

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**  
OF THE  
**Sixty-Ninth Legislature**  
OF THE  
**STATE OF MAINE.**  
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**1899.**

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**HOUSE.**

Tuesday, Feb. 14, 1899.

The House was called to order by the clerk.

On motion by Mr. Philbrook of Waterville,

Ordered, That, in the absence of the Speaker, Hon. S. D. Leavitt be and hereby is elected Speaker pro tem. (Applause).

Prayer by Rev. Mr. Livingstone of Augusta.

On motion of Mr. Parkhurst of Bangor, that gentleman was charged with and conveyed a message to the Senate informing that body that, in the absence of the Speaker, the House had elected S. D. Leavitt Speaker pro tem.

Mr. Parkhurst subsequently reported that he had discharged the duty assigned him.

On motion of Mr. Philbrook of Waterville, that gentleman was charged with and conveyed a similar message to the Governor and Council.

Mr. Philbrook subsequently reported that he had discharged the duty assigned him.

Papers from the Senate disposed of in concurrence.

The following Senate resolves were read and assigned.

Resolve in favor of the Bluehill-George Stevens Academy.

Resolve for State pensions.

The following bills, petitions, etc., were presented and referred, matters of a private nature being introduced under suspension of rules limiting the same to Feb. 1:

**JUDICIARY.**

By Mr. Merrill of New Gloucester—Petition of J. C. Estes of Westbrook, for an act to amend the present ballot law.

Petition of H. H. Harden of Gorham, for same.

By Mr. Buck of Orland—Petition of W. G. Stevens and others of Castine, in favor of an amendment to the charter of the Castine Water Company.

By Mr. Britton of Bucksport—Bill an act to amend Chapter 11 of the Public Laws of 1897.

By Mr. Hutchins of Brewer—Bill an act to amend Section 14 of Chapter 63 of the Revised Statutes relating to registers of probate.

Bill an act to amend Section 2 of Chapter 80 of the Revised Statutes relating to sheriffs and their duties.

**LEGAL AFFAIRS.**

By Mr. Fitz of Durham—Petition of S. B. Libby and 28 others of Durham, against the election of highway engineer.

By Mr. Brown of Warren—Petition of Alden H. Copeland and 18 others of Warren, relating to road commissioner.

By Mr. Reed of Roxbury—Petition of William P. Ustis and 12 others of Dixfield, for an act incorporating the Dixfield Village Corporation.

By Mr. Ridlon of Stetson—Remonstrance of U. G. Simpson and 15 others of Dixmont against the creation of the office of State road commissioner.

By Mr. Bryant of Knox—Remonstrance of Fred A. Whitten and 44 others of Unity, against any law creating the office of State highway engineer.

**RAILROADS, TELEGRAPHS AND EXPRESSES.**

By Mr. Farrell of Van Buren—Petition of Job Martin and 90 others of Van Buren, in favor of requiring railroad corporations in this State to issue mileage books at two cents per mile good to bearer.

Petition of Fleurent Sanfacon and 30 others of Grand Lake for same.

By Mr. Fitz of Durham—Petition of F. Stone and 19 others of West Poland for same.

By Mr. Blackstone of Perham—Petition of F. L. Stoddard and 44 others of Washburn for same.

By Mr. Burns of Westbrook—Petition of C. R. Anderson and 19 others of Westbrook for same.

By Mr. Bennett of Hollis—Petition of Judson Roberts and 26 others of Waterboro for same.

By Mr. Philbrook—Petition of J. F. McMannus and others of Waterville for same.

By Mr. Bennett of Hollis—Petition of John H. Chase and 34 others of Waterboro for same.

By Mr. Cobb of Limerick—Petition of S. E. Perry and 24 others of Limerick for same.

Petition of Frank W. Libby and 76 others of Limerick for same.

By Mr. Gardner of Patten—Petition

of A. L. Coston and 14 others of Hartland for same.

By Mr. Bryant of Knox—Petition of W. P. Kenney and 17 others of East Knox for same.

By Mr. Gardner of Patten—Petition of James W. Steen and 20 others of Mt. Chase for same.

By Mr. Porter of Burlington—Petition of F. L. Scammon and 36 others of Lowell for same.

By Mr. Porter of Burlington—Petition of Cecil L. Pierce and 20 others of Burlington for same.

By Mr. Wood of Camden—Petition of F. W. Conant and 29 others of Camden for same.

By Mr. Girdler of Mercer—Petition of I. C. Tracy and 48 others of Mercer for same.

By Mr. Craig of Island Falls—Petition of C. M. Kneeland and 25 others of Silver Ridge for same.

By Mr. Wood of Camden—Petition of Albion Ingraham and 12 others of Rockport for same.

By Mr. Craig of Island Falls—Petition of E. W. Cheseny and 10 others of Island Falls for same.

Petition of F. A. Tarbell and 39 others of Dyer Brook for same.

By Mr. Walker of Starks—Petition of A. O. Frederic and 37 others of Norridgewock for same.

By Mr. Rowell of Solon—Petition of C. C. Kinsman and 28 others of Cornville for same.

Petition of A. M. Thompson and 12 others of Madison for same.

By Mr. Adams of Mayfield—Petition of D. W. Morin and 12 others of Embden for same.

Petition of E. S. Baker and 61 others of Bingham for same.

By Mr. Cobb of Limerick—Petition of Franklin Blake and 79 others of Waterboro in favor of same.

#### INLAND FISHERIES AND GAME.

By Mr. Gardner of Patten—Petition of Eugene O. Hale and 43 others of Medway, for a change in the law relating to the taking of salmon on the East Branch of the Penobscot river.

Petition of Delmont Emerson and 20 others of Island Falls for same.

Petition of Silas R. Mitchell and 48 others of Stacyville for same.

Petition of J. F. Hersey and 91 others of Patten for same.

#### SCORE FISHERIES.

By Mr. Bird of Rockland—Remonstrance of John Lovejoy and 36 others of Rockland, against any change in the present purse or drag seine law.

By Mr. Wilson of Cherryfield—Remonstrance of J. and E. A. Weyman and 34 others of Milbridge against same.

By Mr. Hahn of Waldoboro—Remonstrance of Ephriam Burnham and 46 others of Edgecomb against same.

Remonstrance of Charles E. Waltz and 78 others of Waldoboro against same.

By Mr. Woodbridge of Newcastle—Remonstrance of Phillip Murray and 38 others of Boothbay against same.

Remonstrance of J. P. Jones and 52 others of Boothbay against same.

Remonstrance of A. A. Hall and 19 others of Newcastle against same.

By Mr. Fuller of Kennebunk—Remonstrance of R. W. Lord and 40 others of Kennebunk against same.

By Mr. Goss of Stonington—Remonstrance of W. W. Conary and 31 others of Deer Isle against same.

Remonstrance of E. E. Spofford and 37 others of Deer Island against same.

Remonstrance of F. H. Annis and 33 others of Deer Isle against same.

Remonstrance of J. T. Haskell and 35 others of Deer Isle, against same.

Remonstrance of C. H. S. Webb and 108 others of Stonington, against same.

By Mr. Peaslee of Wiscasset—Remonstrance of L. W. Gibbs and 18 others of Wiscasset, against same.

Remonstrance of M. F. Dunton and 42 others of Boothbay Harbor, against same.

Remonstrance of Thomas W. Baldwin and 29 others of Boothbay Harbor, against same.

Remonstrance of Thomas W. Baldwin and 29 others of Boothbay Harbor, against same.

Remonstrance of Fred C. Blake and 35 others of Boothbay Harbor, against same.

Remonstrance of D. H. Moody and 32 others of Boothbay Harbor, against same.

By Mr. Spofford of New Sharon—Remonstrance of J. A. Roderick and 32 others of Farmington, against same.

By Mr. Peaslee of Wiscasset—Remonstrance of W. T. Holton and 70

others of Boothbay Harbor, against same.

Remonstrance of Oscar Orne and 21 others of Southport, against same.

By Mr. Kalloch of South Thomaston—Remonstrance of D. H. Glidden and 21 others of Vinalhaven, against same.

Remonstrance of John F. Landers and 27 others of Hurricane Island, against same.

By Mr. McFadden of Dresden—Remonstrance of George W. Yates and 71 others of Bremen, against same.

By Mr. Turner of Somerville—Remonstrance of E. M. Fossett and 117 others of Bristol, against same.

Remonstrance of R. F. Genthner and 52 others of Damariscotta, against same.

Remonstrance of H. W. Davis and 24 others of Monhegan, against same.

Remonstrance of Enoch H. Goudy and 73 others of Bristol, against same.

Remonstrance of James E. Studley and 11 others, against same.

By Mr. Webb of Portland—Remonstrance of Bean Bros. and 21 others, against same.

By Mr. Plummer of Portland—Remonstrance of A. F. Small and son and 23 others, against same.

By Mr. Webb of Portland—Remonstrance of John D. Prindable and 30 others, against same.

Remonstrance of Charles C. Douglas and 19 others, against same.

By Mr. Virgin of Portland—Remonstrance of C. H. Crocker and 37 others, against same.

Remonstrance of George P. Wescott and 26 others, against same.

Remonstrance of J. W. Trefethen and 40 others, against same.

Remonstrance of Cummings Brothers and 37 others, against same.

#### AGRICULTURE.

By Mr. Deering of Saco—Resolve in favor of the York County Agricultural Society.

#### PLACED ON FILE.

By Mr. Kilborn of Bethel—Remonstrance of S. W. Potter and 24 others of West Bethel, against an increase of salaries of justices of the supreme judicial court.

#### ORDERS.

On motion of Mr. Macomber of Augusta,

Ordered, That the use of this hall be given the committee on railroads, telegraphs and expresses on Thursday afternoon of this week for hearing on the mileage bill.

#### REPORTS OF COMMITTEES.

Mr. Merrill from the committee on the judiciary, on bill an act to amend charter of City of Hallowell, reported that same be printed and referred back to committee on judiciary.

Mr. Daigle from the committee on ways and bridges, on resolve in aid of the town of Kingman, reported that same be referred to the next Legislature.

The reports were accepted and sent to the Senate.

Mr. Daigle from the committee on ways and bridges, reported ought to pass on resolve in favor of repairing and maintaining Babbitt Ridge road in the town of Moscow in the county of Somerset.

Same gentleman from same committee, reported same on resolve in favor of blasting a ledge in the town of Frenchville in the county of Aroostook.

Mr. Hopkins from the committee on legal affairs, reported legislation inexpedient, on order directing the committee on legal affairs to inquire into the expediency of amending chapter 17, of the Revised Statutes, so that half the fines paid for violation of the liquor law shall be paid to municipalities.

Mr. Daigle from the committee on ways and bridges, reported ought to pass on petition to build bridge in the town of Madawaska.

The reports were accepted and resolves ordered printed under joint rules.

#### PASSED TO BE ENGROSSED.

Bill an act to extend the charter of the Maine Water and Electric Power Company.

Bill an act to repeal so much of section 5, of chapter 30, of the Revised Statutes as relates to the bounty on bears.

Bill an act entitled "an act to incorporate the Madawaska Agricultural Society."

Bill an act to establish the Rumford Falls municipal court.

Bill an act to amend section 2, chapter 166, of the Private and Special Laws of 1887, entitled "an act creat-

ing the Fort Fairfield Village Corporation."

Bill an act to amend section 15, of chapter 113, of the Revised Statutes, as amended by chapter 318, of the Public Laws of 1885, relating to disclosures on mesne process.

Bill an act additional to acts to incorporate the Lockwood Company.

Bill an act to amend the charter of the Public Works Company.

Bill an act to incorporate the Hebron Water Company.

Bill an act granting William S. Hopkins the right to establish and maintain a ferry between North Haven and Vinalhaven.

Bill an act to incorporate the Southwest Harbor Dam and Bridge Company.

Bill an act to legalize the doings of Rangeley Plantation in Franklin County.

Bill an act to amend chapter 33, of the Public Laws of 1887, relating to the burial expenses of honorably discharged soldiers and sailors of Maine.

Bill an act to incorporate the Ticonic Foot Bridge Company.

Bill an act to fix the salary of the judge of probate for the county of Penobscot.

Pending third reading Mr. McFadden of Dresden, offered House amendment A, to strike out the word "fix" in the title and insert the word "increase," which was adopted. The bill was then read the third time, passed to be engrossed as amended.

Bill an act to establish the salary of the county attorney of Penobscot county.

Pending third reading Mr. McFadden of Dresden, offered House amendment "A," to strike out the word "establish" in the title and insert the word "increase," which was adopted. The bill was then read the third time, passed to be engrossed as amended.

Bill an act to fix the salary of the register of probate for the county of Androscoggin.

Pending third reading Mr. McFadden of Dresden, offered House amendment "A" to strike out the word "fix" in the title and insert the word "increase," which was adopted. The bill was read the third time, passed to be engrossed as amended.

Bill an act to establish the salary of the county attorney of Piscataquis county.

Was reported from same committee, read the third time, and pending passage to be engrossed Mr. McFadden of Dresden, offered House amendment "A" to strike out the word "establish" in the title and insert the word "increase," which was adopted. The bill as amended passed to be engrossed.

Bill an act to amend chapter 126, of the Public Laws of 1895.

Pending third reading, tabled on motion of Mr. Philbrook of Waterville.

Bill an act to establish a municipal court in the town of East Livermore.

Tabled pending third reading on motion of Mr. Morey of Lewiston.

#### ORDERS OF THE DAY.

Special assignment: An act to provide in part for the expenditures of government for the year 1899.

Mr. Manley of Augusta: The first general appropriation bill was assigned, this morning at 11 o'clock. Inasmuch as many members are absent, and in consultation with my friend, the gentleman from Dover (Mr. Guernsey), I desire to ask the House to reassign this bill for tomorrow morning at 11 o'clock.

Mr. Philbrook of Waterville: I do not wish to interfere with the gentleman from Augusta in any way—I do not know how much discussion may arise on this bill—but it occurs to me that tomorrow was the hour set apart for the memorial exercises in relation to the late Mr. Dingley, and if much discussion is anticipated on this bill, it would seem best to me that it go over until Thursday.

Mr. Manley: I accept the suggestion. I had no desire from the first to hurry the bill. I desire members to take all the time they wish to examine every part of the bill, but on the other hand, I did not wish to show any desire upon my part to prolong the taking up of the bill and the disposing of it as the House sees fit. I am ready, tomorrow morning, to make such explanations as I am able, and I am perfectly willing that it shall be taken up on Thursday, or any other day that the House designates; and with the permission of the House I will change my motion and move that it be re-assigned to Thursday at 11 o'clock. The motion was agreed to.

Special assignment: Resolve in aid of the Temporary Home for Women and Children at Deering.

Mr. McFadden of Dresden: I wish to say, Mr. Speaker, that I did not lay this resolve upon the table because I had even a suspicion that the institution was not a deserving one. I made the motion, not upon specific grounds, but upon grounds of general principles and policy. When our forefathers, nearly a century ago, succeeded in divorcing the old man State from the venerable Mrs. Church, I think

they intended that the old man should live forever after in a state of celibacy. I think they did not intend that he should get entangled with any females hereafter; but, sir, there has of late years grown up between the old man State a remarkable flirtation with the beautiful, the young,—that is compared with Mrs. Church—and the very amiable Miss Charity. Now I have not anything to say against the woman. She is not a bit like the old lady Church. She is not dogmatic, she is not intolerant; she is very agreeable, she is altogether lovely, but she has one fault—she is an awful spend-thrift. (Laughter). And she does not seem to care. She gets all the money she wants from the old man, and she doesn't seem to care where he gets it. If only he can hand it over to her for the objects that are dear to her heart and close to her pride, she doesn't ask a question as to where he gets the money. Sometimes I think that she would be willing that he should commit highway robbery if he can only hand over to her the sums that she asks for.

Now, to lay metaphor aside, I want to call your attention to the actual facts existing in the State, today. I think every member here can remember when the first appropriation was made for the Maine General Hospital, a charitable object. It was understood, I think, by the people of the State that when that institution was established and endowed it would fill the needs of a general hospital and the appropriation for that would suffice for the whole State, but what was the result? Immediately the physicians in other cities began to see that there was a chance, and pretty soon we had the Eastern Maine Hospital, and the Maine Central Hospital, and now it is apparent that they are growing up all over the State and every city has one or will have one within a very few years. It is the same practically with other charitable institutions, homes for friendless women, homes for orphans, homes for old men—they are growing up everywhere, and where will they end? Here are two charitable institutions in the city of—well, I was about to say Deering—in Greater Portland, in that part of Greater Portland which was Deering; and all over the State these institutions are growing up. Now there are people who believe that our system of caring for the poor is too narrow, that municipalities are too small a territory, while some contend that the poor should be supported by counties, and there may be gentlemen who think that the State should do it all, in other words, that charity should be dispensed at long range, to use the expression which the master of the State Grange has used, and it is a most expressive one—to do these things at "long range." It may be best, but I believe in the municipal or short range method. Now my own town has a homeless woman and two children that lately came into our care and we are caring for them as well as we can. If we had a dozen, as we should be likely to if we had the population of Portland, we could establish a home and then we could come here and ask for an appropriation. It is the same with old men. We have two aged men,

and if we had a greater population and a greater number of old men, we might establish a home for old men, or some benevolent institution in our town might establish such a home and then the friends of it might come here and ask for an appropriation. The result is that the large cities come here with their homes and get their appropriations, and the small towns maintain the few poor that they have, the few poor and unfortunate women or whatever they may be, and do not ask any appropriation. We have not enough of them to dignify by the name of a "Home" and so we support them by municipal effort and regulation, and then we are called upon to contribute our part to support these great State institutions—no, they are not State institutions, they are institutions belonging to those cities, while the State assists in supporting them. Now they are all good—I am not questioning that, but where is the thing to end? The mandate has gone out, "Ask and ye shall receive," and who has not gumption enough to ask? It is just the same with private institutions of learning, but I am not talking about them now.

Now, Mr. Speaker, I do not know what to do with this thing. That institution down there in Deering is one of the most deserving in the State, I have not a question about that, and yet here is a problem. Every city in the State has that same class to take care of, and perhaps they all ought to have their Home and perhaps the State ought to support them, but it is a problem for our very anxious consideration how to do this thing and do justice to the smaller towns which take care of such a class, when they have them, and do not come here and ask appropriations.

I was mistaken in one point when I made the motion. I did suppose that this institution in Greater Portland was more of a city affair than it is. I confess that the residences of its inmates are more widely spread than I supposed, and in consideration of the general character of this institution I shall withdraw any objection to the passage of this bill; but I say that while this institution draws from our other cities somewhat and cares for them, yet under our policy and our method it is certain that every city of any size in the State will have similar institutions in a very short time for which they will come here and ask appropriations from the State, and the smaller towns will have to bear their part of the burden, while at the same time caring for the individual cases that fall to their lot, and that is the injustice of the thing. I withdraw any objection to the passage of this resolve. (Applause). The resolve was then passed to be engrossed.

Resolve in favor of the Home for Friendless Boys in Deering,

Came up as a special assignment and was re-assigned to tomorrow on motion of Mr. McFadden of Dresden.

Resolves providing for the preservation of regimental rolls in the adjutant general's office,

Came up as a special assignment. On motion of Mr. Philbrook, rules were sus-

pending, the resolves read the second time and passed to be engrossed.

On motion of Mr. Morey of Lewiston, bill an act to limit the rate of interest on loans on personal property was taken from the table. On motion of same gentleman, Thursday next was assigned for its consideration.

Mr. Chase of Portland: By request of the gentleman from Patten (Mr. Gardner), I move that resolve relating to railroad passes in 1898, tabled by me on Friday, be now taken from the table.

The motion was agreed to.

Mr. Gardner of Patten: The order which has just been taken from the table, asks, in effect, that the railroad corporations of this State shall furnish this Legislature with information as to the amount of free transportation furnished by them in the year 1898. Our position, at the time of the introduction of the order, was absolutely correct; and it is within the power of this Legislature to demand like information of any public corporation in this State. This order does not call for the names of any party holding railroad passes, but does ask for the gross amount, that is, how many annual passes, how many trip passes and how many special passes, were issued by the railroad corporations of this State in the year 1898. The information called for in this order was pertinent to the question before this House, and had a vital bearing on some measures which this House will be asked to pass upon; but not desiring to take the time of this body, or impose duties on the committee which can bring no results—because we know it is a fact that, while it is in the power of this Legislature to demand this information, owing to a defect in our law, when we have railroad officials before our committee, the committee cannot oblige them to testify, not having the power to punish for contempt—with this explanation and for this reason I ask permission to withdraw this order; and in withdrawing it I serve notice that, at the hearing before our committee on our so-called mileage bill, this information will be called for, and if refused by officials of railroad corporations, conclusions must be drawn. By unanimous consent the order was withdrawn.

On motion of Mr. Jordan of Lisbon, resolve in favor of Cherryfield Academy was taken from the table, read once and Wednesday of next week assigned for its second reading.

On motion of same gentleman, resolve in favor of East Corinth Academy was taken from the table, read once and Wednesday of next week assigned for its second reading.

On motion of Mr. Gardner of Patten, resolve in favor of Monmouth Academy was taken from the table, read once and Wednesday of next week assigned for its second reading.

On motion of same gentleman, resolve in favor of Calais Academy was taken from the table, read once and Wednesday of next week assigned for second reading.

On motion of Mr. Jordan of Lisbon, resolve in favor of Leavitt Institute was taken from the table, read once and Wednesday of next week assigned for second reading.

On motion of Mr. Gardner of Patten, resolve in favor of Springfield Normal school was taken from the table, read once and Wednesday of next week assigned for second reading.

On motion of same gentleman, resolve in favor of Patten Academy was taken from the table, read once and Wednesday of next week assigned for second reading.

On motion of Mr. Stetson of Bangor, Adjourned.