

MAINE STATE LEGISLATURE

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Sixty - Third Legislature.

SENATE.

No. 45.

STATE OF MAINE.

The Committee on State Prison, to which was referred the petitions in relation to convict labor, ask leave to report that they have held a hearing and taken evidence, a report of which is herewith submitted.

ALLEN for Committee.

CHAIRMAN. The meeting is called to order. The question to come up before us is the hearing of the petitions in relation to labor in the Maine State Prison, and we are ready to hear from any of the petitioners. I do not know the names of the gentlemen here who are to come before the Committee, so if you will please, in your own way, some of you, announce them or arrange it, who shall speak first, it will facilitate the matter before the Committee.

F. H. THOMPSON of Portland.

Gentlemen of this Committee: You must be aware by this time that the present state of feelings of the carriage and harness manufacturers are not likely to have been brought to this condition by only fancied wrongs, but it is only an expression of the indignation felt and endured for years by all who are directly connected with these industries. We have been waiting with all the patience possible, looking for that improvement that we hoped would come in time, but we find that silence on our part has only been construed

by the management to be consent. The first argument presented will be that the convicts must be employed. This we readily admit. But while one day's labor of the convict serves to displace an equal amount of labor outside, and good, faithful mechanics are unable to obtain employment, just so long will this system appear wrong to any fair, impartial mind. But sometimes matters of actual principle have to be secondary to policy, and I think that this is one of the cases when this may be said to apply. And yet we do, most certainly, protest against using the whole force of the convicts of Maine to break down the carriage and harness manufacturers, and lay the burden of their support on our shoulders entirely—for this is now most certainly the case. We expect a portion of the burden but not the whole. We do not object to the manufacture of carriages and harness by a limited number of workmen, and then have the goods appraised at their actual market value and all plainly stamped or marked Maine State Prison, and a regular price list given, with a discount alike to all dealers, and none to private customers, and give no one the exclusive sale, so they can not be unfairly represented, as has been the case here in Portland, and, I am informed, elsewhere.

And as a proof of my statement, allow me to read to you a few of the advertisements made by what pretends to be the sole agent of the Maine State Prison, and whose private statements have been, if possible, even more aggressive than these.

“MAINE PRISON CARRIAGES!

We are now receiving from 12 to 15 Carriages every week from the Maine Prison and for the first time this season feel we can meet the demand. No better material, work, or style can be found in any carriages manufactured in New England.

As the State received but 40 cents per day for the labor in the carriage department last year, purchasers must know they get more for their money than in any other carriages.

Every carriage warranted by the State of Maine.

HORSE AND CARRIAGE MART,

Agent for Maine State Prison,

32 & 34 Plum Street.”

“ EXPRESS WAGONS,

3 sizes

Thoroughly made from best material, stylish and elegantly finished, warranted by Maine State Prison and for sale less than any regular manufacturer can make them.”

“ The best

H A R N E S S

in the World for the Money.

We offer fifty Sets of Single Harness at \$25 each, made from selected No. 1 oak leather, stitched fine, entirely by hand, saddle and all, waved layers on breast plate and breeching, trimmed with best hard rubber trimmings, and equal in every way to any harness sold in this market from \$35 to \$40. This harness was made by Maine State Prison. Owing to dullness of trade, must reduce their stock even if they get only cost of material used.”

“ We are sole agents for Maine State Prison who are making the best carriage work manufactured in Maine, entirely by hand, from the best material, under the supervision of the most experienced mechanics in each department, at from \$50 to \$75 less than any builders employing experienced help can sell.”

Now, gentlemen, while we are aware that advertisements are usually not to be wholly relied upon, yet we think that the unfairness and misrepresentation of this style must be evident to you all.

What must be the effect upon the harness trade, struggling with this same dullness of trade, to have forced upon the market by a responsible State, this lot of harnesses to be sold for cost of materials used, or advertised the best carriages made in the State at \$50 to \$75 less than any one else could sell, and this work all made by hand being one of their principal claims.

Now I assert quite positively that they buy ready-made as many of the parts as they can—wheels, axles, springs, bolts, circles, paint stock all prepared, buy their hair all picked, and, as the Warden informed me, try to do the business the same as any business man would private business. And while they do turn the band saws and grindstone all by hand, we do not think that this is building work all by hand. But on the contrary, they avoid hand work all they can, while making a pre-

tense of using no machinery. We think that they should be made to do all this work by hand, as they advertise. Would not that appear a little more honest?

Now, gentlemen, it must be evident that to present to you individual cases where this work has come in contact with us is difficult, as people do not like to have private business dragged before the public, and they most certainly have a right to buy where they please. But I will cite one case that came to us. A gentleman, who was one of our regular customers, came to us and wanted to buy a certain carriage. The price was \$325, and it is as low as any one regular man can sell and make a fair profit. He said that he could buy lower of the Prison, and that the work was represented as being just as good. We finally weakened to \$300, to see where the bottom was in Prison work, but after a delay caused, I believe, by a correspondence with the Warden, he came back and offered \$250, and we finally sold him at \$265, and gave him a cover and wool mat, and wholly because we desired to keep our men at work, and so sold without any profit.

Now, I mean to say that no carriage could be offered in competition that we could not meet, as the supply is limited and placed in the hands of sole agents, and their indiscreet statements guaranteed by the State of Maine.

The agents in Portland declare that they are receiving twelve to fifteen every week, and are just able to meet the demand. But in their article in the Portland Press, January 14th, they say that not over 5 to 10 per cent of work sold in Portland is Prison work. Now, some one must have a good business, as this would give 60 to 120 per week for Portland.

Of course you will expect some suggestions from us as to what we think should be done. We think to divide the labor as much as possible and select such work as the materials can be produced in Maine, and also that Maine dealers should have the preference in all cases for Prison supplies.

Wooden goods of all kinds offer the greatest range—benches, tables, wash-boards, boxes, etc., and some lines of furniture work. Carriage and express wagon bodies are sold unfinished all through the State and all have a real value that is easily seen. Coffins and caskets would furnish a good line of work and could readily be sold at remunerative prices, for no one who would object to ride in a Prison carriage need object to lie in a Prison coffin when he is dead.

The present condition of carriage and harness manufactories will show a falling off of not less than 50 per cent since 1870, while to have kept up in proportion with the increase of consumers it should have been doubled in that time. Now, as Maine is fast going down hill in regard to manufacture, I think that this is quite an important thing to be considered, and just in proportion we shall prosper as a State as we encourage our manufacturing interests.

I have here the written statements of a few manufacturers and mechanics, giving their opinion, and there are present several gentlemen who all wish to be heard upon this matter.

Mr. DUNN of Portland.

Gentlemen of the Committee: I was invited here. I think, to show you the effect that convict labor has had on my own personal business, and I shall have to take you back to the year 1869. From that year to the year 1875 I employed in the city of Portland on the average through the year forty hands. During that year of 1875 I opened a salesroom on Friend street in Boston. During the same year the Maine State Prison harness was put on sale at my next door neighbor carriage dealers', Ingalls & Wyer. In 1876, the next year following, I moved my factory to Boston, taking with me thirty-five of the workmen that worked for me there. There I came in direct competition with the Maine State Prison harness, more especially when Ingalls & Wyer failed in business, and Mr. Wyer took the agency of it, I think, and advertised it from that time up to the present time as "the best made harness in the world for the money," manufactured in the Maine State Prison. I think that advertisement has been in some of the Boston daily papers daily from that time until the present.

This trade that I had worked up was not worked up in one year or ten, but was sold to the wholesale dealers throughout Massachusetts and Rhode Island, consequently they didn't number a large number of men, and it was but a short time before I began to feel the effects of "the best harness in the world for the money." Gradually these dealers were taken from me and I suppose from others. A year or two after that (I am speaking now of the Concord State Prison) two years, I think, a concern calling themselves the Boston Harness Company made a contract with the Massachusetts State Prison for fifty men, at a price I don't know, but I think of fifty cents a day, to manufacture harnesses. But a short time elapsed before those

harnesses were in competition with this same trade, with the Maine State Prison and the Portland harness, the name by which my harness was known at that time and was fighting off, but I could not hold a candle with the prices of this State Prison harness, and I finally lost the trade. Seventy-five per cent of my trade was probably wholesale trade with those dealers throughout Massachusetts and Rhode Island.

In losing this trade, of course, many of those men, and all of them in fact that worked for me, were thrown out of employment. You might ask if these men found employment. A great many of them returned to Portland. They were inhabitants of Portland and vicinity, and I do not think that to-day there are ten of those thirty-five or forty men that have been able to get work at the harness business. Some of them are driving teams; some of them are on railroads, some are commercial travelers, some of them are still idle. They would be at work if it was not for this convict labor. We have skilled workmen at Portland who are idle. Convicts are not idle, I believe, at harness work, and their goods are on the market.

I had one man who had worked for me who made the statement that if he got five months' work a year out of his business he thought he was doing well. And in this respect I would speak of other branches of the trade that are not manufactured in our business—collar making. There was a collar maker who had worked for me some nine years, who said that for the eighteen months ending last November, twelve of those months he lay idle. He was writing to various places for work, and wrote among others to Mr. Ball in Springfield, Mass. The answer he gets from him is that he didn't wish to employ him, his collars were made by convict labor, but if he saw fit to come on and work for fifty cents a day he would give him a job. That is to show you the effect it has on individuals.

So far as my own personal business is concerned, deducting this seventy-five per cent, of course, killed my business in the city of Boston, and two years ago I returned to Portland. I am now engaged in business only in this way: if a man wishes to give me a harness to make I give him a price; but I have to come directly in competition with the Maine Prison. This week an old customer wished me to make him two harnesses. He described them and I gave him a price. His answer is, "I can do a great deal better with the Maine State Prison harnesses." I tell him I cannot compete

with their prices, and he gives his prices. My harness was to be made with a breast plate at \$35. He says he priced the same harness with the collar and hames, with three to five inch breast plate at \$30, but he finally gives me the job at \$30 each. If it had not been for the competition of the Maine State Prison I should have had my \$35, and this is as low as any man ought to take such a piece of work to make outside of the Prison. There are many harness makers to-day better fed and clothed in our State Prison than ourselves. Many of these men that worked for me served their time for five or seven years at harness making. I am told that twenty of them are out of employment. There is nothing more that I can add that would interest you that I can think of.

Warden BEAN. What year did you go to Boston?

A. I removed my factory there in 1876.

Warden BEAN. Did I understand you to say that the Maine State Prison harness drove you from here?

A. No. I did not come into contact with it here before I went to Boston. We used to hear before I left Portland that they were selling them round by agents, but I didn't see them.

Warden BEAN. Do you mean the competition that you received in Boston was from the Maine State Prison or from the contract work of Ball from the Concord Prison?

A. It came from the Maine State Prison; between the Maine State Prison and the Massachusetts Prison.

Warden BEAN. Relatively which?

A. I had two or three years' competition with the Maine State Prison before they went to making harnesses in the Concord Prison.

Warden BEAN. Later you handled the Maine State Prison harness there?

A. No, sir.

Warden BEAN. I understood Mr. Wyer that you had the harnesses.

A. They were not State Prison make. They were all machine work.

Mr. H. B. GORDON of Portland.

Gentlemen of the Committee: I should like to say a few words in regard to the State engaging in the manufacture of harness and carriage, besides doing the repairing that belongs to the two branches of business just mentioned, thus employing the whole convict force on two branches of industry that may be called limited in comparison with other business done in the State.

It also brings the outside manufacturer and his workmen into direct competition with the firm known as the State Prison, which is backed up by the State, whose price for a day's labor is reckoned at about 40 cents per day, just about enough to board and clothe the convict laborer.

If this committee were to go through the State and examine into the condition that the harness and carriage business is in at the present time, they would find but very little being done compared with what would be done in those same shops were it not for being obliged to compete with prison labor.

Many who have found employment at the harness and carriage business in years past have found themselves obliged to get other employment in order to obtain a living. Take the harness business in Portland fifteen years ago, when about one hundred men found employment. What is it to-day? It has dwindled down to about twenty men in all that can be found employed at the harness business, when fifteen years ago one hundred men were employed.

Now, if there is any business done in the face of God's earth that most needs protection from the State Legislature, it is that part of the carriage and harness business done outside of the State Prison. Every harness and carriage maker here to-day can recall to his mind instances when his customers have left him for no other reason than this, they could get Prison goods cheaper than any manufacturer could produce them and pay dollar for dollar of his honest debts. In this way the trade is taken away from the outside maker, that could have manufactured the goods at a profit to himself, and at the same time the workmen employed to make those goods would have a profit on his day's labor.

When the mechanic earns good wages he has money to spend for things that do not constitute necessities of life, and by so doing helps to make a prosperous community. At the present time he is obliged to buck against convict labor, consequently he has no spare change to spend for extras, but considers himself fortunate if he can make both ends meet at the end of the year.

Mr. McALENEY of Portland.

I want to say a few words. I have been in the harness business some thirty-six years. I served my full time here in Maine, and I used to employ some ten or twelve men. I had a small shop and was doing a good business. I have not suffered so much from the

State Prison as my friend Mr. Dunn did, for I still continue to do business in Portland and get a living there. I have about five men employed and two boys, but I have entirely quit making the cheaper grade of work that is sold at the State Prison. I do not make any less than twenty-five dollars. A great deal, in fact nearly all, that appeared in that paper is true as far as the prison is concerned. I have known Mr. Dunn personally, and know what he says is true. There are to-day as fine mechanics as I know of in Portland out of employment, and one of them asked me to give him a month's work to carry him through the summer. That man had had charge of the work at the Prison. It was Mr. Hickey, who had charge of the harness department for one year at the Prison, and a finer mechanic could not be found in the city of Portland. That man is out of employment, and there is a number of others there. It isn't altogether the amount of work, but it has the effect of lowering the prices, and to a good man who has learned the trade and has some pride in it as a New Englander, he feels it is coming in contact with slave labor; we thought we were free from slavery in this State, but unfortunately as we find it and I look upon it, it is the meanest kind of slavery that white men should be there, and what he learned in the Prison should come into competition with honest, decent men outside.

Now, if you must have employment for these men that you have got there confined in State Prison you ought to charge for the work just the same as you would charge if you were having it made outside. He ought to buy it just as cheap but not any cheaper than at any first class establishment in Maine or Massachusetts. If we had nothing to contend with but the honest labor found at the State Prison, at fair prices, our trade would not be disgraced. What is true of harness makers is true of carriage builders. I do some work for them and the work I get now a dollar for I used to get one dollar and a quarter for, and I think it is in great measure so by the labor of these convicts.

Now while you must have work for these men, if this thing was divided, say have ten men employed in harness making, ten or fifteen men only on carriage work, and divide this thing round. There are many other things that can be done at the Prison and I don't know of any trade that a man likes to do better than harness and carriage making. I do not know of any trade the young men of New England would like better than harness making. It is

the two trades outside the jewelry business that young men like to go in, but who among you would ask or encourage your sons to learn harness making whilst his labor comes in competition with the man who learned his trade in the State Prison? You may think I am severe with these poor people that go there, but while I am charitable to everybody's son to learn the trade that is best, I feel it is justice to my son who learned the trade and has to work along side of the man who learned inside, when they come out. But they don't work at it when they come out. There ought to be something done about it and we come here before you in small numbers, but yet we are representing a large community in the State of Maine, and hope there will be something done in the matter. I have the best feeling for my friend who will address you on convict labor; he and I have got along remarkably well, but I do think there ought to be something done in Maine to leave harness making and carriage making and to take other labors in the State. Of course we have machinery outside. We expect that. We have large manufactories in New Hampshire and way out West, but if we did not have slaves in State Prison we would not be afraid.

WARDEN BEAN. Will you allow me? You said you didn't make low-priced harness. What price do you make?

A. Price \$38.

WARDEN BEAN. And what was the lowest price you know a Prison harness was sold for?

A. As low as ten dollars and some of them as low as eight dollars. Mr. Bailey could tell you. Now while you ask me that I will say the only competition that is injuring me is this: That where the Warden from the State Prison should come into Portland and go to my customers and they ask his prices and he tells them twenty dollars lower than they can be made anywhere. Mr. Ivory Clay has bought harnesses there twenty dollars less than they can be bought anywhere—heavy, working harness.

WARDEN BEAN. Where did he buy them; of whom; when?

A. Four or five years ago. I should say it was less than six years ago. I could not tell. I know he has got the harness. I do not think his express harness is six years old, and he has bought harness there and there are several others of them. There were only a few of these heavy working harnesses but it has cut the price so, what Mr. Dunn and I were making for eighty dollars, to-day we have to make for sixty-five dollars. I hope something will be

done. If the work was divided around we would not feel it and I think it would be the best thing to do.

MR. PORTER. We want to say right here that the Inspectors of the Prison are not here to oppose any of the petitions. We are here and we want the fullest investigation. We want the Prison treated fairly, and further than that we have nothing to ask, and we are not enemies, we are friends, and it does not make any difference to us what the State orders us to make, whether it is harnesses or tops or whistles.

CHAIRMAN. I would say the Committee are here to hear the remonstrances of petitioners against the system of labor in the Maine State Prison, and we want to listen to one and all and give you a fair hearing.

MR. ZENAS THOMPSON of Portland.

I am not in the habit of making a speech, but still I would like to put in my evidence in regard to what the competition has done in my business. Of course I meet it every day in the season of selling work. Time and again we have customers come into our place and inquire of us about the price of our work. They say that we are so much higher than the State Prison. Of course we say at once we cannot compete with convict labor, and time and again, in order to save our customer who is willing to give us a preference over the convict-manufactured goods, we have reduced our regular price to the Prison price or divided the thing in order to save our trade—time and again, when the price we were selling at was nothing but a fair profit over and above our work. I could not state every individual case, but every season we have more or less of it, and more particularly for the past two years has that thing come into competition with us. I run a force of from forty to fifty men and we used to sell a great deal more work in the city of Portland than we do at the present time. That portion of our work which we have lost in the eastern section of the State we lay entirely to the State Prison cutting into our customers there. In the sale of the work in the city, a portion of it we know is lost from that very competition.

Now, the article that my brother has read to you covers the ground as fair as I could state it to you, but I want to refer to the suggestions made there, that a greater diversity of industries in the Prison would help the matter out. We expect that these convicts must be kept at work. We do not ask that they should be kept in idleness, but we know that Portland and the large places in this State are

the best markets for the sale of that Prison work, and we know that the Warden is smart enough to take advantage of it. We know he is running that Prison to make some money out of it and do all that he possibly can for the State ; it is for his interest to do so, but we contend that the whole principle of the State to enter into competition with the industries of the State is wrong from beginning to end, and we think that the thing could be divided up, and that by having a diversity of industries there, it would not be felt at all, and whatever is manufactured there could be spread about in such a way that none of us would feel it.

CHAIRMAN. Have you any plan in your own mind for dividing or diversifying the labor there at the Prison that you think could be carried out, that would not come into competition with some one industry?

A. I do not know that there is anything at all that could be manufactured there but would come into competition with some industry in the State. There probably is no article that would not compete with somebody ; but by dividing it up it would not affect any one or two industries, but would be divided equally among all. We claim that the harness and carriage making should not contribute entirely to the Prison. I do not know why it would not be possible for the Prison to manufacture all goods that are used in the different institutions in the way of the almshouses and the jails—boots and shoes, and clothing, and wooden ware, articles of furniture and that description. They might put their blacksmiths to making axes and scythes, and divide the thing in that way, making a diversity of industries, and not manufacture merely these two articles and place the most of it in a few important sections, where they could make the most money out of it. Now, of course you take the goods that are manufactured there and are represented of course as being a first class article. A value is placed upon them, as they are advertised and guaranteed by the State. Now, that puts a value upon those articles that really does not belong to them. Now, when we have a customer come to us and he says, “ Why, these are represented as the best that can be made ; the State guarantees it and if it does not prove to be so the State stands ready to make it perfectly good ; now, if it is as represented and we can buy at from fifty to seventy-five dollars cheaper than of you we are not willing to pay you that money more.”

Consequently it lowers the price of my goods. I have got either to lose that customer or I have got to lower the price enough to meet his requirements, or else I cannot sell them at all.

But of course I haven't thought the matter out enough to suggest any one industry or any series of industries that might be done there, but that there are a number that could be established, there is no question.

CHAIRMAN. The Committee would suggest that they have had this under consideration, but have thought that anything that would require machinery, like making axes and scythes, or boots and shoes, at the present day, would hardly be admitted, because you would manufacture so much and such a large supply of it. It would be necessary that whatever we might suggest, to suggest something like harnesses, that there would be nothing but labor in it.

A. In that case, why don't you make in your institution all those parts you are buying, axles, springs, and your wheels and clips and bolts, and all that sort of thing. Why not make them?

CHAIRMAN. That would require machinery.

A. It would for axles or springs, but wheels could be done by hand. They used to be done entirely by hand, every particle by hand.

CHAIRMAN. You can make them a great deal cheaper by machinery.

A. The Prison is not running this thing to make them cheap—to make money out of it. If you are not running to make money out of it, but to keep these men at work and be the longest possible time in producing this stuff, then you have got to make it by hand. They do claim to make it by hand.

CHAIRMAN. You are aware, as a carriage builder, that you cannot make as good a wheel by hand.

A. I believe there are a great many who believe they can do it, but I do not believe they can, but that is a simple matter; you can have your machinery and delegate the prisoners to turn the crank, and make the wheels in that way.

Q. You suggest axes and scythes. Would you advise the State to put in machinery to manufacture scythes and axes?

A. I do not know but what I would, if they would let the carriage work alone, and then we will see what the scythe and axe manufacturers would say.

CHAIRMAN. Suppose we made our axles and springs, what would Mr. Wentworth say?

A. He would say just what we do ; he would say that it was not right.

Mr. PORTER. I would ask Mr. Thompson what per cent of the carriages sold in the State he would be content for us to make.

A. I do not claim anything in regard to percentages. One convict labor carriage manufactured will demoralize all the whole trade in any town or city.

Q. Demoralize it because it is so good or so poor?

A. Because I cannot sell it for such a small price.

Mr. PORTER. Can you buy the same kind of a carriage or harness any cheaper?

A. I never tried to buy a carriage or a harness. I have understood you could. I have had it represented to me like this. They say, " We will sell you a carriage at fifty to seventy-five dollars less than one equally as good can be purchased of any other manufacturer." That is, they are going to sell as good at seventy-five dollars less than I will, they claim. I will say a phaeton at \$225. They say, " I will sell one at \$175 equally as good " as mine. Now, everybody knows that I cannot sell one of my first-class carriages at \$175 and pay my bills. Now, there is a competition that I can not meet at all, and we have plenty of cases just exactly like that where it lies between us and the Prison. Now if there are but a few carriages sent into the city of Portland, if the percentage is as small as they represent it, then they have demoralized the market pretty badly with two or three carriages and a half dozen harness.

Q. Allusion has been made here to advertisements. Now do you wish to put it in as a part of your statement that advertisements on the side opposite you or your own advertisements shall be taken for just what the printer's ink makes them to read?

A. I do not know as that has anything to do with the case at all. We usually advertise and mean just exactly what we say, and we are prepared to take up any advertisement that we have put forth and produce a sleigh or a carriage that we have advertised to do at the prices named, and they shall be guaranteed as we have advertised them.

Mr. PORTER. When you make this statement: " We guarantee these carriages very superior in style, finish and quality to the carriage made by convict labor and called first class, and prices are very much lower," you mean just what you say?

A. Yes, sir. We know the value of these carriages that are manufactured by the Prison and we know the value of the carriages

we purchase outside and we know they are as good, and the finish is better and the style is better, and that we will sell them at less money. They are not our make.

Q. They are not made in the State?

A. No, sir. We handle carriages built outside our factory as cheap as anywhere and as good as anywhere.

Mr. LARKIN of Portland.

Gentlemen of the Committee: I am one of those unfortunates who learned the harness business; I have spent the largest part of my life at it and served my three years at it, and am perhaps a fair mechanic. Now I am very glad to relate my experience to you while I was at the business. I was employed by Mr. Dunn for some nine years. After he left the State of Maine I started a business for myself on a small scale. I found I was unable to compete with work that was sent from the State Prison and I gave up my business. I started out for employment. I went to Boston and asked my old friend Mr. Dunn to employ me. He told me on account of the competition from Mr. Wyer, who was agent of the Maine Prison at that time, he could not give me work. I thought that I would seek some haven where State Prison work did not reach, and went and found employment in Portsmouth. I was employed there for some six months, when I became foreman of the shop. Everything was peaceful. I made good wages, my family was happy there, I was thanking God that I had got away from the Maine State Prison; when one day a well-dressed, sleek, well-fed man came into the shop. He looked at the harnesses. Looking them over, he pointed out a harness and inquired what the price of that harness was per dozen. I told him and asked him if he wished to buy a dozen. He said he was a livery stable keeper, and asked what he could get a dozen harness for. I told him three hundred dollars, and he said he would call again. In the evening on my way home a stable keeper's son called me and said, "Larkin, I want to see you a minute." I stepped into his stable and he showed me a harness in there and he said, "What will Tilton make that for?"

"Where was that harness made?" said I. He said he didn't know, and says I, "I would like to know where he got it." Says he, "What will you make them for?" I said three hundred dollars a dozen.

It was the custom there every spring for the livery keepers to fit out with new goods. There were four stables there and they usually

put in a dozen harnesses each year. He says, "We can get them for two hundred dollars a dozen." I asked, "Who will build them for you?" And he said, "They are built by the Maine State Prison. Didn't you see that big man that was round here the other day?" And he described him and I found it was the agent of Maine State Prison.

The result there was that every stable keeper with one exception purchased his harnesses from the Maine State Prison through this agent, a travelling agent, from the Maine State Prison, and the result was Mr. Tilton had to discharge four men that season on that account; men who had their families there and had moved from this State.

I said that he sold harness to the livery men, but this agent went among the grocers also. There was C. L. Brown, who kept a very large grocery store, and he traded with him for harnesses and took his pay in beef that Brown could not sell anybody else, beef that wasn't fit to use. I know the man who packed it; he is a brakeman on the Boston & Maine Railroad, Mr. Deane, and he sent it down here to the State of Maine, thereby defrauding our wholesale grocers of that trade who should have had it. Another thing, he swapped with the soap men and took soap and sent it down. But from that day every livery keeper became an agent.

It threw me out of employment and I to-day in the city of Portland could not get a dollar a day, and everybody will tell you I am a fair mechanic. I protest against it; I have cause to; I felt it; my family felt it. I have been forced out of business, leaving my family when I had rather be at home in my native State and city. I say such things are unjust.

There are a great many dealers in harnesses who advertise State Prison work who do not deal in them at all. In the city of Portland there is a sign floating over Middle Street. I went in there and asked him if he had something for me to do. He said "No." I asked him if he sold State Prison harnesses and he said, "No, I never sold one, for I can buy the others cheaper; but people are given to understand that I sell them and suppose they are forty cents a day labor, and they come here to buy." It has become an advantage to advertise State Prison work.

This very day I went to see some unfortunate harness makers in this city. I inquired of old shopmates what wages they earned. They told me \$1.25 a day. That has been my experience. I think

it should be remedied. You ask what can be made. I will mention one thing—whips. There isn't a whip made in the State of Maine. Of course harness that I spoke of, that were sold in New Hampshire, were not injuring the State any. But State lines do not destroy humanity. It is a question of humanity.

WARDEN BEAN. Will you tell me, please, what year that was?

A. I cannot tell exactly the year, but I can tell you who was Governor—Mr. Garcelon.

WARDEN BEAN. Then it was 1879.

Q You mention the three livery stables, do you recollect the names of these livery men?

A. Henry Stoddard, R. H. Beecher, and Charles Cottle on the Kittery side.

A. J. MARTIN of Portland.

To the Committee appointed to consider matters in relation to the work done in our State Prison.

The undersigned would like to be heard as protesting against its present management, and without making any suggestion as to what ought to be done, we are very sure that something ought to be done. When we have it said to us, as we frequently do, by would-be purchasers of sleighs and carriages that if we do not sell them at a certain price (and that price less than we can produce it for) they will buy of the Prison, we think it a very unjust competition. We would like to refer to one instance which occurred recently. A gentleman after purchasing a carriage of us found he could buy one made at the Prison which looked very nearly as well for so much less price, that he found it convenient to offer us quite a sum to be let off, and we did let him off before knowing what was being done by parties in interest of the Prison work.

We hope something will soon be done to prevent this kind of competition.

Yours respectfully,

MARTIN, PENNELL & Co.

WARDEN BEAN. For a reason, and it is a good reason, I would like to know if that vehicle was a double sleigh. I heard something of one that was sold for one hundred dollars.

A. It was that sleigh that was sold for one hundred dollars.

WARDEN BEAN. I will state why I asked the question. I had heard something of this same thing, the selling of a sleigh at one hundred dollars. Now, the fact, as I understand it, is that that sleigh was a sleigh that we had on our list at one hundred and fifty dollars. As I understand it, that sleigh was sold for \$100 and another sleigh, and that was sold the day after for \$65.

The following letters were presented and read by F. H. Thompson :

Gentlemen : I make the following statement simply to show you what an injury convict labor is to the outside mechanic. I am a harness maker by trade. In the fall of 1885 business was very dull with my employer and I was obliged to loaf. Of course I tried to get something to do. I knew of a person who wanted a harness, and this party was a dealer in stoves, and as I was in want of a stove, I thought I would try and make a trade with him. I agreed to make the harness such as he wanted for a certain price and take the stove in part payment. I had about made up my mind that I should get the harness to make, when, to my sorrow, he informed me that he had been to see some of the work made at the Maine State Prison, and found out that he could get the same kind of harness that I agreed to make for seven dollars less than my price. Now, gentlemen, I say this is not right. That in this case, being as I was out of money and out of work, I claim by having goods on the market for which it cost but forty cents a day for the labor on said goods, it took the bread from my mouth.

Hoping you will consider this convict labor question carefully,

I remain, yours,

GEORGE A. DOW.

PORTLAND, ME., January 31, 1887.

This is to certify that I had a customer that wanted a harness made, and because he could save ten dollars on the same grade harness, he had it made in State Prison, and several others the same.

S. E. HEARTZ, 113 Middle Street.

(This harness was ordered direct from the Prison.)

PORTLAND, January 27, 1887.

This is to certify that the State's Prison labor, as to the manufacture of harness, has been an injury to my business, in so far that there has been a falling off of one-half in my sales ; and to

prove that fact, I will say that my city customers, as well as transient, have made their purchases of the agents of the State Prison, and it has been, and still is, an every-day occurrence for a purchaser to call and get my prices of harness, and say that he can do thirty to fifty per cent better of Prison agents, and that if I could compete with them in price they would rather patronize me.

A. W. CHILD, 164 Federal Street.

ZENAS THOMPSON, Jr.

Dear Sir:—Replying to your inquiry regarding Prison competition, would say that from its first inception to the present moment it has been an increasing outrage on the tax payers and especially the carriage and harness manufacturers of our State, and for quite a term of years past the management have striven hard to force competition with good work, by buying good material and setting up the untruthful and unjust claim that convict labor is equal to the best skilled labor.

Customers come to me and get prices, and say they will look around, or they will go and try the Prison, and I say to myself "Good bye," and am right most every time. Customers tell me they buy there considerable under price. One says, "I traded in an old wagon and they allowed double its worth or what any one else would allow." Another that "I bought or traded for one or a number of harnesses and got them down low." One of our harness manufacturers told me to-day that he figured on a harness and the man got the Prison figures, which were below what he could possibly build them for. Parties tell me, and have for years, that they get their best top buggies at \$175 or at ten per cent off, and other styles in the same ratio. Repairing, painting, etc., at from ten to twenty-five per cent off from regular prices.

They have fostered and practiced the ruinous system of exchange for old carriages and if the customer cannot trade with the manufacturer to suit he will go to the Prison. The Prison also barter its carriages with the merchants and farmers for any kind of material or goods that enter into their use.

There are many other abuses and perhaps full worse than I have named that could be shown by looking into the detail of facts more fully. The practical effect of the Prison labor is to drive out legitimate, honest work, first by reducing its price below a living profit, second, by reducing the chances of sale.

ZENAS THOMPSON,

Dear Sir: In reply to yours dated 18th would say. It has ever been conceded that convict labor has ever been detrimental to all those branches of trade which are carried on at the Prison, so much so that at the present time, as also for some years back, no carriage factory or harness manufactory could exist in the town. In the same proportion our repair shops have suffered correspondingly.

This situation is undoubtedly felt through the State, especially in the district of Bangor and the Aroostook, where an established agency exists for the sale of their products and I understand a preconceived movement is now afloat through the State by petition to the present Legislature to abolish this trade, which of itself has never as yet been sufficient to be a self-supporting institution, and undoubtedly the present term of the Legislature will take some action to remedy the troubles which to you are fully apparent in your business.

Yours truly,

I. H. BURKETT.

PORTLAND, January 28th, 1887.

Gentlemen: It being impossible in consequence of other business engagements to meet you to-day, I write to say that I concur with the other manufacturers in their protest against the manufacture in the State Prison by convict labor. We find in manufacturing our carriages and sleighs that we must employ skilled labor and use good materials, but when we come to put them on the market for sale we are placed in competition and are forced to make sales at very low prices. In a great many instances parties buying carriages go from one place to another comparing prices and buy oftener on the prices than they do the quality of the work.

Yours respectfully,

R. FARRAR.

Mr. F. H. THOMPSON then continued his remarks as follows:

I was down at the Prison on a visit last Saturday. I didn't have so much time as I would have liked, but Mr. Bean received me very kindly, showed me every attention that the time would admit, and we had a very pleasant visit, I think. On making inquiries of him as to how the goods were sold, I found that the Portland agent was buying all of his goods and had nothing consigned to him. I then asked him his discounts on harnesses and he told me on harnesses ten per cent, but on carriages it was larger than that. I asked him if

he made special discounts to Mr. Bailey, and he informed me he did, and therefore I consider that special discount was made to Mr. Bailey to undermine other manufacturers, and by giving him special and favorable rates that he is attempting to undermine the business of the State. I suppose that the trouble was that in selling in Portland Mr. Bailey found the competition pretty hot from the work that was brought in there from the outside of the State.

Here is a statement which Mr. Simmons, who has been here to-day but was obliged to be excused on account of sickness, asks me to read:

To the Committee on Prison: This is to certify that I have manufactured carriages and sleighs within twelve miles of our Maine State Prison for years and I desire to say that convict labor has had a most damaging effect on my business. Not a day passes but some one or more people will say, "Your prices are too high. I can do better at the Prison." So I have gone on from year to year in hopes something might be done with convict labor besides making carriages, and now I ask you to make a favorable report against concentrating all the Prison labor on carriages and harnesses.

Z. SIMMONS, of Union.

The following questions were then propounded to Mr. Bean by Mr. Thompson:

Q. I would like to ask if F. O. Bailey was the sole agent for the sale of their work in Portland?

Warden BEAN. Bailey has been to an extent, yes, and in another sense not. As has been before suggested, we have to work to sell Prison work. It isn't easy to put our carriages on to a market. We cannot always get the parties that we want to handle them. Inducements had to be offered. I said to Mr. Bailey, "If you will handle any considerable line of our goods at Portland we will not put them into the hands of any other person to sell there. If a party comes to us we shall sell him a harness or carriage if we can." So far as an agreement is concerned, that is exactly the amount of it. He buys all of his carriages and we have agreed that we would not give them to other parties in Portland to sell. And in regard to the discounts, we gave him no more discount than we will give any other gentleman that will take the same amount and will sell them in their localities. Mr. Thompson is perfectly right about allowing him a discount, but it is no more than we would allow to anyone selling the same amount.

We give a livery stable something off where we do some repairing for them, and we give them a small per cent more than we do where they buy a single carriage.

Mr. THOMPSON. I would ask if that discount was not really made with the expectation that it would enable Mr. Bailey to undersell other Portland manufacturers. Whether it was not done with the expectation that it would enable him to advertise those goods and give him an advantage?

Warden BEAN. Not in the least, neither was the discount any more than we would give any other wholesale dealer.

Mr. THOMPSON. Is it any more than you do give any other dealer?

A. We will give it under the same circumstances.

Q. Wasn't he made a special discount over and above any other dealers? Doesn't he have a better discount?

A. He sells more than any other.

Q. Doesn't he have a discount more than any other agent in this State?

A. Yes, in this State; he sells more than any other.

Q. In regard to the repairing business. We have heard a great many complaints from various parties saying that the repairing business was largely taken from them and all through the vicinity of Rockland and Thomaston that they advertise to do it at prices lower than anybody. A gentleman told me (he was a traveling salesman, Mr. Simpson) that down in Aroostook County the agent there took in repair work, any parts of harnesses to make, and that it was generally considered that it was an effort to reach out through the State and take in repairing in large or small quantity that could be finished down at the Prison. I am not knowing anything of these statements, but I believe them to be true.

A. I have no knowledge of a dollar coming there unless it was a carriage that we sold coming back for repairs. Not a dollar on harness work in any way.

Q. How do the prices of your repair work compare with the outside prices.

A. I will give you some figures.

Q. Do you generally make a discount of twenty-five per cent less than outside parties?

A. No, sir, not that I know of.

Mr. THOMPSON. Mr. Hall says it is the rule to take the work in at a discount of twenty to twenty-five per cent lower than other parties.

WARDEN BEAN. Do you make a discount to the livery stables in selling work?

MR. THOMPSON. Yes, usually, if a man buys considerable, if he buys a quantity.

MR. BEAN. I supposed it was customary.

MR. THOMPSON. Another point that I have is in regard to the matter of exchanges. As Mr. Hall says in his letter there, I know people come to us to make exchanges. We look at their work and allow them every dollar it is worth, just the same as it is in money. We do not ask them a dollar more for their new carriage than if we took all cash. We consider it is worth just so much money and we take their old one for what it is worth. A great deal of the time they play between us and the State Prison work and we are told that they allow so much more for the old one that they feel as though they were going to get the best trade. They represent that the goods are just as good and allow so very much more for the old one, and it is generally stated through dealers who have them. Mr. Simmons, who is here and is sick, makes the statement there. He says that all through towns here it is the customary thing for them to make exchanges and to cut under his trade in every kind of an unjust, underhand way, and I know that we have customers come to us frequently and we intend to trade with them as far as we can and give them just as large allowance, and I believe we know the value of an old carriage as well as anybody; but they go over, and the State Prison work will capture them as being recommended fully as good, and I don't know but they say a little better, and, being manufactured at forty cents a day, they can sell it cheaper.

I claim that if Mr. Bailey is the agent, as it is advertised, I claim that the State is responsible for his statements. The principal is held for the public statements of its agent, and if Mr. Bailey is the agent there his statements are to be backed up by the State. If he is not the agent, he is now and has been aggressive, and that is one thing that has started this little indignation meeting.

CHAIRMAN. Are there any other questions or matters of interest, or have the Committee any questions they wish to ask this gentleman? If not, we are ready for the other side of the question, and before that comes up allow me to state one matter that has puzzled the Committee somewhat, which you will all, I judge, acquiesce in, that is that we have talked this over and we are puzzled and annoyed to know what to do with these convicts or a number of them if they are taken from the harness shop or the carriage shops, and perhaps

there is no one that is puzzled any more than the warden and the inspectors, over what to do. The question is to keep the men at work at something of a trade that would be useful to them, of course, that they might be somewhat benefitted when they leave there, and yet do something that would not conflict with outside manufacturing.

Mr. THOMPSON. I would like to ask what is the particular object of keeping thirty-two life murderers at trades to be used after they leave the Prison.

A. They are occasionally pardoned out, as you see.

Inspector BEAN. How many life murderers are at work at carriage making or harness making?

Warden BEAN. If I had a Prison Report I could tell. I cannot tell off hand. (Consulting Report). Seventeen employed.

CHAIRMAN. Is there anything of explanation, Mr. Bean, that you care to make, or the Inspectors?

Warden BEAN. Yes, I have some items that I would like to present to the Committee and it occurred to me that this matter somewhat started in the way they used printers' ink.

Mr. PORTER. I should like to hear from Mr. Bailey and have him state his position toward the State Prison.

F. O. BAILEY of Portland.

This competition is nothing but what we expect and have met for the last fifteen years. When we started in business we had not been in business a year before a large part of the carriage dealers began it, and from that time to this we have met it.

In regard to my connection with the Prison. Some five or six years ago I was invited to go to the Prison, I think when Mr. Bean first went there, and see what I could do with some work there; they had a lot of carriages on their hands. I went down there and looked over their finished work. I told them it would be impossible for me to handle them in any shape. Our carriages were made in good style and these carriages were clumsy and poor in style. I was taken up into the body room and there I advised Mr. Bean to have a good bonfire, and I think if he had done it he would have been better off. There were a few open carriages that I could use and I made an arrangement with Mr. Bean then to take them. I also told him if he could make some good style work we could handle it in our market, but we could not handle it in the way it was then. Mr. Bean said they must have a field for their carriages and would

like to have me suggest some style they could make. so we looked the matter over, and I began business with them to a very small amount then and gradually have increased it as they have improved the style and quality of their work.

Last year we sold more than any year, and as I have said, the amount was less than twenty-five per cent of the work we sold ourselves, and as Mr. Thompson says, I do not think it was over five to ten per cent of the work sold in Portland. I do not think it a great way out of the way ; think that is somewhere near correct.

Mr. Thompson has referred to my advertisement. We were, at the time that advertisement was written, receiving from twelve to fifteen carriages a week. Of course that didn't last through the whole season, but we were receiving and had received, perhaps for a few weeks of that time, that number. I cannot tell how long that time lasted. I haven't any memorandum with me.

We have been more successful with their carriages than with their harnesses. Mr. Dunn speaks of collar and hames harness. I think a good deal of this trouble comes from misstatement. I could quote him plenty of statements when they tell me they can buy of Mr. Thompson so and so. Of course we make allowance. Mr. Dunn speaks of our trying to sell collar and hames harness. I have no recollection of ever having any collar and hames harness of Mr. Bean. I do not think I have ever had a rubber harness with collar. We have had some express harness. There is a mistake about it, I think.

In regard to their harnesses, I think that we had from them last year less than one-fifth of what we received from one other town in this State that we sold. We received and sold from the Prison less than one-fifth of what we received from one other town in this State, and we received harnesses from out the State. We haven't been successful with their harness for the reason that we think that we can buy better harness elsewhere.

Mr. THOMPSON. Are you willing to state how many harness you have received from them?

A. I do not know exactly the number. I think not to exceed seventy-five. Out of that seventy-five I should think that we had probably to-day some fifteen on hand. I do not think that we sold over fifty harnesses last year.

Q. Will the chairman allow Mr. Bailey to give the information, what the general character of the harness was, the make and the price for which they were put upon the market?

A. Yes, I am willing. Three and one-half inch; the largest part of harnesses was a rubber harness which we sold for twenty-five dollars. The balance was express harness, with one or two exceptions, and I think we had a sample of one or two other harnesses.

As regards the price that harnesses are sold at at the Maine State Prison, I do not think any trouble comes from it. In regard to the price, I certainly think that they are sold fully up to their value. I know that I sent to him, four or five times, harnesses, asking him at what price I could have duplicates made and it was always higher in price and a great deal more than I buy them and pay for them.

Q. How do you understand he is able to sell them?

A. I think he sells them in other markets except Portland. I think he finds other places.

Q. You understand the work that Mr. Bean has done is superior to that which was done the year prior to him.

A. Very much.

Q. What per cent better, should you say?

A. Well, as regards the durability of it, I should not want to say. The style is entirely improved and I think the durability is improved. I think that Mr. Bean is trying to make as good a carriage as he can make, and I think he is succeeding admirably well. In regard to style, he is copying after the best builders.

Q. You don't consider it to the detriment of anybody?

A. I think it is for the interest of everyone that it is so. That is all I have to say in regard to harness; if you have any questions, I shall be happy to answer them.

In regard to their carriages, we have handled single carriages of theirs and no double ones. Mr. Bean made the request, saying he would prefer they should not be sold under their prices, and we have always held those carriages up to the Prison price. We have invariably got their prices and I do not think we have sold a top carriage this year less than \$175, which was Mr. Bean's price. I think we have got on open carriages a little more than that. I think your price is \$120; we have been selling them for \$115.

Mr. BEAN. There is a grade for \$115; there are several different grades that are open.

Mr. BAILEY. I was speaking of the open.

Now Mr. Thompson complains that he sees people riding in Prison carriages. We have the same trouble with him. People come to see us and get our prices and we see them riding in Mr. Thompson's carriages. We feel very badly about it.

Q. Do you hear any more talk yourself in your city about Prison carriages than other leading manufactures?

A. No, sir. I think these gentlemen's troubles are outside. They don't say they find trouble with anything else but Maine State Prison carriages. I am very glad for the compliment they have paid the Prison carriages.

Q. In regard to Western carriages and harnesses in competition with our own State carriages, what is your own opinion of those carriages?

A. They are not anywhere near as good; we know that.

Q. Those carriages that are brought into the State are injuring us more than the State Prison carriages?

A. From the best estimate that I can make, and you see all the dealers call on us, we are right in the city and we get a call from most all, and I think for the last two or three years we have made careful inquiries in regard to how many carriages they have sold in the State, and the number of carriages they have sold in the State would surprise you; it is enormous. As I have stated in my letter, and I think I was within bounds, there are at least twelve to fifteen thousand carriages manufactured out of the State brought into the State.

Q. What is the grade of those carriages usually that are sent here by outside parties?

A. They are usually of a low grade of carriages.

Q. You sell a great many carriages at auction, and usually of a low grade?

A. Well, yes; we sell all grades but the most of them low grades. We have sold considerably many carriages in this way: The Western manufacturers have men here; they ship their agents a carload a week to each town. One has five agents in the State of Maine. They take care of a carload a week, that is, twenty-five. If they have two or three or four left over they turn round and sell them to us; they can't leave them there or take them away with them, so they sell them to us and we get a good many carriages in that way. We sell them at auction. We have a sale every Saturday. The work that is brought into the State is of a very inferior character.

CHAIRMAN. I would like to question Mr. Bailey in relation to the harnesses again, as that seems to be a great annoyance to the Portland gentlemen. You say you sold, you think, about fifty last year?

A. My judgment would be fifty.

Q. About how many did you sell the year before?

A. I think we didn't sell any at all.

Q. And the year before?

A. I don't think we have sold any of their harnesses since three years ago; three years ago we had some dozen or fifteen harnesses. Up to last year they have had no trouble from us.

Q. It seems the harness men in Portland have been very much annoyed about the harnesses and I thought you had been selling as many as a thousand.

A. I think this thing has been magnified. Maine State Prison harness competition is nothing. One establishment which I could name carry one hundred samples all the time. They are only one of a great many concerns manufacturing harnesses. The trouble with the harness makers is they have not kept up with the times. The introduction of machine stitching on harnesses has made the same trouble with them as we do. They are making these machines every day and when they get them perfected like the stitching on boots and shoes, it is going to drive the common stitching way out of the market. I think the trouble with the harness men why they cannot sell their work is simply because men advance and have put in power machines. James R. Hill & Co. of Concord are one of the largest manufacturers in the New England States. They run one hundred and twenty-five men; they had no hand made harnesses at all; they found that that business was going away from them and they make a harness which they do not sell under the name of Hill, but sell under some other name, and in that way they have not only increased their business but increased the number of hands they employ. I think that this is the trouble you will find with their trade.

CHAIRMAN. Now come back to carriages. How many did you state that you had sold, or about how many Prison carriages this last year?

A. I didn't make any figures. I stated less than twenty-five per cent of our sales. If you should decide I should not have a carriage from there I should not go out of business to-day.

In regard to my advertisement. I use printers' ink to sell carriages, as well as all other manufacturers do in the city, and perhaps, with the feeling that there is among the carriage makers, I made them as attractive as possible. Mr. Thompson says I am aggressive. I acknowledge it; when I start out to do business I try to do it, as much as I can of it. Some of Mr. Thompson's advertisements show

a similar disposition. He states in his advertisement which he has in to-day that he can sell carriages for \$100 to \$150. Here it is.

UNION STREET CARRIAGE MANUFACTORY AND REPOSITORY
of

ZENAS THOMPSON, Jr.,

Nos. 32 to 38 Union Street,

Portland, Maine.

I wish to call the attention of the public to a few reasons why the above is the place to buy your Carriages.

1st.—We are the Largest Manufacturers and Dealers in the State.

2d.—We have the largest and best equipped Factory and Sales Rooms. Our factory contains over 35,000 square feet of floor room, and is the only factory in the State fitted with steam power and improved machinery.

3d.—We have the largest force of thoroughly skilled carriage mechanics, very many of them having been in our employ from 15 to 25 years.

4th.—We use nothing but the best and most carefully selected material.

5th.—Our Carriages are all of the newest designs, superior finish and prices always the lowest.

We also carry a fine and carefully selected stock of Carriages made by other prominent New England Manufacturers, consisting of newest designs which we will sell at a very slight advance over manufacturers' prices. Look at the Prices.

Canopy Top Surry, \$165.	Phaetons, \$100 to \$150.	Beach Wagons, \$75 to \$100.
Extension " 185.	Top Buggies, 100 to 150.	Road Wagons, 90. 100.

All styles of carriages lower than any concern in the State. We guarantee these carriages very superior in style, finish, and quality to the carriages made by "convict labor," and called first-class. Give us a call and see for yourselves, or send for cuts and prices.

We cannot do that from the Maine State Prison; if he can do that he ought not to complain. We know the value of our carriages. I am personally responsible for the advertisement. I am not the sole agent for the State but in Portland.

Last June I went down to the Prison simply because we could not get enough carriages; we were behind as all other dealers were; the season was early. I went down and went to the warden and said to him, "I came here to see if I couldn't get more carriages, if you couldn't hurry up a little." And the warden said, "Mr. Bailey,

we are not trying to see how many carriages we can make, here, we are simply trying to keep our prisoners at work. Our machine runs about so fast and there is no use to try to hurry it."

WARDEN BEAN.

I am called upon for facts or statements, but there are some few suggestions made by some of the gentlemen that I will answer before I make any statements.

The question is asked why we do not make the articles for jails and the public institutions. We have tried to put them in as far as we could, and our friends at the Hospital will tell you why they don't buy them. I have sold them two vehicles and that is all. They say they can do better, that is the reason. And in regard to the State guaranty, the guaranty is this: "Warranted from any defect in workmanship or material for one year." And in regard to making springs and axles, clips, etc: axles we could not make, springs we could not make; clips, the largest ones we do make, many of them, but the smaller ones we do not make for the reason that the iron in the rough and the coal we burn in making them would make them cost more than it does to buy them.

Mr. THOMPSON. In other words, you buy them because you can purchase them cheaper regardless of keeping these men at work, so that the State can make money out of it you purchase what you can?

A. We are not trying to see how much money we can make; we are trying to see how little we can lose. We are doing that business as nearly as we can just as any fair business man would try to do it. Fail we may in many respects, but if there is a thing we can make, if we are going to learn the man something in the way of his trade, we would not make an article we could buy cheaper, but we are doing just as any individual would that had to regard the interest of the convict.

Q. You regard the interest of the State, not the convict, but the State.

A. I mean what I said.

In regard to the exchange of carriages for produce. A man comes in and wants a carriage; he is going to have a hundred or two bushels of potatoes. I am very glad to sell the carriage and let him have it and take the potatoes rather than keep the carriage. We use over twelve hundred bushels a year there. It is quite an item, and it is quite an advantage to these farmers that they can get a fair market price for their potatoes and get the carriage.

I have some few little memoranda here that I have taken and if in connection with them anything more than I have got is wanted I will give it so far as I am able.

In the first place we have taken in this schedule four years. The reason for that is that five years ago we run in connection with our prison industries the making of boots and shoes. There had been a continual falling off in income therefrom. It cost a great deal to stock it and we got very little for the work and the last year it amounted, if my recollection is correct, to two or three cents per day less than their board cost. That being abandoned I took just the time that we have been confined to carriages and harnesses as showing the result as near as may be.

Now the average number of convicts for the last five years there is 165. The average number at work in the carriage department, including all four shops, is ninety persons. In connection with that I will say that I don't believe that ten per cent. of them when they come in are skilled workmen. I don't think five per cent. are, but still I will put it at ten. Say ten per cent., that is more. Many of these men are waiters; others are turning the drill, others turn the wheel in the workshop; many of them are in the paint shop; in one room some are rubbing paint and doing what little they can; we have one man that simply grinds paint all the time—claims to be rheumatic, but he is counted one of those ninety men, and in the trimming shop the same, so that ninety is the average of all the persons that are employed in the harness department for the last four years, in the harness department 38 men on an average, and an average of 37 non-producers, making 165. In these same employments are 28 citizens hired from outside; besides the chaplain and physician there are 28, including the clerk, warden and the officers and guards, instructors and disciplinarians and all that is run at the yearly expense of \$18,400. That is the regular salary paid all these men. Of this just one-half is paid by and from the convict labor. The salaries of all these officers and disciplinarians are charged to the shops and before you see what the charge for convict labor amounts to, all bills must be paid; \$9,200 is what the State is called upon to pay for guards, watchmen and the other officers.

Now what have we made. I have a schedule of the number of carriages we have made each year, the number that was on hand at the close of the year, the number sold, etc. Perhaps for the present the average will be as well.

The average production of the Prison of carriages the last four years has been 235 per year in number. I could not divide it. We have sold on an average 232. We had on hand at the close of each year an average of 63, that were left over; we found them there when we commenced each year. That is the exact out put for the four years. Sleighs we have made on an average each year 198; sold 164, and had on hand 59. The reason the number is somewhat larger this year is because our sales up to December 1st, when this count was taken, had not been very large. This gives you what we sold. Now we have got to open up; got to give away our business a little, but you are entitled to it.

*Specific Memo. of Amt. Sales from M. S. P. during Year Ending
November 30, 1886.*

	Average Price.		
53 Open Buggies	\$96.28	\$5,113.00	
98 Top Carriages	149.36	14,637.00	
63 Grocery Wagons.....	86.54	5,452.00	
19 Express "	108.90	2,069.00	
3 Extension Tops... ..	276.67	830.00	
1 Hearse	—	300.00	
18 Truck gears, etc	27.83	501.00	\$28,892.00
<hr/>			
255 Jobs.			
52 Jumpers	33.02	1,717.00	
7 Two-seated pungs.....	85.68	601.00	
15 Cutters	37.47	562.00	
9 Double Sleighs	117.55	1,058.00	
76 Single "	61.80	4,697.00	8,635.00
<hr/>			
159 Jobs.			

RECEIVED FOR REPAIRS, 3,113.60

Received for Hand Carts, Wheelbarrows, Tennis Racketts and small work	1,250.59	
" " Stock and material sold, in- cluding some discounts for invoices	1,026.30	
" " Sale of second-hand work taken in exchange for new,	1,102.50	6,492.89
<hr/>		\$44,019.89

FROM HARNESS DEPARTMENT.

1234 Harnesses, average of \$22.82 ..	\$28,156.43	
For halters, surcingles, various odd jobs and repairing ...	2,173.98	
“ Stock and material sold including some discounts from invoices.....	945.60	\$31,276.01
Gross sales	—	\$75,295.90
Am't rec'd for carriages sold without State,	3,356.00	
“ “ sleighs sold without State..	2,418.60	
	\$5,774.60	
Received for Harnesses sold without State	\$11,597.65	
Received for other work, Har- ness Department, also sold without State.....	1,232.73	12,830.38
		\$18,604.98

*Memorandum in Regard to Prison Sales During Year Ending
November 30, 1886.*

Sold without the State :

Carriages	\$3,356.00	
Sleighs	2,418.60	\$5,774.60
Harnesses	11,597.65	
Other work, Har. Dep.	1,232.73	12,830.38
		\$18,604.98

Amt. from Carriage Dep't :

Sold in State	38,245.29	
Sold without the State	5,774.60	44,019.89

Amt. from Harness Dep't :

Sold in State	18,445.63	
Sold without the State.....	12,830.38	31,276.01

Per Cent as Sold :

From Carriage Dep't, within State,	86.88
“ “ without “	17.12
“ Harness Dep't within “	58.97
“ “ without “	41.03
Of total production within “	75.29
“ “ “ without “	24.71

If all productions were sold in State :

Production of Carriage Dep't.....	2.03
“ “ Harness “	3.14
Average of total production	2.34
Deducting for the year the actual amount sold to go beyond the State, and Prison has furnished of Carriages.....	1.77
Harnesses	1.86
Of these used in State on a basis of \$25.00 for each horse for carriage work and \$10.00 for harnesses, Or less than 1.77 per cent of total.	

Q. Does this include wholesale and retail?

A. The sales are just as we sold them, and a majority was whole-sale ; what amount I cannot exactly tell. I took a schedule and the Clerk went right over his salesbook.

For myself I have made a computation. I took the number of horses in 1880 as returned by the census, and there ought to be as many now as there were then. I called \$25 on an average for carriages, work team wagons and sleighs, trucks, etc. I called it \$25 for all per year to a horse. If that is too much you can reduce it ; and we furnished just 2.03 per cent of what is used in this State.

And of harnesses I called the cost \$10 per horse and it would give 3.14 per cent of the harnesses used in the State or a total average of all our products of 2.34 per cent of what is absolutely sold every year in the State. If you deduct the number we have sold to go out of the State the absolute amount sold in this State would be 1.77 per cent or what is used on the basis I have named. Call it half of that if it don't cost ten dollars and it would double this percentage. I do not claim that I am positively right in that estimate, only it is a data from which you can judge, every man for himself.

Q. The question has been asked, and I wish to renew it again, if since you have been there you sold any harness and took beef or soap.

A. Mr. Thompson made all that plain. He said it was before my time.

Q. Do you know of any party going through this State and selling harnesses and representing them to be State Prison harnesses?

A. There have been three different men who have been selling harnesses claiming to come from the Maine State Prison. I know one bought a few of us. He was up in Vermont. There was one up in the edge of New Hampshire, and one in Waldoboro, that never came from the State Prison. So far as I can recollect since I have been there, there has never been a harness sold as low as \$10.50.

Q. What percentage of the total amount of carriages manufactured has been sent to the city of Portland?

A. I cannot tell certainly. I have taken the whole State.

Mr THOMPSON. Of course the competition does not extend to the whole State. We refer to the competition in our locality, that is, the locality we represent. There are other parties who complain that competition is damaging their business, but we want to know how you sell.

A. I will tell you. If a man came there, a man who was handling carriages and he was a responsible man, if he wouldn't interfere with some other who was selling, I should be glad to sell him. I should want what he agreed to pay. We have got to sell our carriages lower than they are worth.

Q. You have sold them lower than I supposed you had.

A. These are the facts.

Q. In your statement, for instance, of the Prison account you show assets on hand, stock on hand, amounting to \$73,000.

A. Yes.

Q. What does that stock consist of? What proportion of it consists of carriages, finished, or harnesses or stock?

A. So far as finished work is concerned we had on hand the first day of December last, 65 carriages of all kinds, sleighs 118, harness 120.

Q. You represent some fifteen or twenty thousand dollars in the hands of your consignees.

A. Yes, largely in Boston and Houlton. We have very little anywhere else. The consigning business we are trying to get out of. Formerly it was quite popular to consign goods. I never liked it; I had rather sell them for something.

Q. Then, for instance, there is property in the hands of agents and consignees, say of \$25,000?

A. No, sir, \$15,678.51.

Q. What is the amount of bills receivable?

A. \$23,000, about.

Q. Representing an amount of something over \$100,000. I was looking it up and I thought it showed a large amount of stock on hand for the amount of business done.

A. There are several parties who have bought largely of goods; we sell them and take notes for them and they have not yet matured.

Q. Are you in the habit of selling goods to parties upon an indefinite period of time? Say you will sell them a certain amount of goods providing they will give a bond that they are good for that amount, and you will give them a bill for that amount if they are good, and those goods are paid for as fast as they are sold? They pay no interest but when they sell make a payment.

A. No, sir, never do any such thing. We make an interest account. We have settled an interest account within a week. Our terms are thirty days. We don't absolutely require the money at that time if he cannot pay, but that is the uniform way we do this business.

Mr. PORTER. One of the petitioners before the Committee said it is alleged that you shoved your harnesses and carriages on to the market to realize from them and sell them at any price. I do not think any of these gentlemen here are responsible for that statement; it comes from other parties.

A. I am always glad to sell harnesses. I have no knowledge of shoving any particularly. I have never sold them for what the bare stock cost. We have had to sell harnesses low, carriages low, sleighs low. When it is out of season or owing to other circumstances I have been obliged to.

Q. It was stated when you got short of money that then you went and dumped carriages on the market and realized whatever you could.

A. Never! I had to raise some money but never in that way.

Mr. THOMPSON. I would ask why it was that the Portland agent had 39 rubber trimmed harnesses, hand stitched, equal to any to be sold for cost of materials used owing to dullness of trade?

A. I have heard somewhere that when a man was of age he could speak for himself. Mr. Bailey is here. He bought all of the harnesses he had except we sent him some samples to look at and to show, and all the harnesses he had he bought and paid for.

Q. How did he buy them?

A. I will sell you or any other gentleman a hundred of them at the same rate I did him.

Q. I think Mr. Bean told me that he had harnesses that he

would sell for \$1.50 more than they cost the State ; those were the cheaper harnesses.

A. I told him what amounted to the same thing. We buy but one quality of stock, No. 1, oak. Our men, nineteen out of twenty of them, come wholly ignorant of that trade. We set them to stitching halters ; as soon as we can they are put to work on harnesses. That class of work I would sell a man a large lot of, I think most any we happen to have, for \$1.50 more than the stock cost, for the reason that this same man will in six months make a harness from the same stock that you can sell for three to five dollars more. It is necessary because we cannot set them to anything else, and still I have no knowledge of ever selling a harness so low as \$10.50.

There were forty-three prisoners came in during the year. And we had before forty-seven for one year. Take it yourself. What can you do with a green man in a year? Where can you put him to make him earn his board?—twenty-eight of them for two years. That is a little better ; you can get a man so he will know the way to the shop in two years. Twenty of them for three years ; they learn, some of them, remarkably quick. You would be astonished to see a man who don't know anything of such work, if, as they say, he tumbles to it right, he goes right along, and in a very short time can do remarkably well. We had seven for four years ; three for five years ; two for six years ; three for seven years ; two for eight years ; one for nine years ; one for ten years ; four for eleven years ; one for twelve years ; two for fourteen years (one of them cannot half earn his board, I would give quite a margin for anyone to board him. He has done something but he is now non compos). One for sixteen years ; one for seventeen ; one for nineteen years ; one for twenty-three years ; one for twenty-five years ; one for twenty-nine years.

That is only incidental as showing some of the troubles that we have, but I think the contract system would hurt us more than our system. That is what I think about it, I don't know as I am correct.

In regard to what we charge for the labor of these men. Now we don't reckon that way. We have got carriages and stock and we cannot reckon men as 365 days of work at fifty cents a day. We cannot go at it in that way. We have got to put such men on as we can ; it may be a poor workman ; it may be we have to have the carriage taken apart after nearly completed ; our overseers see that it is made right before it leaves the shop. We make that carriage

just as good as we can make it and put it on the market. Mr. Thompson has a nicer carriage that he asks so much for. We think \$175 about what we can get for ours, list price. We sell for that; we sell others to dealers, giving them a discount we agreed to. After we have got all we can for the carriages we charge the shops with the stock, with the pay of the overseers, and the disciplinarians, then we take the balance we have left and divide it by the whole number of days employed and see how much we get. That is the last thing to find out, what the men in the shop paid us.

For the last four years take the ninety men, and some of them have not earned a single cent, they have paid us forty-five cents, four mills a day over and above the cost of stock and overseeing the shops, and the harness men under the same condition nineteen cents. It has been a question to those who were interested to see what the results in the harness shop this year would be; the last were not wholly satisfactory, but still we are not any of us ready to advise its abandonment. What can we do that is better?

Inspector BEAN. I would like to say a word; you ask what the assets of the Prison consist of. The Inspectors make yearly an inventory of all the property there and make their report, and you will find in the report, I think, \$105,000. What do these assets consist of? In the first place we take, item by item, account of all the horses, carriages, hogs, sleighs, harnesses, etc., that are in use; the steam fire engine, the furniture about the Prison, the prison office, the inspectors' office, the sleighs, the clothing, the bedding, the clothing of prisoners, even the clothes that they are wearing, the clothing that is on hand to dress them when they go out, the cooking utensils, all the stoves, the food, the blacksmith's shops, bellows, anvils, drills in the wood-shop, band saws, circular saws, bolts, nails, forges, in fact everything of the kind; the lumber of all descriptions, cords of wood, bones, empty barrels, kerosene, in fact everything there is there. Benches, cooking stoves and all the things that are used in the cook-room except the fixtures, such as the large kettles. We take all those things called personal property. These are entered upon a stock book of about 140 pages of a common ledger-size journal. Then we take the new carriages on hand, the carriages in process of manufacture, partly done, harnesses, the bills due the State, notes in the hands of consignees, cash on hand, add it up and it makes the assets.

Q. I want to know what part of the \$73,000 of stock was represented by harnesses and carriages.

A. There is no item that shows. I think Warden Bean could answer it better than I could.

WARDEN BEAN. In regard to the convicts' property the report shows that the Prison owed \$6,800 and about half is for money that the prisoners have had for pensions, etc. We allow them four per cent for it.

MR. THOMPSON. I wish it could be remembered that there are not any whips made in Maine, which is quite an item, and as the harness department is not paying very well I wish they would turn it out. There is a large quantity of carriage bodies sold in Maine only partly finished. They could be made by the Prison. They have a market value. Express wagons, trucks, etc., could be made.

CHAIRMAN. You speak of making trucks, wagon bodies and wagons, a common, ordinary kind of work. Would not that interfere more even with the country trade or as much as they are doing now?

A. No, sir, I think it would not interfere, almost none at all. The number of carriage manufacturers who can draft and make a carriage body is exceedingly small in Maine, and they are buying all the time from other Western manufacturers; from the fact that it is better style and better finish than they can make them, all machine made. There is a work which is up to the times and you will find there is a large amount of these goods all through Maine. Men buy that work and take it and finish it up and make a profit on the work.

CHAIRMAN. Allow me to suggest that so far as I know that this very class of work you speak of in the State would come more in competition with small dealers in the country towns than anything they are now doing.

A. Well, that of course I cannot say.

Q. And understand me in this; we have tried hard to hit upon something that the warden could put these men about, and are anxious to do it; we feel now, gentlemen, you must consider it that it isn't for the want of a disposition to do it, it is for the want of settling upon some employment.

A. That of course, as I say, I do not know what you could do. I do not think there is any line of business that would not interfere to a certain extent with some business.

CHAIRMAN. I think I can say to you it makes no difference so far as the Committee is concerned, I know it makes no difference to the warden, he is there on a fixed salary, and there should be no

opposition; it should be for the general good of all; there is no personal matter in it. There seems to be considerable feeling here to-day in relation to advertising; you are aware men will advertise if they sell goods; the Committee could not control it. In relation to the working of the Prison so as to interfere with no mechanic in the State I think we would agree.

Mr. THOMPSON. We make the suggestion to divide the labor. Carriage bodies made and sold in the rough, sleigh bodies unpainted and unfinished, they can be all sold.

Q. You are aware in sleighs that the great labor after all is painting; something that they can do there in the Prison would be better; where the labor would come in would be in rubbing down and giving the different coats of paint, it seems to me.

Warden BEAN. I should like to suggest. A convict there in the Prison has no idea of his own. It is just this way: I have known a man who tried to do what you wanted him to but could not do it, but you give him a form and he will follow it exactly, so that in making these sleighs, if you want them to make any changes, it would be made wrong, whereas, if the carriage form is once given they can work them up.

Mr. PORTER. I would like to ask if the Inspectors or the Warden have tried in any way to use any influence with this Committee in any direction for the petitioners or against them except to answer just such questions as they might ask?

CHAIRMAN. I think it the reverse; they have rather courted the investigation and hoped that we would have it full, which I think the petitioners will allow. The only thing is to know what we can do. It is a matter which interests us all alike.

Warden BEAN. There is one thing in connection with this Prison matter that I will give as a matter of judgment. We have twenty-eight men there, and if we had power, modern machinery, stitching machines, such as our best factories use, I believe that with these twenty-eight men we can make more harnesses and carriages than we can with all those men down there. I know we could make more money.

Stenographic report of hearing before State Prison Committee, on question of convict labor, February 1, 1887, by Miss Hattie M. Burr of Bangor.

STATE OF MAINE.

IN COUNCIL, }
February 15, 1887. }

ORDERED, That five hundred copies of the testimony and documents had before the Committee on State Prison upon the question of convict labor be printed for use of State Prison and Governor and Council.

IN COUNCIL, Feb. 15, 1887.

Read and passed by the Council, and by the Governor approved.

ORAMANDAL SMITH,

Secretary of State.

A true copy. Attest:

ORAMANDAL SMITH,

Secretary of State.