

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*Ninety-Seventh Legislature*

OF THE

STATE OF MAINE

1955

DAILY KENNEBEC JOURNAL  
Augusta, Maine

## SENATE

Tuesday, April 5, 1955

Senate called to order by the President.

Prayer by the Rev. Evelyn M. Long of Gardiner.

Journal of April 1 read and approved.

### House Papers

"Resolve for the Laying of the County Taxes for the Years Nineteen Hundred Fifty-five and Nineteen Hundred Fifty-six." (H. P. 1154) (L. D. 1368)

Reported by the House Committee on County Estimates, comes from the House passed to be engrossed under suspension of rules without reference to a Joint Standing Committee, as amended by House Amendment B as amended by House Amendment B thereto, House Amendment C, House Amendment D, and House Amendment A.

In Senate, the resolve was read once, House Amendment B to House Amendment B was adopted, House Amendment B was adopted as amended by House amendment B thereto, House Amendments C, D, and A were adopted, in concurrence.

Mr. BOUCHER of Androscoggin: Mr. President, I wish to inquire if House Amendment A to House Amendment B is on record—Filing No. 159?

The PRESIDENT: The answer to the Senator's question is No.

Mr. BOUCHER: Mr. President, in order to offer that amendment which was offered in the House and adopted, I understand, I wish to table this resolve.

The motion prevailed and the resolve and accompanying papers were laid upon the table pending assignment for second reading.

The PRESIDENT: The Chair at this time, having had attention called to the fact by Senator Butler, notes in the gallery a group of students from Farmington High School under the supervision of Mr. Greenleaf. We welcome you to the Senate session and hope you enjoy it and the Senate has especially assigned to you today, the Senator from Franklin, Senator Butler, who

will escort you today to every part of the State House and help you to have a good time. We thank you for coming.

### House Papers Received by Unanimous Consent

"Resolve in Favor of Helen M. Madsen of Portland." (H. P. 1171) (L. D. 1406)

Which was received by unanimous consent and referred to the Committee on Retirements and Pensions in concurrence.

Bill "An Act to Provide Fire Protection for Milton Township, Oxford County." (H. P. 1170) (L. D. 1405)

Which was received by unanimous consent and referred to the Committee on Towns and Counties in concurrence.

### House Committee Reports Leave to Withdraw

The Committee on Business Legislation on Bill "An Act Relating to Rate of Interest of Small Loan Agencies." (H. P. 818) (L. D. 910) reported that the same be granted Leave to Withdraw.

The Committee on Education on Bill "An Act Relating to Nominations of School Personnel by Superintendents of Schools." (H. P. 1039) (L. D. 1214) reported that the same be granted Leave to Withdraw.

The Committee on Legal Affairs on Bill "An Act Relating to the Administration of the Water Department of the Town of Lisbon." (H. P. 843) (L. D. 933) reported that the same be granted Leave to Withdraw.

The Committee on Natural Resources on Bill "An Act Relating to Mineral Exploration." (H. P. 1110) (L. D. 1301) reported that the same be granted Leave to Withdraw.

Which reports were severally read and accepted in concurrence.

### Ought Not to Pass

The Committee on Education on Bill "An Act Relating to Licenses to Teach in Public Schools." (H. P. 1063) (L. D. 1251) reported that the same Ought not to pass.

The Committee on Highways on Bill "An Act Permitting Transfer of Town Road Improvement Funds to State Aid Accounts." (H. P. 1064)

(L. D. 1252) reported that the same Ought not to pass.

The Committee on Inland Fisheries and Game on "Resolve Regulating Fishing in Waters Between Fish Lake and Round Pond, Aroostook County." (H. P. 904) (L. D. 1012) reported that the same Ought not to pass.

The Committee on Legal Affairs on Bill "An Act Relating to Penalty for Failure to Pay Wages Due." (H. P. 1131) (L. D. 1329) reported that the same Ought not to pass.

The Committee on Retirements and Pensions on "Resolve Providing for State Pension for Esther Genthner of Thomaston." (H. P. 325) reported that the same Ought not to pass.

The Committee on Sea and Shore Fisheries on Bill "An Act Relating to Revocation and Suspension of Licenses Issued Under Sea and Shore Fisheries Laws." (H. P. 761) (L. D. 837) reported that the same Ought not to pass.

The Committee on Taxation on Bill "An Act Exempting Funeral Services from Sales Tax." (H. P. 506) (L. D. 543) reported that the same Ought not to pass.

The same Committee on Bill "An Act Exempting Insecticides, Fungicides, Etc. from Sales and Use Tax." (H. P. 1017) (L. D. 1157) reported that the same Ought not to pass.

The same Committee on Bill "An Act Exempting Non-Profit and Charitable Institutions from Sales and Use Tax Law." (H. P. 1018) (L. D. 1158) reported that the same Ought not to pass.

The same Committee on Bill "An Act Relating to Sales Taxes Upon the Seller on Sales Under Twenty-five Cents." (H. P. 1138) (L. D. 1335) reported that the same Ought not to pass.

The Committee on Welfare on Bill "An Act Placing Indians Under Jurisdiction of Governor and Council." (H. P. 1098) (L. D. 1281) reported that the same "Ought not to pass."

The same Committee on Bill "An Act Providing Appointment of Director of Indian Affairs by Governor and Council." (H. P. 1099) (L. D. 1282) reported that the same "Ought not to pass."

The same Committee on Bill "An Act Providing for a Land Claim

Commissioner for Indians." (H. P. 1100) (L. D. 1283) reported that the same "Ought not to pass."

Which reports were severally read and accepted in concurrence.

#### Ought to Pass

The Committee on Appropriations and Financial Affairs on Bill "An Act Relating to Sum Paid Superintendents of Schools of Towns Having More Than Seventy-five Teachers." (H. P. 328) (L. D. 369) reported that the same "Ought to pass."

The same Committee on Bill "An Act Appropriating Moneys for Anticipated Overdrafts in the Harness Racing Commission Due to Insufficient Appropriations." (H. P. 460) (L. D. 505) reported that the same "Ought to pass."

The same Committee on "Resolve Appropriating Monies for Civil Defense Matching Funds." (H. P. 772) (L. D. 857) reported that the same "Ought to pass."

The same Committee on Bill "An Act Relating to Certain Funds Held by Colby College as Trustee." (H. P. 863) (L. D. 975) reported that the same "Ought to pass."

The Committee on Public Health on Bill "An Act Relating to Qualifications and License Fees for Practical Nurses." (H. P. 1033) (L. D. 1205) reported that the same "Ought to pass."

The same Committee on Bill "An Act Relating to Funeral Directors and Embalmers." (H. P. 1046) (L. D. 1221) reported that the same "Ought to pass."

The same Committee on Bill "An Act Relating to Apothecaries and the Sale of Poisons." (H. P. 1080) (L. D. 1263) reported that the same "Ought to pass."

Which reports were severally read and accepted in concurrence, the bills and resolve read once and tomorrow assigned for second reading.

The Committee on Towns and Counties on Bill "An Act Relating to Land Taken by Municipalities for Parks, Playgrounds, etc." (H. P. 1056) (L. D. 1231) reported that the same "Ought to pass."

Comes from the House, Report accepted and bill passed to be engrossed as amended by House Amendment A (Filing 195)

In the Senate, the report was read and accepted in concurrence and the bill read once; House Amendment A was read and adopted in concurrence, and the bill as amended was tomorrow assigned for second reading.

The Committee on Appropriations and Financial Affairs on Bill "An Act Relating to the Deposit of State Funds." (H. P. 814) (L. D. 906) reported that the same "Ought to pass." as Amended by Committee Amendment A. (Filing 177)

The Committee on Towns and Counties on Bill "An Act Relating to Tuition Charges at the Maine School for the Deaf." (H. P. 971) (L. D. 1097) reported that the same "Ought to pass" as Amended by Committee Amendment A. (Filing 178)

Which reports were read and accepted in concurrence and the bills read once. Committee Amendments A were read and adopted in concurrence, and the bills as so amended were tomorrow assigned for second reading.

#### **Senate Committee Reports Leave to Withdraw**

Mr. Weeks from the Committee on Judiciary on Bill "An Act Relating to Motion for a Directed Verdict in Jury Trials of Civil Actions." (S. P. 447) (L. D. 1239) reported that the same be granted Leave to Withdraw.

Which report was read and accepted.

Sent down for concurrence.

#### **Ought Not to Pass**

The same Senator from the same Committee on Bill "An Act Relating to Salaries of Registers of Deeds and Clerk Hire and Indexes of Records." (S. P. 169) (L. D. 450) reported that the same "Ought not to pass."

The same Senator from the same Committee on Bill "An Act Relating to Jurisdiction of Trial Justices." (S. P. 405) (L. D. 1119) reported that the same "Ought not to pass."

The same Senator from the same Committee on Bill "An Act Relating to Statute of Limitations for Trespass on Land." (S. P. 445) (L. D. 1237) reported that the same "Ought not to pass."

Mr. Reid from the same Committee on Bill "An Act to Provide a Uniform Method for the Exercise of the Initiative and Referendum in Municipal Affairs." (S. P. 449) (L. D. 1241) reported that the same "Ought not to pass."

Mr. Weeks from the same Committee on Bill "An Act Relating to Municipal Court Costs." (S. P. 465) (L. D. 1316) reported that the same "Ought not to pass."

Which reports were severally read and accepted.

Sent down for concurrence.

#### **Ought to Pass**

Mr. Carpenter from the Committee on Inland Fisheries and Game on Bill "An Act Relating to Hunting of Woodcock." (S. P. 183) (L. D. 435) reported that the same Ought to pass.

Mr. Hall from the same Committee on Bill "An Act Relating to Regulation of Boats and Canoes by Department of Inland Fisheries and Game." (S. P. 296) (L. D. 804) reported that the same Ought to pass.

Mr. Carpenter from the same Committee on "Resolve Regulating Fishing for Black Bass Through the Ice in Knox County." (S. P. 312) (L. D. 851) reported that the same Ought to pass.

Mr. Weeks from the Committee on Judiciary on Bill "An Act Relating to Bankruptcy Re Financial Responsibility Law." (S. P. 409) (L. D. 1173) reported that the same Ought to pass.

The same Senator from the same Committee on Bill "An Act Modifying and Clarifying the Rule Against Perpetuities." (S. P. 411) (L. D. 1175) reported that the same Ought to pass.

Mr. Reid from the same Committee on Bill "An Act Relating to Legislative Research Committee." (S. P. 446) (L. D. 1238) reported that the same Ought to pass.

Mr. Weeks from the same Committee on Bill "An Act Providing for an Interpleader Compact." (S. P. 448) (L. D. 1240) reported that the same Ought to pass.

Mr. Martin from the Committee on Public Utilities on Bill "An Act Amending the Charter of the Lewiston Gas Light Company." (S. P.

492) (L. D. 1359) reported that the same Ought to pass.

Which reports were severally read and accepted, the bills and resolve read once and tomorrow assigned for second reading.

#### Ought to Pass—New Draft New Title

Mr. Hall from the Committee on Inland Fisheries and Game on "Resolve Regulating Fishing in Broken Bridge Pond, Oxford County." (S. P. 284) (L. D. 794) reported the same in a new draft (S. P. 520) (L. D. 1415) and under a new title: "Resolve Regulating Ice Fishing in Broken Bridge Pond, Oxford County." and that it Ought to pass.

Which report was read and accepted, the bill in new draft and under new title read once and tomorrow assigned for second reading.

#### Ought to Pass—as Amended

Mr. Parker from the Committee on Highways on bill "An Act Relating to Installations Within Highway Limits." (S. P. 93) (L. D. 223) reported that the same Ought to pass as Amended by Committee Amendment A.

Which report was read and accepted and the bill read once.

The Secretary read Committee Amendment A:

COMMITTEE AMENDMENT A to S. P. 93, L. D. 223.

"Amend said bill by striking out in the 6th and 7th lines the underlined words 'edge of the paved portion', and inserting in place thereof the underlined words 'near edge of the paved portion of highways (not including shoulders) having more than two travel lanes, having a total paved portion in excess of 24 feet in width,'

Further amend said bill by changing the period at the end thereof to a comma and adding the following underlined words, 'and the 20 foot limitation shall not apply to the installations or other property devoted to public use of any public utility or district or to underground pipe lines, or to the installations or other property in existence prior to the effective date of this act.'"

Which amendment was adopted and the bill as so amended was to-

morrow assigned for second reading.

Mr. Carpenter from the Committee on Inland Fisheries and Game on "Resolve Regulating Ice Fishing in Twitchell Pond, Oxford County." (S. P. 283) (L. D. 795) reported that the same Ought to pass as Amended by Committee Amendment A.

The Secretary read Committee Amendment A:

COMMITTEE AMENDMENT A to S. P. 283, L. D. 795.

"Amend said resolve by striking out all of the Emergency Preamble.

Further amend said resolve by striking out the 3rd line from the end and inserting in place thereof the following: 'from ice-in to March 31st of each year.'

Further amend said resolve by striking out all of the Emergency Clause at the end."

Which amendment was adopted and the resolve as so amended was tomorrow assigned for second reading.

Mr. Reid from the Committee on Judiciary on bill "An Act Providing for Pocket Supplements to the Revised Statutes." (S. P. 406) (L. D. 1120) reported that the same Ought to pass as Amended by Committee Amendment A.

On motion by Mr. Reid of Kennebec, the bill and accompanying papers were laid upon the table pending acceptance of the Committee report.

Mr. Reid from the same Committee on "Resolve to Purchase Additional Sets of the Revised Statutes of 1954" (S. P. 407) (L. D. 1121) reported that the same Ought to pass as Amended by Committee Amendment A.

On motion by Mr. Reid of Kennebec, the resolve and accompanying papers were laid upon the table pending acceptance of the committee report.

#### Second Readers

The Committee on Bills in the Second Reading reported bills and resolves:

**House**

Bill "An Act Relating to Tuition of Students Living on Chebeague Island, Cumberland County." (H. P. 527) (L. D. 586)

Bill "An Act Relating to Funds for Minors Not Having Guardian." (H. P. 746) (L. D. 827)

Bill "An Act to Amend the Paris Village Corporation." (H. P. 1073) (L. D. 1268)

Bill "An Act Relating to Trespass on Land of Another." (H. P. 1166) (L. D. 1399)

Which were severally read a second time and passed to be engrossed in concurrence.

**House — as Amended**

Bill "An Act Relating to Sirens on Automobiles Operated by Certain Officials." (H. P. 83) (L. D. 80)

Which was read a second time and passed to be engrossed, as amended, in concurrence.

**Senate**

Bill "An Act Relating to Pensions for Dependents of Deceased Policemen of the City of Lewiston." (S. P. 163) (L. D. 357)

Bill "An Act Increasing the Salary of the Recorder of the Augusta Municipal Court." (S. P. 198) (L. D. 448)

Bill "An Act Relating to Charges for Publication of Notices in Waldo County." (S. P. 233) (L. D. 569)

Bill "An Act Relating to Payments to Kennebec Law Library." (S. P. 261) (L. D. 689)

Bill "An Act Relating to Pensions for Dependents of Deceased Firemen of City of Lewiston." (S. P. 413) (L. D. 1176)

Bill "An Act Relating to Approval of Dog Shelters." (S. P. 469) (L. D. 1312)

Bill "An Act Relating to Examination of Dog Shelters." (S. P. 470) (L. D. 1313)

"Resolve Authorizing Commissioner of Institutional Service to Convey to Portland Water District a Right of Way for a Pipeline from the Falmouth Shore to Mackworth Island in Portland Harbor, Casco Bay." (S. P. 505) (L. D. 1386)

"Resolve Authorizing the Forest Commissioner to Convey the Flowage Rights on Matagamon Lake, in Township 6, Range 9, W.E.L.S., Pis-

cataquis County, to East Branch Improvement Company." (S. P. 514) (L. D. 1407)

Bill "An Act Relating to Insects and Diseases of Trees." (S. P. 515) (L. D. 1408)

Bill "An Act Relating to Academy Contracts." (S. P. 516) (L. D. 1409)  
Which were severally read a second time and passed to be engrossed. Sent down for concurrence.

**Senate — as Amended**

Bill "An Act Increasing the Salary of the Judge of the Gardiner Municipal Court." (S. P. 355) (L. D. 964)

Bill "An Act Increasing the Salary of the Recorder of the Gardiner Municipal Court." (S. P. 356) (L. D. 965)

Bill "An Act Relating to Compensation of Members of Advisory Committee on Budget." (S. P. 365) (L. D. 1061)

Bill "An Act Providing for Compensation for Members of the Board of Education of the City of Rockland." (S. P. 423) (L. D. 1169)

"Resolve Appropriating Money for the Preparation of Educational Materials on Maine for Schools." (S. P. 457) (L. D. 1287)

Bill "An Act Relating to Kennel License Fees." (S. P. 467) (L. D. 1310)

Bill "An Act Relating to the Keeping of Records by Persons in the Business of Selling Dogs." (S. P. 468) (L. D. 1311)

Which were severally read a second time and passed to be engrossed, as amended.

Sent down for concurrence.

**Enactors**

**The Committee on Engrossed Bills reported as truly and strictly engrossed the following bills and resolves:**

An Act relating to Destruction of County Records (S. P. 155) (L. D. 349)

An Act relating to Temporary License for Osteopathic Physicians (S. P. 270) (L. D. 701)

An Act relating to Continuous Credit for Excise Tax on Motor Vehicles (S. P. 275) (L. D. 705)

An Act relating to Inheritance Tax Bonds (S. P. 346) (L. D. 955)

An Act relating to Nonresident Owned Semi-Trailers (S. P. 385) (L. D. 1081)

An Act relating to the Duties of the Commissioner of Agriculture Re Sardine Canning Inspection Law (S. P. 386) (L. D. 1182)

An Act relating to Marking Certain Sardine Cans for Contents (S. P. 387) (L. D. 1101)

An Act relating to Powers of State Fire Inspectors (H. P. 363) (L. D. 451)

An Act relating to Disposal of Wild Animals (H. P. 415) (L. D. 462)

An Act relating to Nonresidents Kindling Fires in Unorganized Territory (H. P. 419) (L. D. 504)

An Act relating to Bows for Hunting Carried in Motor Vehicles (H. P. 532) (L. D. 589)

An Act relating to Taking, Having in Possession and Selling Oysters (H. P. 611) (L. D. 659)

An Act relating to Inheritance and Estate Tax Law (H. P. 687) (L. D. 755)

An Act relating to Trespass by Cattle and Other Domestic Animals (H. P. 708) (L. D. 776)

An Act Repealing Act to Regulate the Taking of Smelts in the Waters of Egypt Bay, Franklin Bay, Taunton Bay and River, in the Towns of Hancock, Franklin and Sullivan, Hancock County (H. P. 721) (L. D. 785)

An Act relating to Age of Apprentice in Practice of Hairdressing and Beauty Culture (H. P. 753) (L. D. 834)

An Act Permitting the Digging of Clams in Limits of Biddeford for Bait Only (H. P. 799) (L. D. 873)

An Act Repealing the Law Closing Certain Clam Flats in Lubec, Washington County (H. P. 848) (L. D. 934)

An Act relating to Surrender of Property by Academies (H. P. 909) (L. D. 1017)

An Act relating to Exemption of Registration Certificates Under Aviation Laws (H. P. 951) (L. D. 1054)

An Act Creating the Baileyville School District (H. P. 965) (L. D. 1091)

An Act relating to Permits for Towing Unregistered Motor Vehicles (H. P. 973) (L. D. 1099)

An Act relating to Investment of Municipal Trust Funds (H. P. 988) (L. D. 1136)

An Act relating to Bonds for Slum Clearance and Redevelopment Authority of Portland (H. P. 999) (L. D. 1147)

Resolve Defining Upper Dam Pool in Township 4, Range 1, Oxford County (H. P. 474) (L. D. 519)

Resolve relating to Taking of Smelts from Georges River, Knox County (H. P. 852) (L. D. 938)

Resolve Officially Naming Echo Lake, Penobscot County (H. P. 1005) (L. D. 1152)

Which bills were severally passed to be enacted, and the resolves finally passed.

An Act Ratifying a Proposed Compact Between the State of Maine and Certain Other States Providing for the Establishment of the New England Board of Higher Education (H. P. 409) (L. D. 456)

On motion by Mr. Collins of Aroostook, the bill was laid upon the table pending passage to be enacted.

An Act to Revise Certain Election Laws (S. P. 94) (L. D. 225)

On motion by Mr. Chapman of Cumberland, the bill was laid upon the table pending passage to be enacted.

An Act Relating to Hunting of Partridge and Pheasants (H. P. 553) (L. D. 590)

On motion by Mr. Hillman of Penobscot, the bill was laid upon the table pending passage to be enacted.

### Emergency

Bill "An Act Declaring Lawful Certain Rules and Regulations Promulgated by State Departments." (S. P. 289) (L. D. 800)

Which bill, being an emergency measure and having received the affirmative vote of 27 members of the Senate and none opposed to be enacted.

On motion by Mr. Cummings of Sagadahoc, the Senate voted to take from the table the 32nd tabled and unassigned matter being House Report from the Committee on Correctional Institutions "Ought to pass"



on Bill "An Act Relating to Age of Commitment to State School for Boys," (H. P. 643) (L. D. 720) tabled by that Senator on March 29 pending acceptance of the report.

Mr. CUMMINGS of Sagadahoc: Mr. President and members of the Senate: I would like to preface my remarks on this bill by giving a brief report of the Committee on Correctional Institutions. My purpose in doing so is to show the relationship of this bill to the general problems which we are facing. In giving this report on correctional institutions the Committee wishes to make it clear that they are reporting to the Senate the situation exactly as the committee found it to be. It is not the intent of the committee to criticize any administrative functions of the various institutions but rather to give this body and this legislature a true and somewhat realistic picture of the present situation as it exists. In giving this report I will briefly take up each institution under the Correctional Institutions Committee jurisdiction.

First the committee visited the Womens Reformatory in Skowhegan. There we found the situation to be rather well run and ably handled by the administration. We did, however, feel that there was room for more emphasis upon reformation at the institution; also we found that there were certain great avenues of economy which we believed could be more fully explored, and especially we felt that the ratio of inmate population to employee was somewhat out of hand. We also found, as we have found in some other institutions, that there is a question from the economical point of view as to whether the dairying functions of the institution were worth while from either a therapeutic or economical point of view. We felt that in the Womens Reformatory there was perhaps an opportunity to economize by consolidating this institution with perhaps the Girls School at Hallowell, this consolidation to be only on a partial basis. By that the committee means that the two institutions could be kept separate and yet the teaching loads of the two institutions perhaps could be made under one teaching system. We also felt that by the construction of new

buildings and new types of dormitories we could lessen the number of employees in the two institutions, which would have a very beneficial effect upon the economical administration of both institutions.

Turning briefly to the State School for Girls at Hallowell: We found a very fine situation existing there, but again we found that there were perhaps too few inmates in each of the so-called cottage buildings. Again we found that the cottage type of buildings were perhaps not fully necessary in the number which are now being used.

As far as the situation of the inmates, we found one rather interesting point of view. One of the committee asked one of the inmates what criticism she would have of her everyday life, and she made the rather astonishing statement, "We would love to see a daily newspaper." The committee felt that certainly there might be in some states newspapers of a certain type which would not be in the best interest of the state to supply to the inmates of the Hallowell School for Girls, but we certainly felt that in the State of Maine we know of no newspaper which could not or should not be in the hands of the inmates of a reformatory and educational type of institution.

Again at Hallowell we felt that there was an opportunity to consolidate some of the buildings, to eliminate some of the older type of buildings, and perhaps by consolidating this institution to a certain degree with the Womens Reformatory at Skowhegan great economies might be made for the State of Maine, but that, of more importance, we might be able to give the inmates of each of the institutions a greater educational and reformatory opportunity than they are now deriving from each other.

It is important that we keep in mind that the inmates of all of these institutions of which I am going to speak will, within only a question of two or three years on the average, be once more our neighbors living in our community, and if that is true we must give a renewed and more active thought and consideration to the reformation

of these various inmates and to their rehabilitation.

Turning briefly to the States Prison at Thomaston, we find a very unique situation. Of course it is only fair to say in starting that Thomaston is a maximum security institution and therefore certain measures of repression of the inmates must perhaps be there of necessity, but we did feel that when we have twelve-year-old boys unsegregated, mixing with life prisoners and inmates in for more serious crimes, with no effort being made to segregate them, that there is certainly a basic need for change at Thomaston.

At Thomaston we found that for sixteen hours a day each and every inmate is confined to a cell. We found, of course, that Thomaston is completely surrounded by walls of a very high maximum security basis.

I think it wise to point out here that the committee's consensus of opinion was that we certainly should give great thought before we attempt to give more money to any of these institutions for capital outlays. At Thomaston there is a request for \$75,000 for repairs to the walls of Thomaston.

In studying the matter and getting in contact with penal authorities, we find that there is a very great doubt as to whether this maximum security type of institution should be maintained in the same way that we have maintained it at Thomaston ever since 1828 with very little change. Certainly it is hard to believe that our thinking as to reformation of prisoners and inmates and treatment of human beings has not changed some in the hundred and twenty-five years which is represented by the situation that confronts us at Thomaston.

The one thing that you get from a consolation in the States Prison is the statement and the feeling that the administration says, "We are sitting on a keg of dynamite." That is the one thing you come away from the institution with and it is not a cheerful thought but it is rather a provocative one. It might be well to remember that is exactly the feeling that Louis IV and the people in the French Revolution of

1789 had when the revolution in France broke out: they felt that they were sitting on a keg of dynamite. Probably the British in Boston had the same feeling in 1775 when the colonists broke out. So whenever we find a situation where there is grave fear at the top that they are sitting on a keg of dynamite it seems to me it might be well and necessary that we explore the reasons for this situation, especially when we are confronted with inmates of the type we have at Thomaston. We must remember that we live in a small state and we have a relatively small inmate population in the State, and it does seem a bit out of line to have over five hundred inmates, approximately, confined in a maximum security institution when that type of institution is on its way out in every other state in the United States.

As to the South Portland School for Boys, we found there were many reasons why that institution should be perhaps entirely abandoned. The reasons were as follows: first, it is located in an urban area which is conducive to an escape problem; secondly, it is near an airport, which perhaps in the normal course of events would not lend itself well to spending large amounts of money in expansion and then have to abandon the institution at a later date. Thirdly, the present institution at South Portland is entirely antiquated and has entirely outlived its usefulness as far as the physical plant is concerned. Along this line, we feel that a change of locale would be beneficial and would solve one of the basic problems of South Portland. Certainly we cannot overlook the fact that in South Portland we have usually sixty boys ranging from nine to seventeen years of age living in one room for the greater part of the day. There they are not under the care of a teacher but under the care of a custodial type of person. It certainly makes one wonder if we are in any way achieving the reformation of any boy of that age by keeping him locked up twenty-four hours a day in one building year in and year out without proper teaching and without proper reformation advantages. So the committee feels that South Portland could well be at

least subjected to a very careful analysis with the possible point of view of abandonment.

Finally, at the Windham Reformatory for Men we found a rather pleasant situation. It was very interesting to the committee to find that the average age of the inmate at Windham was only about twenty-four years whereas the average age at the Thomaston State Prison was only about twenty-seven, a difference of only about three years in average age. In Thomaston we have a complete maximum security type of institution; at Windham we have a very limited type of security: the prisoners go and come, they work outside at beneficial work for the State: we found only one prisoner in confinement. We found the prisoners living in a dormitory type of living quarters, which was entirely at odds with the situation we found at Thomaston. We could not reconcile in our minds the big difference between Thomaston and Windham in their care of prisoners, in their point of view, in their whole morale. We found no mention of a keg of dynamite or any underlying situation.

Of course the question immediately arose that at Thomaston we have people who are in for life, which would make a difference, but the strange statement on the part of the administration was that the life prisoners or the long-term prisoners were the model prisoners, the ones that got the most freedom and caused the least trouble, so that eliminated one of the reasons why Thomaston should be a different type of institution than Windham.

Now the basic thing the committee felt was necessary to correct this situation was to establish a long-range study of this entire correctional institution question. This study is being made partly by the executive and we feel it should be supplemented either by joint orders or legislation which is now in process. There is just one thing we wish to emphasize, and that is we feel it is very unwise to spend large amounts of capital funds in improving or expanding some of these institutions when from a long-range point of view it might be first good economy for the

State to consolidate and to spend new money in order to cut down the per capita cost of these institutions and reduce the number of employees. We feel that savings of from one to two hundred thousand dollars a year can easily be achieved in a long-range program by laying out our capital funds in a wise and prudent fashion with the long-range point of view in mind. That is the chief thing the committee wishes to impress upon this legislature.

Getting back to the South Portland School for Boys in this particular bill, L. D. 720, we felt that in many cases at South Portland when you see nine-year-old boys in an institution of this type that there is something fundamentally and radically wrong with our entire system. With this thought in mind and the feeling that perhaps the municipal level should at least be responsible for these children up through the age of ten, we did feel that this bill should be given passage by this legislature.

So, with these thoughts in mind, I now move the acceptance of the "Ought to pass" report of the committee on Bill "An Act Relating to Age of Commitment to State School for Boys."

The PRESIDENT: The question before the Senate is on the motion of the Senator from Sagadahoc, Senator Cummings that the Senate accept the Ought to pass report of the Committee.

The motion prevailed and the Ought to pass report of the Committee was accepted, the bill read once and tomorrow assigned for second reading.

The Senator from York, Senator Farley, was granted unanimous consent to address the Senate.

Mr. FARLEY: Mr. President and members of the Senate: It seems that in tabling a bill here last Friday afternoon I possibly created a civil war in York County among the attorneys, and in justice to the members of the Judiciary Committee I wish to state there was no intent by any of this delegation to sabotage that bill in any way. That bill was tabled after a meeting of the parties in York County. I would

like to state that one of the reasons why we tabled the bill—

The PRESIDENT: Would the Senator like to give the Senate a reference so we will know to what bill he is referring?

Mr. FARLEY: Item 42, Mr. President.

The PRESIDENT: The Senator refers to the 42nd tabled and unassigned matter, (H. P. 667) (L. D. 743) House Report Ought to pass as amended by Committee Amendment "A" from the Committee on Judiciary on Bill "An Act Relating to Terms of the Superior Court in York County," tabled by that Senator on April 1st pending acceptance of report.

Mr. FARLEY: At the meeting held in December, called by the County Commissioners of York County we all received notice by mail of the County Commissioners' meeting but no member of the Bar appeared in regard to the extra term of court, and when we left it was understood that the County Commissioners' budget was air-tight, that there was no chance of any increase one way or the other. During the month someone had talked about an extra term of court, but there was no final decision made by the County Commissioners. I attended the hearing, and no one has told us yet just what that one term might cost, whether it would be two thousand dollars or fifteen hundred dollars.

What I want to say to the Judiciary Committee is this: we expect a letter from the County Commissioners relative to this extra term of court but we will not know until we receive that letter whether there are funds available in the York County budget. As soon as we know that I will remove the bill from the table.

On motion by Mr. Dunham of Hancock, the Senate voted to take from the table the 45th tabled and unassigned matter being Senate Report from the Committee on Welfare "Ought to pass" on bill "An Act Relating to Burial Expenses Under Old Age Assistance Laws." (S. P. 419) (L. D. 1180) tabled by that Senator on April 1 pending acceptance of the report; and on further

motion by the same Senator, the ought to pass report was accepted and the bill read once.

The same Senator presented Senate Amendment A and moved its adoption:

"SENATE AMENDMENT A to S. P. 419, L. D. 1180.

"Amend said bill by striking out all of the last underlined line thereof and inserting in place thereof the following underlined words: 'III Funeral expenses not exceeding \$400 exclusive of clergyman's honorarium and cemetery expenses'."

Which amendment was adopted and the bill as so amended was tomorrow assigned for second reading.

On motion by Mr. Reid of Kennebec, the Senate voted to take from the table the 23rd tabled and unassigned matter being Senate Report from the Committee on Judiciary "Ought to pass in new Draft and under same title" (S. P. 494) (L. D. 1371) on bill "An Act Amending the Mining Law" (S. P. 78) (L. D. 179); tabled by that Senator on March 22 pending acceptance of the report; and on further motion by the same Senator, the report was accepted, the bill read once and tomorrow assigned for second reading.

On motion by Mr. Jamieson of Aroostook, the Senate voted to take from the table the 47th tabled and unassigned matter being bill "An Act Relating to Transportation of Explosives" (H. P. 337) (L. D. 378) tabled by that Senator on April 1 pending passage to be engrossed; and on further motion by the same Senator, the bill as amended was passed to be engrossed in concurrence.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table the 27th tabled and unassigned matter being bill "An Act Repealing Statement of Contributions and Expenses by Municipal Candidates" (H. P. 191) (L. D. 196) tabled by that Senator on March 23 pending adoption of House Amendment D; and on further motion by the same Senator, House Amendment D was read and adopted in concurrence, and the bill

as amended was tomorrow assigned for second reading.

On motion by Mr. Butler of Franklin, the Senate voted to reconsider its action taken earlier in today's session whereby it accepted in concurrence the "Ought not to pass" report of the Committee on Retirements and Pensions on "Resolve Providing for State Pension

for Esther Genthner of Thomaston" (H. P. 325); and on further motion by the same Senator, the resolve was laid upon the table pending acceptance of the report.

On motion by Mr. Cummings of Sagadahoc,

Adjourned until tomorrow morning at ten o'clock.