of State charities and corrections that you can appoint to go over this State. They have a local pride in that matter and I think it is safe to say that no money is wasted when you give it to them. Every dollar is accounted for. They look after that. The women have helped you too. We know they are interested in these hospitals; and I do not be-

lieve that any money has gone to waste, and I think that we need no such board to look over those institutions. The senator has called attention to the jails of this State. There may be something in that; but can we not get after the jails in a different way than by creating a board of State corrections and charities to go over this State? Is it not a small matter to put in an act here that will straighten out those affairs? And if we need more laws to clear out our jails and correct those affairs, can we not do it in a more simple manner than by creating this board?

I believe, fellow senators, we can; and therefore I am opposed to this measure.

I had a pamphlet sent me and some of the good points of this board are outlined in this pamphlet. It says (referring to pamphlet) it would prevent the erection of new structures upon old-fashioned and out-of-date plans. Hundreds of thousands of dollars had been wasted in some states in this way.

Gentlemen, is that not weak? Are we living in this 19th century and do you suppose that any county, or any municipality would erect new structures on out-of-date plans? Not for a moment. They would have the best approved plans and would erect their buildings accordingly. It also gives the number of thousands of dollars saved in the several states as enumerated by the senator from Cumberland—in Nebraska \$75,000; Ohio \$200,000; Indiana \$410,000 saved in one year. Does any gentleman in this Senate believe there is \$100,000 wasted in the State of Maine? If they do, we can get at it very much easier than by creating a board of State charities to go over this State. All we have to do is to appoint an inspector or a commissioner to dig into those institutions. It would not be necessary to have a board of five members to do that. It could be very readily done. But I do not believe, as I said in the beginning, but what those institutions are run on an economical and fair basis. There are many other similar suggestions that bear along the same line, but I cannot find one that appeals to me as strong, or reasonable,

or right, or of sufficient importance to warrant the creation of such a board.

I will not weary you with any extended remarks; but I believe that we should go very carefully in this matter of creating a commission. As I said in the beginning, I believe this is one of the commissions that can be cut out and I believe it is our duty as members of this body to see that this is not passed.

Mr. WARREN of Cumberland: Mr. President, I suppose the principal objection to this measure that exists in the minds of most of us is the fact that we have, in our Governor and Council, and boards of trustees that have been created, a sufficient number of men to control our public institutions, but for lack of expert knowledge and of information it must be, to some extent, their work is formal and perfunctory. I have no doubt, on the whole, our institutions are well managed; but there is always room for improvement; and it would seem to me that, through this board which it is proposed to create, some men would go in who would be experts and the suggestions that they would give would be welcome. I think that many of them would, I know that some of them would. I believe that it would be for the common good that our institutions should be unified by such a board as this; but beyond all this, allowing that these institutions are well managed now, we are giving large and increasing sums to institutions that are not under the control of the State, and over which we have no control, and for the money that we give them they make no accounting. We do not wish to interfere with the work, which seems to us to be good, and yet we are all of us voting money to these institutions while feeling that we are lacking in the information that we ought to have and which we should have through such a board as this, which would have a right to inspect those institutions and bring to us their advice and the knowledge which they have gained. It would be of great value to us and it would tend to prevent the duplication of gifts to the institutions that need

it for those purposes. But there is, beyond this, a large and unexplored field that is nearer to us; I mean our common poor. This is a part of the work which affects the most people—which costs us the most money—which is nearest to us, and yet of which we know the least. "The poor we have always with us," and whenever we will we can do them good. We are too apt to forget that. For one thing I would like to see something done that would remove in some measure the stigma that exists in regard to our poor houses. I believe on the whole that this work is well done—that our cities and towns do not intend to neglect their poor; but it is too often the case that those who have control are more concerned to make a good financial showing than they are to take the best care of the poor; and again, there is no standard. They do not know whether they are doing the best, or the right thing. One thing that often comes to my notice is that our poor people are too much afraid of the poor house. They will exist in ways far inferior to that which they would get if they would accept the common lot of the poor. They will exist on sporadic charity to their own detriment and to the discomfiture of their neighbors. They will do all sorts of things to keep out of the poor house, when they would be vastly better off to go there. It is just as honorable for a man who has fairly fought what we might call the battle of industrial life all through his lifetime, or who through failure from any cause, or from incompetency has failed to pay his own way, to take the common provision as it is for the soldier who has likewise failed, to go to the Soldiers' Home. He has earned his right by long service and by as good a title; and I would like to have those people feel that they have a right to this provision—that it is not charity to relieve as far as possible the onus from those men. I think that a great deal ought to be done to those institutions—that the children should be cared for elsewhere—that the diseased and the repulsive should be segregated; and that everything should be done that can be done to make of those insti-

tutions decent and comfortable homes for those people. I believe, for this cause alone, I would be glad to vote for this board, even at the cost of \$8000 a year; and I believe, beyond this, that it will do great good and that it will eventually lead to a better control of our public institutions than we have now.

Mr. STAPLES of Knox: Mr. President, owing to the lateness of the hour, I will not weary the Senate but a few moments with what I have to say on this subject. I am opposed, as the senator from York is, to creating any commission. I believe that the people of this State are patriotic enough to take care and to see that the institutions of our State are properly cared for.

Mr. LOONEY: The senator is not opposed to the Sturgis Commission, is he?

Mr. STAPLES: I believe that our institutions are as good as any institutions and that our beneficiaries are as well cared for as they are in any state of this Union. I believe we have such trustees appointed by our Governors, as are second to none that you can find in any state of this Union. I believe that the trustees of these institutions are all honorable and patriotic and that they are appointed because of their feeling for the oppressed, downtrodden and unfortunate.

I have a list of those trustees, and it would be a queer idea that, when you had appointed such men as have been appointed and as I shall read from this paper—trustees of our several institutions—I say it would be a queer experience in the legislation of Maine that we should appoint a commission of five to look after such men as Judge Putnam of Portland—such men as ex-Governor Robie, who has done more for that institution across the river than a board of trustees can do in a long time. Ever since he has been appointed trustee his whole object has been to better the condition of the Maine Insane asylum. Does the senator from Portland think that the Maine General hospital needs another supervision? Don't you believe that the men who control that today—and you are proud of it in Portland—you boast of

it as being one of the best institutions and one of the best equipped institutions there is in the State of Maine—do you want a board of five men to go there as they please, and criticize Judge Putnam of the United States court? Do you want men to go there and tell ex-Judge Symonds what to do about the institution over which he rules there in Portland? Have you any fault to find with those trustees, senator from Cumberland county? My friend Senator Macomber upon my right here, who has a State-wide reputation for what he has done to better the Maine Insane hospital of Augusta—a hospital that we are proud of and of which I say, and I am pleased to say as a Democrat upon the floor of the Senate, that I do not believe anything has been squandered at that hospital—the Central Maine hospital—they have more patients than 10 years ago and that is why they ask for more appropriation. I want them well taken care of.

You can create this commission and in two years from now you will want to create a commission to look out for it and so you might go on. Let me read from this list who these trustees are. If you are going to have a commission appointed, then do away with all your trustees and let that board control. I read the names of William L. Putnam, Maine General hospital; Joseph W. Symonds, ex-judge supreme court; Franklin A. Wilson of Bangor; Elias Thomas, ex-member of the House. Do you think that those men want a commission to look after them? Cannot you trust them to do what is right? You won't say but what they are all honest men, or but what they are capable men, as capable as any you can find in the State of Maine. I stand here to defend them, as able men, men who have done a great amount of good in the uplifting of those unfortunates that have to go to the Maine General hospital.

Take the Central Maine hospital: William D. Pennell, ex-President of the Senate; J. P. Hutchinson, ex-member of the House; F. H. Brooks, ex-member of the House; George W. Furbush, ex-mayor. Those men are well known in the State of Maine. You don't

doubt their capacity. You don't doubt their honesty. Do you think that you want to spy on them by a commission? I don't believe the Senate wants to do it.

Take the School for Feeble Minded. The chairman of that is Governor Fernald of the State of Maine; and wouldn't it be a ridiculous proposition to have a commission of five appointed to tell the Governor of the State of Maine what he should do in regard to managing that institution. There are also H. C. Baxter of Brunswick; C. M. Blanchard, ex-senator; Oramandal Smith—all of these men are known to everybody. Is there anybody in favor of this bill who will question the integrity of these men, or but what they will do their duty in the capacity to which they have been appointed?

So you can go on. There is the Maine School for the Deaf. That school in the State of Maine I am proud of. I am proud of its management. I am proud of what they are doing for that unfortunate class. They are entitled to the encomiums and the gratitude of all people who love to see that work go on. No institution in the State of Maine has been cared for better or run more economically than the School for the Deaf in the city of Portland. I read the names of those men whose motives no one would impugn and no one would question what they have done or that they have failed in their ardor to aid and to help the unfortunate: Edward B. Winslow, a leading business man of Portland, whom everyone knows; William H. Brownson, superintendent of schools of Portland; Henry W. Sargent—all these men have been doing grand and noble work; and you cannot supplant it. They need no instruction from a board of new men that you could create here.

The trustees of the Maine Insane asylum I spoke of—Frederick Robie, Senator Nickerson, George E. Field, ex-member of the House; Edward M. Chase and George E. Macomber.

As far as the financial part of this matter is concerned. If I believed today that we could aid these unfortunates and enable them to take better care of them by having a board of charities, I would regard the financial part of it

as of but little account, but it is not that, my friends. The moment you appoint a State Board of Charities, then you have contention between all of these trustees and the board that you would create. I have a most profound respect for the men on this commission to undertake to create this board of charities. They have done their work nobly. They are honest and sincere in signing this report, I have no doubt. But I am opposed to the condition. I believe our institutions would be injured by creating this board of charities. Let the good men who have proved themselves faithful to the trust continue therein and when one of them steps out, the Governor of the State of Maine will select a good man in his place; and our institutions will be what they have been in the past, among the first in this country.

Mr. MILLIKEN of Aroostook: Mr. President, I have listened with great interest to the list which the senator from Knox has read, and if the names that he has read were to be regarded as the names of men whom he has a right to marshal behind him in opposition to this bill—if the vote for this bill by any member of this Senate were to be regarded as in any sense a slur or a slight upon those names that the senator from Knox has read—the reading of that list would certainly be impressive; but I think that the reading of this list by the senator, with the implication that he brings to us, is misleading. I do not understand that the men whose names the senator has read, or any large part of them, are in fact opposed to this bill. I understand (and some member of the committee will correct me if I am wrong) that it appeared before the committee that the trustees of these various institutions, as a rule, are cordially in favor of some such bill as this—in fact, that they took a position which appeals to me as a reasonable one—that they were interested, as every citizen of Maine is interested, in the best conduct of these various institutions; and that while they are devoting their time to them and perhaps are using their best efforts in that direction, they are not yet advised, but are glad to accept such advice as this commission would give them.

There are just a few considerations that present themselves to which I want to call attention briefly. The first is this, and it has just been alluded to: There is very strong presumptive evidence, gentlemen, in favor of this bill. It comes to you—the most of you—as it comes to me, as comparatively a new proposition. We have read about it, some of us were in the session of the last Legislature which started the commission to investigate it. We have taken what time we could, in the intervals of other duties, to look into it, but the whole question has been beyond the power of most of us to comprehend fully, and there is very strong presumptive evidence that should weigh in your minds and mine in favor of the proposition: First, that this commission, appointed by the last Legislature, composed of high-minded men, unanimously favored it. They had opportunities that we have not, to begin with. Second, that the committee of this Legislature, a committee of able men, of business men, of lawyers, of men who are not inclined to let their sympathies sway their judgment, unanimously favored it. The third presumptive evidence in this case is an experience which I have had and which I have no doubt many of you have had. I have found that, in talking so far as I have been able to, with men who are interested in charities, in philanthropy, in education in this State, and who are absolutely outside of all political matters, that those men favored this proposition; and their opinion is entitled to some weight.

In the first place, gentlemen, this is a business proposition. You and I are here in this Legislature as the directors of a corporation, if you please, of which the stockholders are the citizens and taxpayers of the State of Maine; and it is our duty here, in this matter, as in all matters that may come before us, to know no friendship—to know no other consideration in a business proposition except the cold, plain questions of what is for the financial or business interests of the people of the State of Maine. I believe that this measure proposed as it is partly for that purpose, is a business proposition for the State of Maine, and cannot but help the purpose which all of us have of having the money of this State expended in the wisest possible way.



A suggestion has been made here in opposition to this bill that it is not possible to get men to serve on this commission without pay; and that has been brought forward as a reason against the adoption of the proposition. Now, in the first place, you and I know, as a matter of common sense, that in a matter of this kind, involving the questions it does, there are men and women, who are interested in philanthropy and all that goes with it and who have the natural qualifications and experience necessary to bring to this high task who will gladly undertake the responsibility.

In the second place, I want to call your attention to the fact that among the best managed institutions we have in this State are the various water districts; and I allude to them as an example—as a successful example of unpaid commissions; for, so far as I know, the trustees of those commissions are not paid for their services, but do their work for the love of the cause. It has been suggested here that some of the trustees of the various institutions in this State oppose this measure. That might come about from several reasons. First, it might come from a natural feeling of jealousy which might exist and which has been alluded to here as a probable cause of friction in the future. In my judgment that is confined to very few. In the next place it should not be a controlling element of our decisions. If any trustee takes that position in opposition to this bill such a commission is above the reach of advice and this commission is only advisory. It has no control. It might come from a feeling on the part of the trustees that this is a step which might lead to the abolition of some of the boards or trustees. That is as it should be. If it should come to immediate removal the objection of the senator from Knox and others who object to the creation of new offices the final effect might be to give us fewer.

The main reason my mind for the passage of this bill is the fact that has been alluded to, that a large part of the work that is being done in this State for charities, for corrections, is being done outside the control, directly, of the State itself. The senator has said that if the jails need renovation, cannot we pass a law to renovate them—cannot we set an inspec-

tor to work? Gentlemen of the Senate, we can undoubtedly pass such a law if we knew what law to pass. This commission is intended to give us precisely that advice if such advice is needed.

I do not want to take more time on the business aspect of this case, except to say this: That we all know that the work we are all doing and the money we are appropriating for private charities in the Legislature, is being done to a great degree in a haphazard way. I say that, not as a reflection on any committee of this Legislature, because the committees before whom these matters came, took the greatest pains to investigate them; but we all of us know, as a matter of common experience, that in this short session no committee, no matter what facilities are furnished us, no matter how much time members of the committee desire to put in, and do put in, can in fact do justice to the claims brought before them by private institutions. We need on this point the advice of some disinterested, high-minded, non-partisan board, which shall exist from year to year and be a continuing body, and which shall be able to say to this Legislature, out of various worthy causes, which one needs the more. No member of the board of trustees of any institution, public or private, is likely to come to this Legislature and say: You may leave my institution, this year, gentlemen, and appropriate for some other because the other's need is more urgent. Every member of such a board of trustees is, by that very fact, special counsel for his particular institution and he feels, and properly so, that his institution is the most important one in the State. For that reason and for the sake of the advice that could be given a committee of this Legislature and to these Legislatures from year to year, I believe that this measure is most important. So much for the business part of this proposition. I believe it will save money for the State of Maine. I believe it will result in a more businesslike expenditure of our money; but this question is not, in the last analysis, a business proposition wholly. It deals with an interest that is higher than business and beyond busi-

ness; and I say to you, gentlemen, that you will make a mistake if you allow any commission bogey, or any fear of jealousy or some slight friction to interfere between you and this high interest of the State of Maine that is expressed in the words "Charities and Corrections."

How are you going to measure these things in terms of dollars and cents—the care of little children, the amelioration of the condition of the poor and the unfortunate? That is the question that comes to us for settlement here; and I should hesitate long before I voted against a measure which is intended, and which it is believed by those whom I believe are qualified to give us expert evidence in the case, is intended to better the condition in this State of those classes of unfortunate who are especially entitled to your consideration and mine.

Mr. STAPLES: Will the senator permit me a question?

Mr. MILLIKEN: Certainly.

Mr. STAPLES: I find on Page 87 of the Report of the Committee, Sanitarium, Alms Houses. Do you believe it would be a good thing for this State to have home government in every town and to have this commission regulate the alms houses of every town in the State of Maine?

Mr. MILLIKEN: In reply to the request of the senator from Knox, I confess I am not an expert on that subject. I do not know as much about the alms houses of the State of Maine as I would like to know; but I would like to have all the advice at the next session of the Legislature from the commission which it is possible to get and if there is anything wrong about the alms houses, I want to know it and the senator from Knox would want to know it if he should be elected and should be here at the next session.

Mr. BAXTER of Cumberland: Mr. President, when any group of men come before a Maine Legislature, asking for the creation of a commission of this, or of any other sort, I think the burden of proof rests upon them to show us that such a commission is needed. From the arguments that have been presented here this morn-

ing, I think that the proponents of this measure have established their case and that such a commission is essential. Two bills however, which really are a part of this main document have been overlooked in this discussion. One of them has been laid upon the table in the House and the other in the Senate. The first is An Act to provide for the removal of foreign paupers. This act puts upon this commission the duty of investigating all pauper cases which may come into the State from outside the State to secure a settlement here. If this board is as efficient in this State as it has been in other states, the cost of the board would be reduced—in fact, perhaps the cost of it would be saved several times over in this matter alone. At the present time the duty of investigating these foreign paupers devolves upon nobody, and at the hearing before the judiciary committee the representatives of the Insane hospitals appeared to express their belief that, if this subsidiary bill was passed, it would save to the State a very large sum of money, because it would place a direct responsibility upon this board of charities and corrections to investigate those cases. Those paupers would then be removed outside the State and would be carried into states from whence they have come and would not then become a permanent charge upon the State of Maine.

The other bill is An Act for the recovery of money improperly paid by the State for the support of insane paupers. As I understand the law, at the present time, when insane paupers are sent to the insane hospitals to be supported at the expense of the State, it is the duty of the town officials to ascertain whether or not those insane paupers are able themselves to pay, and whether or not they have relatives or friends who are responsible for their support.

Of course, there is not much incentive for the town officials to make this investigation, because there is no advantage in it for the town. If those persons are not found, why—the charge becomes a permanent one upon the State. After the new law goes

into effect on Jan. 1, 1910, by which all these insane paupers are to be supported by the State, there will be less incentive for the town officials. This act which accompanies the main bill under discussion also puts this burden upon the State Board of Charities and Corrections to investigate these insane pauper cases and to report to the State. The attorney general is then under the duty of obliging relatives and friends who may be able to support those paupers—to pay to the State either the entire, or such proportionate part of their support, as they may be called upon to do.

I think that these two bills are quite as important for the State of Maine as the main bill—in fact, a much larger sum of money is involved. At the present time 1 per cent. of the entire population of the State is pauper; and if I am correctly informed, it costs something over \$300 a year to support an insane pauper; so you can readily see that if only a few of these cases are discovered every year by the State Board of Charities and Corrections, the cost of this commission will be very materially reduced.

I think that every cent of the State's money that is appropriated for private institutions and hospitals should be carefully traced by the State, and when you realize that 35 private institutions—I am not speaking of the Insane hospitals and other State institutions—when you realize that 35 different private institutions have applied to this Legislature for State aid, amounting to \$366,400 for the ensuing two years, it becomes a very material question who is to trace this money and to see that it is properly expended. I do not wish to question the sincerity or integrity of any of these various boards. They are composed of men and women who are sincere and earnest, who come here and tell their needs to the committee on appropriations. They are moved, out of sympathy for them, but the State does not know whether that money is wisely expended. I do not think anybody questions but that it is honestly expended—but it may not be wisely and economically expended. Although

these institutions will not receive that entire sum they will receive a large proportionate part of it.

The State has been spending the sum—in round numbers—of \$1,600,000 a year for its State institutions, its private institutions and its county jails and alms houses; and the small sum of \$8000 a year only amounts to one-half of 1 per cent. of this entire amount. Is it not good business to appropriate the small sum of one-half of 1 per cent. in an effort to follow some of this money and to see that a dollar's worth of good comes from a dollar's worth of money. It is in the nature of an insurance fund.

The list which the senator from Knox presented of the trustees of some of our institutions, I think might mislead the members of the Senate, because many of those gentlemen favor this board and want its advice and assistance; and as the Insane hospital, across the river, has been referred to and as the senator has called your attention to Governor Robie, who is chairman of that board, I wish to say that Governor Robie himself is very anxious to have this board created. He has so stated by letter and in conversation and other members of these different boards of trustees which the senator has mentioned are also in favor of it.

Mr. GOWELL: Mr. President, I think if the angel of the resurrection, or angel of light to which the distinguished senator from Cumberland has referred, ever appears to the benighted people of this State, it must appear in the vicinity of Portland and Cumberland county, for we would not have known of the deplorable condition of our jails or the great need we have for this commission, if it were not for our friends from Cumberland county.

I understood my distinguished friend, Senator Warren from Cumberland, to say that this State appropriated large sums of money for charitable purposes over which we had no control and of which we had no definite knowledge as to the manner in which it was expended. I will say that the members of the Senate who have visited the committee room of the committee on appropriations and financial affairs

know that in almost every instance the treasurers of the various institutions are required to show their books and to exhibit to that committee in what way the money is expended, and I will say just a word in regard to what Senator Baxter said about bills now pending before the Legislature.

I would say that there are two other measures now pending before this Legislature that some<sup>one</sup> ~~not~~ affect the question under discussion. There is a bill now pending before the committee on legal affairs: An Act relating to the inspection of jails and prisons. There is another measure which is also very important and that is: An Act which prohibits or places a penalty upon the municipal officers of cities and towns for placing any minor between the ages of two and 16 years in an almshouse, and provides that children of that age must be placed in some suitable home or institution. I believe that these are matters which will be favorably passed by this Legislature; and it will place the burden of correction at home, in the different cities and towns, where it should remain.

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

Mr. MACOMBER of Kennebec: Mr. President, I had intended to make a few remarks in regard to this matter, but it has been so thoroughly gone into already that I am only going to answer one or two points made by the gentleman from Portland.

My objection to this measure is that it is not a practical proposition to put into operation. In the first place, it establishes, to my mind, another commission—a commission for what? To elect or appoint a set of officials to perform the same duties for which we now have several sets of officials. I believe the people of this State do not believe in any such establishment of additional officials. We have had it under the Sturgis bill, and the people have spoken, it seems to me, in unmistakable terms against any further commissions.

This commission as proposed is for five gentlemen—or ladies—to have general charge of all the institutions of this State. The difficulty about it is that they have

absolutely no authority under this bill. They can simply travel around the State without any pay and calmly make their recommendations—to whom? To these boards of trustees—to the Governor and Council; and it is worth only whatever it may be worth. Take any institution of this State as an illustration of how this would work out. Here is the prison at Thomaston. In the first place you have your warden who is paid a salary and appointed by the Governor, removable at his will. Then you have a board of inspectors paid by the State whose duty it is to visit that institution every month, see every prisoner, know exactly what their diet is, what their modes of discipline are—men who have been in those offices, many of them, for many years. Even, in addition to that, you have a committee of the Council—two members of the Governor's Council, whose duty it is to go to the State prison every month, examine that institution and know its needs, and recommend to the Governor and Council and to this Legislature what are its needs. Then, under the establishment of the office of State auditor all the finances of that institution are in the State auditor's hands. He can go so far as to control the purchase of supplies and materials that enter into the various businesses carried on in that prison. There are four boards already. Then there is the Governor and his Council, one of them—is it not their duty and their business to attend to these institutions and to see that the various measures and matters are carried out properly? On top of all this, we have already five paid commissions looking after this institution down at Thomaston; and now it is proposed to establish another. Undoubtedly men can be found who will work without pay; but should they? If their services are valuable to the State why should they not be recompensed? If, on the other hand, they render those services, why do we want them? They make a recommendation. It goes to the Governor. He refers it to this very committee of the Council. Can it get very much further? It seems to me that the whole proposition is entirely impracticable, and it means putting on this State not \$3000— for just as sure as this proposition goes through this Legislature this very same

commission will be here two years hence and want a salary; and if they are doing anything they ought to have it. It means another department in this State with its secretary and stenographers and all the other expenses—\$30,000 or \$40,000 a year, and for what? It is absurd, gentlemen. Now I do not believe that the gentleman from Aroostook, if he had a superintendent of his mill and had a suspicion that he was not doing the right thing would hire somebody to watch him. He would discharge that fellow. Why don't we discharge these boards of trustees if they are not doing their duty? That seems to me to be our duty. It seems to me we ought to do in this matter as we would do in our own private business affairs; and I am certain that no member of this Senate would go and hire an assistant to carry out or perform duties which he was already paying one man for.

The objection which I have to it is that it is not a practicable proposition and it will not do the things that its friends, who I admit are honorable gentlemen, disinterested and working for the best interests of the State, think it will. They are going ahead entirely on theory and not upon a plain, practical proposition.

In regard to the statement made by the gentleman from Portland in reference to the collection of those dues that might possibly be collected from foreign paupers, there is no need of the establishment of such a board for that purpose. The committee of the Governor's Council is for that very purpose. They are doing it. They have done it in the years past and they can do it; and I see no reason why two of those members should not be just as competent and as able as this commission traveling about the State without pay.

The question being put, upon the motion of the senator from York, Mr. Gowell, that the bill be indefinitely postponed, and the yeas and nays having been called for and ordered, the vote being had resulted as follows: Those voting yea were Messrs. Boynton, Donigan, Eaton, Gowell, Hamilton, Hill, Howes, Kellogg, Macomber, Mullen, Osgood, Reynolds, Shaw, Smith, Staples, Walker, Wyman (17). Those voting nay were Messrs. Baxter, Colcord, Hastings, Irving, Looney, Milli-

ken, Therriault, Warren, Wheeler (9). So the motion prevailed.

Mr. Macomber of Kennebec moved that the vote whereby the foregoing bill was indefinitely postponed be reconsidered. The yeas and nays were called for and ordered and the vote being had resulted as follows: Those voting yea were Messrs. Hastings, Looney, Warren, Wheeler (4). Those voting nay were Messrs. Baxter, Boynton, Colcord, Donigan, Eaton, Gowell, Hamilton, Hill, Howes, Irving, Kellogg, Macomber, Milliken, Mullen, Osgood, Reynolds, Shaw, Smith, Staples, Therriault, Walker, Wyman (22). So the motion to reconsider was lost.

Mr. LOONEY of Cumberland: Mr. President, let me assure the senator from Kennebec that we will be here two years from now with this proposition again.

On motion by Mr. Wheeler of Cumberland, Senate Doc. No. 180, "An Act to amend the charter of the city of Westbrook," was taken from the table. On further motion by the same senator the bill was referred in concurrence to the committee on judiciary.

On further motion by the same senator, Senate Document No. 185, "An Act to amend specification 10 of Section 6 of Chapter 9 of the Revised Statutes, relating to the exemption from taxation of lands set apart for the production of forest trees, as amended by Chapter 169 of the Public Laws of 1907," was taken from the table.

Mr. WHEELER: Mr. President, in the reference of that bill to the committee on forest preservation and water supply I wish to say that it is a bill to exempt certain lands from taxation; and it seems to me that it should properly go to the committee on taxation. I appreciate, however, that the purpose of the exemption may be to encourage the perpetuation of the forests; and for that reason I believe that the bill should be referred for the joint consideration of the two committees. I understand that one other bill has been so referred and I therefore will move that this bill be referred to the committee on forest preservation and water supply and to the committee on taxation, jointly. I now move that the Senate vote to non-concur with the House in its reference.

The motion prevailed and on further motion by the same senator the bill was referred to the committee on forest preservation and water supply and to the committee on taxation, jointly.

On motion by **Mr. Shaw of Kennebec**, Senate Doc. 162, "An Act to amend Chap-

ter 18 of the Revised Statutes relating to the State Board of Health," was taken from the table. On further motion by the same senator the bill took its second reading and was passed to be engrossed.

On motion by **Mr. Gowell of York**, the Senate adjourned.