

MAINE STATE LEGISLATURE

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

1899.

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HOUSE.

Thursday, Feb. 16, 1899.

Prayer by Rev. Mr. Wyman of Augusta.

Papers from the Senate disposed of in concurrence.

Resolve in favor of James Adams, chairman of the committee on Eastern Maine Insane hospital and of the committee on University of Maine.

This resolve comes from the senate passed to be engrossed under suspension of the rules.

On motion of Mr. Beal of Bangor, the rules were suspended, the resolve received its several readings and was passed to be engrossed in concurrence.

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. Philbrook of Waterville—Petition of William T. Haines and others of Waterville, for an amendment to the city charter of Waterville.

Petition of Charles F. Johnson and others of Waterville, for same.

By Mr. Laliberte of Fort Kent—Petition of A. L. Gagnon and others of Frenchville, in favor of removing the register of deeds of Northern Aroostook from Madavaska to Fort Kent.

Petition of E. R. Michaud and other of Frenchville, in favor of same.

By Mr. Murchie of Calais—Petition of W. R. Patingall and 12 others for amendment of section 39, chapter 79 of the Revised Statutes, so as to make it unlawful for any person not admitted to practice law to advertise that he owns, conducts or maintains a law office or collection office.

LEGAL AFFAIRS.

By Mr. Jones of Springfield—Remonstrance of Horace Holmes and 34 others of Springfield, against the creation of the office of State commission.

Remonstrance of Pitt M. Gage and 20 others of Drew, against same.

By Mr. Craig of Island Falls—Remonstrance of A. F. Spooner and 40 others of Sherman Mills, against same.

By Mr. Sanborn of Newport—Remonstrance of Floyd E. Gardner and 32 others of Corinna, against same.

By Mr. Abbott of Dexter—Remon-

strance of J. H. Lane and 20 others of Dexter, against same.

Remonstrance of A. P. Andrews and 7 others of Garland, against same.

Remonstrance of Alfred Hicks and 16 others of Garland, against same.

Remonstrance of William E. Pullen and 25 others of Exeter, against same.

Remonstrance of J. L. Russell and 16 others of Dexter, against same.

By Mr. Jones of Springfield—Remonstrance of O. W. Beatham and 46 others of Kingman, against same.

By Mr. Donham of Hebron—Remonstrance of John Wyman and 134 others, against same.

By Mr. Bryant of Knox—Remonstrance of G. A. Ingraham and 34 others of Knox against creating the office of State highway engineer.

Remonstrance of J. C. Whitney and 37 others of Thorndike, against same.

RAILROADS, TELEGRAPHS AND EXPRESSES.

By Mr. Reed of Roxbury—Petition of John A. Trask and 105 others of Dixfield, in favor of an act requiring railroads to issue mileage tickets at two cents a mile, good to bearer.

By Mr. Spofford of New Sharon—Petition of S. R. Knowlton and 24 others of Farmington, for same.

By Mr. Noyes of Pownal—Petition of Samuel T. Dole and 65 others of Windham, for same.

By Mr. Freese of Argyle—Petition of D. H. Danforth and 37 others of Lagrange, for same.

By Mr. Sanborn of Newport—Petition of Henry J. Gouldy and 17 others of Corinna, for same.

By Mr. Donham of Hebron—Petition of E. W. Penley and 45 others of Greenwood, for same.

Petition of H. K. Stearns and 12 others of Hebron, for same.

By Mr. Maxcy of Gardiner—Petition of S. Soule and 82 others of Gardiner, for same.

By Mr. Donham of Hebron—Petition of D. S. Sanborn and 90 others of Norway, for same.

Petition of George Hazen and 42 others of Oxford, for same.

By Mr. Pierce of Blaine—Petition of George L. Rowe and 91 others of Lewiston, for same.

By Mr. Crane of Whitney—Petition of Willis Leighton and 29 others of Whiting, for same.

By Mr. Freese of Argyle—Petition of J. A. Attwood and 25 others of Greenbush, for same.

By Mr. Parkhurst of Bangor—Petition of R. R. Gurney and 80 others of Bangor, for same.

By Mr. Walker of Starks—Petition of John E. Clancy and 76 others of Anson, for same.

Petition of T. H. Spear and 45 others of Anson, for same.

By Mr. Kalloch of South Thomaston—Petition of W. S. Carver and 60 others of Vinalhaven, in favor of same.

MERCANTILE AFFAIRS AND INSURANCE.

Bill "An act in relation to corporations issuing contracts for annuities commencing in the future."

BANKS AND BANKING.

By Mr. Peaslee of Wiscasset—Petition of Luther Maddocks and 10 others of Boothbay Harbor for a charter for a trust and banking company in said town: Bill "An act to incorporate the Boothbay Harbor Trust Company."

MANUFACTURES.

By Mr. Cleveland of Houlton—Petition of H. F. Collins and others of Houlton, in favor of the passage of a bill entitled "An act to create a lien upon monumental work."

By Mr. Cobb of Limerick—Petition of J. Simpson and 16 others of Biddeford, for same.

Petition of F. P. Johnston and 20 others of Limerick, for same.

By Mr. Field of Oakland—Petition of S. Blaisdell and 15 others of Oakland, for same.

By Mr. Maxcy of Gardiner—Petition of James Walker and others of Gardiner, for same.

By Mr. Parkhurst of Bangor—Petition of F. H. Tupper and 14 others of Bangor, for same.

Petition of C. F. Shepley and 15 others of Bangor, for same.

By Mr. Smith of Presque Isle—Petition of T. B. Thompson and 22 others of Presque Isle, for same.

By Mr. Manley of Augusta—Petition of A. G. Hopkins and 23 others of Augusta, in favor of same.

MILITARY AFFAIRS.

By Mr. Spofford of New Sharon—Petition of A. S. Chapman and 11 others of Bethel, for better observance of Memorial day.

By Mr. Brown of Falmouth—Petition from the Maine Commandery of the Military Order of the Loyal Legion that the birthday of Abraham Lincoln be made a legal holiday.

By Mr. Wilson of Brunswick—Resolve to reimburse the town of Brunswick for money expended in aid of needy families of soldiers who served in the late Spanish war, from the town of Brunswick.

INLAND FISHERIES AND GAME.

By Mr. Brown of Warren—Petition of N. B. Eastman and 28 others of Warren, for 30 days' open time on deer in Knox county.

By Mr. Abbott of Dexter—Bill "An act to enable the commissioners of inland fisheries and game to increase the State Museum consisting of mounted specimens and pictures of the birds, wild animals, and fishes native to the State of Maine."

CLAIMS.

By Mr. Laliberte of Fort Kent—Petition of A. G. Fenslon and others for reimbursement to the town of Fort Kent for amount expended during the diphtheria epidemic in 1897 and '98, in said town.

PLACED ON FILE.

By Mr. Abbott of Dexter—Remonstrance of C. D. Dexter and 27 others of Sangerville, against the increase of salaries of justices of the supreme judicial court.

By Mr. Donham of Hebron—Remonstrance of E. H. Brown and 144 others of Oxford county against same.

ORDERS.

On motion of Mr. Philbrook of Waterville,

Ordered, That the State treasurer be requested to furnish for this House a list of towns and cities in this State which receive from the State treasurer sums of money equal to or greater than their respective State taxes.

REPORTS OF COMMITTEES.

Mr. Virgin from the committee on the judiciary on report of the commissioners on uniform legislation, reported that "same be referred to the next Legislature."

Mr. Gentleman from the committee on legal affairs on bill "An act to repeal chapter 344 of the Public Laws of 1897, relating to concentrated commercial feeding stuff," reported that

same be referred to the committee on agriculture.

The report was accepted. Subsequently on motion of Mr. Buck of Orland, the vote whereby the House accepted the report was re-considered, and on motion of same gentleman the report was tabled.

Mr. Virgin from the committee on the judiciary, reported "ought not to pass" on bill "An act to amend sections 16 and 17 of chapter 102 of the Revised Statutes, as amended by chapter 261 of the Public Laws of 1893, relating to writs of mandamus."

Mr. Harris from same committee, reported same on bill "An act in reference to chattel mortgages."

Mr. Gentleman from the committee on legal affairs reported "ought not to pass" on bill "An act to amend the charter of the Portland Marine Society."

Mr. Chamberlin from the committee on agriculture, reported "ought not to pass" on bill "An act additional to chapter 30 of the Revised Statutes, establishing a bounty on hen hawks."

The reports were accepted and sent to the Senate.

Mr. Philbrook from the committee on the judiciary, reported "ought to pass" on bill "An act authorizing the Hallowell Granite Works to lay and maintain pipes in the city of Hallowell for the use and distribution of compressed air."

Mr. Smith from same committee, reported same on bill "An act to authorize registers of probate to receive petitions in vacation, and the judge of probate to order thereon in vacation."

Mr. Manley from same committee, reported same on bill "An act to repeal chapter 111 of the Private and Special Laws of 1872 entitled 'An act authorizing the city of Gardiner to raise money for the maintenance of a public library.'"

Mr. Sanborn from the committee on legal affairs, reported "ought to pass" on bill "An act additional to chapter 365 of the Private and Special Laws of 1893, relating to the Rumford Falls Light and Water Company."

Mr. Hopkins from same committee, reported same on bill "An act to authorize the record of contracts for the sale of land."

Mr. Beal from the committee on financial affairs, reported "ought to

pass" in new draft under same title resolve in favor of the Eastern Maine General hospital.

Mr. Walker from the committee on education, reported "ought to pass" on bill "An act to incorporate the Wiscasset Academy."

Mr. Burns from same committee, reported "ought to pass" in new draft under same title resolve in favor of Westbrook Seminary.

Mr. Merrill from same committee, reported "ought to pass" on resolve in favor of Freedom Academy.

Mr. Wilson from the committee on towns, on petition, reported bill "An act to set off certain lands from Oxford Village Corporation."

Mr. Beath from same committee, on petition, reported bill "An act to set off certain territory from Pittsfield village corporation."

Mr. Wood from the committee on shore fisheries, reported "ought to pass" on bill "An act entitled 'An act to amend section 32 of chapter 285 of the Public Laws of 1897, regarding taking of smelts in tide-waters.'"

Mr. Powers from the Aroostook county delegation on bill "An act relating to the salary of the judge of probate in and for the county of Aroostook," reported "ought to pass" in new draft bill "An act to increase the salary of the judge of probate in and for the county of Aroostook."

Same gentleman from same delegation on bill "An act to regulate the salary of the register of probate in and for the county of Aroostook," reported "ought to pass" in new draft bill "An act to increase the salary of the register of probate in and for the county of Aroostook."

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

Mr. Deering from the committee on banks and banking on bill "An act to amend section 83 of chapter 47 of the Revised Statutes, relating to private, associated and foreign banking, reported "ought to pass" in new draft bill "An act relating to foreign banking associations and corporations."

Pending acceptance the report was tabled on motion of Mr. Deering of Saco.

Mr. Philbrook from the committee on the judiciary reported "ought to pass" on bill "An act to amend charter of city of Hallowell."

On motion of Mr. Bodwell of Hallowell, rules were suspended, the bill read three times, passed to be engrossed and was sent to the Senate.

READ AND ASSIGNED.

Bill "An act to incorporate the Wilson Stream Dam Company."

Bill "An act to amend chapter 230 of the Private and Special Laws of 1854, as amended by chapter 673 of the Private and Special Laws of 1871, entitled 'An act to prevent obstructions in the Narraguagus river.'"

Bill "An act to incorporate the Messalonskee Water Power Company."

Resolve in favor of the town of Madawaska.

PASSED TO BE ENGROSSED.

Bill "An act to authorize the construction of a dam at the outlet of the Mill pond at New Harbor in the town of Bristol."

Bill "An act to increase the salary of the register of probate for the county of Cumberland."

Bill "An act to establish traveling libraries."

PASSED TO BE ENACTED.

An act to incorporate the North Berwick Trust Company.

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

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

An act for the extension of the Somerset Railway.

An act to legalize and make valid the meeting and doings of the corporation known as the Trustees of the Charity Fund of Caribou Lodge, so-called, at Caribou, in the county of Aroostook in the State of Maine.

An act to permit the breeding and raising of quail for purposes of sale by Henry J. Simpson of Sullivan, Maine.

Were reported from the committee on engrossed bills as truly and strictly engrossed, passed to be enacted, were severally signed by the Speaker and sent to the Senate.

FINALLY PASSED.

Resolve in favor of the State Reform school.

ORDERS OF THE DAY.

Motion to reconsider the vote whereby the House refused passage to be

engrossed of resolve in favor of St. Elizabeth Roman Catholic Orphan Asylum of Portland, came up as a special assignment.

Mr. McFadden of Dresden: I now move that the resolve be indefinitely postponed. This institution has a great church organization behind it, rich in the accumulation of ages. Further, it is of such a local character that, if it ought to have appropriations from the public funds, they should be made by the city of Portland, where it is located, the inhabitants of which are the chief beneficiaries of that institution. It is local in its character and should not come to the State treasury for support.

Mr. Virgin of Portland: I rise to a point of order. The pending motion is the motion to reconsider the vote whereby the House refused to pass the resolve to be engrossed.

The Speaker: The Chair rules that the point is well taken, and that the pending question is to re-consider.

Mr. Virgin: I move to reconsider the vote whereby the House refused the resolve a passage to be engrossed.

The motion prevailed.

Mr. McFadden: I now move that the resolve be indefinitely postponed.

Mr. Manley of Augusta: I trust that the motion will not prevail. I desire to say for the finance committee that this matter was fully heard before that committee. We examined the records of this institution. We found that for 20 years this State has annually helped this institution. I admit frankly that every member of that committee knew that it was a Catholic institution, but I am glad to say that had no effect upon any mind of any member of the committee. The proof was conclusive that they had been doing a splendid work for the children of this State. This institution was first located in Portland. It was then moved to the county of Lincoln. It was sustained there for some years. It was again moved back to Portland because the bishop felt that it could be carried on at a much less expense at Portland than at Whitefield. This institution is not local in its character. It takes children from every section of this State. It had within its walls last year 100 children whom it helped. This ap-

appropriation amounts to \$10 to every child for the year that he is there. I think that the State of Maine can afford to appropriate that sum to help these poor orphan children and aid them in becoming good men and women and good citizens of our State. While it is a Catholic institution that statement of facts shows that at that institution last year there were admitted 20 destitute orphans who were not children of Catholic parentage. Its doors are open to every child whether they are Protestant, Catholic, Jew or Gentile.

At the time this hearing was had there were in that institution from Portland, 55 children; from Bangor, nine; Whitefield, two—from the gentleman's (Mr. McFadden's) own county; from Lewiston, three; from Rockland, one. It so happens, I am told by the bishop, that at times there are more children outside of the city of Portland in that institution than there are in Portland. That varies; but whether they are all in Portland or not makes no difference to me in my action on this matter. Portland pays \$112,000 of the \$900,000 of the State tax. Portland does not need me to defend her on this floor. She is ably represented here. She needs no defence. Every citizen ought to be proud of the growth in wealth, the intelligence and the integrity of the citizens of Portland. They bear their full burden. They ought to have something back for the charitable institutions in their city. Why, we have just this morning passed a resolve on its first reading to aid in building a bridge down in Madawaska. I heard no objection from the gentleman from Dresden (Mr. McFadden). It is a local bridge. All these places in the State have to be helped. They should be helped. They should be helped by a tax on the property of the State. And this institution is one of the most worthy charitable institutions that we have in our State; and, as I have said, for 20 years this State has annually helped it and I hope it will not refuse now.

Mr. Deering of Saco: I have received a telegram from John W. Deering which I would like to read: "If any charitable institution in Portland is deserving of State aid, it is St. Elizabeth Orphan Asylum. In the sweet name of charity stand up for it." (Applause).

The question being to indefinitely postpone the resolve,

The motion was lost.

Mr. McFadden: I doubt the decision and call for a division.

Mr. Leavitt of Eastport, moved that when the vote was taken it be taken by the yeas and nays.

The motion prevailed and the yeas and nays were ordered.

Ye—Abbott, Brown of Warren, Craig, Crane, Davis, De Coster, Dunning, Eaton, Esty, Farnsworth, Field, Fogg, Fuller of Kennebunk, Girdler, Gordon, Grindel, Hodgkins, Irving, Libbey of Albion, McFadden, Parker, Pierce, Prince, Purinton, Ridlon, Rowell, Staples, Teel, Turner, Wilson of Gorham, Wilson of Monot—32.

Nay—Adams, Beal, Belleau, Bennett, Bird, Blackstone, Bodwell, Bridgman, Britton, Brown of Falmouth, Buck, Burns, Cartret, Chamberlin, Chase, Chick, Cleveland, Coffin, Colburn, Daigle, Deering, Donham, Drummey, Farrell, Forhan, Freese, Fuller of South Portland, Guercelon, Gardner, Gentleman, Goss, Guernsey, Harris, Hassell, Hill, Hix, Hopkins, Hutchings, Hyde, Jellison, Johannett, Jones, Jordan, Kalloch, Keefe, Kernon, Kilborn, King, Laliberte, Leavitt, Ledyard, Libbey of South Berwick, Macfarlane, Macomber, Manley, Maxcy, Maxwell, Merrill of North Gloucester, Morey, Murchie, Murphy, Nickerson of Orrington, Noyes, Parkhurst, Peabody, Perkins, Philbrook, Plummer, Porter, Powers, Rankin, Ryerson, Sanborn, Sargent of Portland, Sargent of Sedgwick, Smith of Hartland, Smith of Presque Isle, Spofford, Spurr, Stetson of Bangor, Stetson of Monmouth, Sutherland, Taylor, Thayer, Tyler, Virgin, Walker, Webb, Weed, West, Wilson of Brunswick, Wilson of Cherryfield, Wood—93.

Absent—Beath, Berry, Brimmer, Bryant, Carr, Cobb, Dawson, Fuller of Auburn, Gould, Hahn, Harman, Hughes, McFaul, Melcher, Merrill of Skowhegan, Mosher, Nickerson of Swanville, Peaslee, Reed, Sawyer, Somes, Spratt, Webster, Wilbur, Woodbridge—25.

The announcement of the vote was received with applause.

The question then recurred to the passage of the resolve to be engrossed.

Mr. Deering of Saco: I have a further telegram: "Help resolve for St. Elizabeth. Am vice president. Most deserving."

(Signed) REV. F. P. LINEHAM.

Mr. West of Biddeford: I have received a telegram which I would like to read: "Help resolve for St. Elizabeth. Am Vice President. Most deserving."

(Signed) REV. F. P. LINEHAM.

Mr. Sutherland of Biddeford: I have a telegram which I have just received, from the same party: "Help

resolve for St. Elizabeth, Am Vice President. Most deserving."

Mr. Grindle of Islesboro: I move to amend the resolve by inserting in the second line \$400, also in the fourth line, \$400, instead of \$1000. My reasons for this are that this is what the institution has received years before, and I see no reason why the appropriation should be increased.

Mr. Manley: I desire to inform the gentleman that he is mistaken. As early as 1880 this institution received \$800 a year. The sums that is has received has varied in various years.

Mr. Virgin of Portland: I hope the amendment will not prevail. This institution cannot pay its bills and is continually running in debt for the lack of money to get on with. There are no salaries connected with this institution in any way, as I am informed by those in charge. It is in charge of nine sisters who are paid nothing. The matron is paid nothing, and no one except the man who shovels the sidewalk in winter, who gets \$20 a year, and the man who cares for the furnace, who gets \$3 a week through the winter season, get any pay whatever for their services in connection with that institution. This money that they want is to pay for subsistence; and there is no more worthy charity within the confines of this State than that asylum, and I hope the resolve will pass as it now stands and will not be amended.

Mr. Chick of Clifton: Years ago Corporal Tanner was somewhat criticised for his generous construction of a certain law of the land: "In giving to any one, give them so it will do them some good, so they will feel it." Now if we are going to render some aid to this worthy institution, let us give them enough so it will do them some good. I hope the amendment will not prevail. (Applause.)

The question being on the adoption of the amendment,

The amendment was lost.

The resolve was then passed to be engrossed.

On motion of Mr. Parkhurst of Bangor, the report of the committee on legal affairs, relating to the State maintaining large bridges, was taken from the table.

On further motion by the same gentleman, the report was again laid on

the table and Tuesday of next week was assigned for its consideration.

APPROPRIATION BILL.

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

Mr. Guernsey of Dover, offered amendment "A," to strike out the words "insane State beneficiaries, \$68,000," in the third and fourth lines on page five.

Mr. Guernsey: I wish to say in explanation of this amendment, that the government of Maine for 1899 has, according to the estimates of the State treasurer, about \$1,700,000 to spend, to appropriate for various purposes. The first bill that is presented to this Legislature, and which we are asked to take out of that income, is nearly \$1,600,000, leaving less than \$100,000 that can go to general purposes, and to purposes to which this Legislature may see fit to apply it. I have no criticism to offer as to any department of this government. The administration of the Executive has been wise and extremely economical. But I do criticise any action on the part of this Legislature in adopting this bill without discussion, and I believe I am borne out by the tax payers of the State.

There is about \$1,800,000 in the bill that stands on legal legs, so to speak, and cannot be disturbed without action by the Legislature in repealing laws now existing. There is about \$300,000 in the bill that does not stand in the same way, but is only to be regulated by the action that the House takes at this time. It is true that there is \$25,000 in the bill that is appropriated for incidental expenses, but I shall not criticise that at this time.

This item in regard to State beneficiaries, \$68,000, is the amount fixed by the finance committee on the representations made to them, and is largely based on the expenses of the previous year, which was in fact \$66,000, instead of the present amount \$68,000. That \$68,000 is to pay the expenses of the institution across the river, and those expenses are largely regulated by the income and the expenditures of that institution. They ask the State to make up the difference. The amount of the income of that institution is largely regulated by the amount of board, whether it is high or it is low. At one time they reduced

the amount, and later have raised the amount.

The State government, through the Governor and Council, pays to them such an amount as is required according to the amount of board that they charge on those who are State beneficiaries. Now the amount that they can draw from the State treasury out of this appropriation, in addition to the regular board that the State pays for insane, is, I understand, the difference between their income and their expenditures. If I read correctly the reports of the treasurer and the other officers of the institution, they show that they have been able to accumulate nearly \$20,000 in two years; and I am not sure. I have not had sufficient time to investigate it, but what they have accumulated nearer \$30,000 in two years.

They came to this Legislature two years ago and asked for an appropriation of \$30,000 for building certain buildings, and that cost \$50,000, and they had \$20,000 in cash on hand to make up the difference. Now if they can accumulate that \$20,000 in two years, it ought to be credited, I think, at least to the State, and possibly deducted from the amount of this appropriation. But as I have not had time to investigate the matter, I offer that amendment here to strike that amount out and give an opportunity for further investigation and to see exactly what amount is required by the institution.

I think it is a fair proposition, and all the amendments which I shall offer in regard to the other items, are offered simply to give more time to investigate and ascertain exactly what is required, and that is my only object. And I do not believe that any tax payer in the State will complain.

Mr. Manley of Augusta: I think the House will bear me out when I say that I have endeavored, ever since this bill was presented, to give every member of this House all the opportunity he desired to examine and inquire into every item of this bill. I had no desire to press this bill to a passage; I have none today. My friend from Dover (Mr. Guernsey) I think has been misled in some of his examinations into this item that he moves to strike from this bill.

The estimated receipts for the year 1899, according to the State treasurer,

is \$1,689,210. Cash on hand, \$154,723.75. Temporary loan, \$150,000. Due from the United States government, \$86,000. Leaving \$2,079,933.73 to pay the current expenses of the State for the year. Now the estimated expenses are, in this appropriation bill, \$1,605,799.33. Regular appropriations, that existing laws will cause to be provided for in the second bill, \$143,350. All appropriations that have been presented to the Legislature and are pending, which have not been acted upon, \$420,502.53.

In regard to this item for insane State beneficiaries, \$63,000. In the year 1897 the State paid \$67,000 for the State beneficiaries. In 1896 it paid \$66,000. The gentleman from Dover is mistaken as to the management and government of the insane hospital. Some years ago I had the honor to serve upon that board. That institution is an institution that is created by law. The trustees are appointed by the Governor, approved by the Council. The management of it is in their hands, subject to the control of the Governor and Council, and the Legislature. Every bill has to be presented to the Governor and Council, in their report, and approved by them. It is true that by wise management, by the treasurer buying everything that he buys for that institution in Boston or New York, in the larger markets where he can buy at wholesale, he gets everything at a very low cost.

Now the institution may show that it has made so many thousand dollars, but every dollar has to be expended for the benefit of the institution, giving them new systems of ventilation, new systems of heating, and those things that add to the comfort and benefit of the patients. Every dollar earned at that institution, over and above the mere cost of running it, is expended for the benefit of those poor unfortunate people.

Now the law of the State says that the Governor and Council shall pay to that institution \$1.50 a week for every person who becomes a charge upon the State, who is insane, or else pay it to the town which takes care of the insane patient. This does not all go to the Maine insane hospital. A great part is paid back to the towns; and they are entitled to \$1.50 a week provided that person is a charge upon the State. It is for the Governor and

Council to investigate and to decide, and I do not believe any gentleman upon this floor will question that the Governor and Council have guarded safely and wisely the interests of the State. They would not allow a patient to receive this benefit unless he was legally entitled to it by the statutes of the State.

Of course it is impossible for the State treasurer or for the finance committee to say precisely what the exact amount will be this coming year. It may be more than \$68,000; it may be less; but the Governor and Council will not pay one dollar of this sum unless they first examine and audit the account. It seems to me that if there is any one appropriation in this world that we should make, regardless of income or anything else, it is this one which takes care of the poor unfortunate insane people of this State. (Applause.)

Mr. Guernsey: I have not the slightest objection to the appropriation of all that is necessary to take care of that unfortunate class which is confined across the river. I have in view simply the idea that I wish an opportunity to further examine into the question as to the amount that is necessary; and in an examination this morning of the report of the institution, it seemed to indicate to me that there was a surplus of \$20,000 accumulated in two years from their income.

While it is true that this \$68,000 is to pay in part this \$1.50 a week, I think that that is only a part of the bill, the balance of the bill is the expenses of the institution there, and if they can accumulate that fund in that time, perhaps it ought to be applied to those expenses instead of being withdrawn from the State treasury. If they can come here and represent that \$30,000 is necessary for a certain purpose, as they did two years ago, and receive an appropriation of that amount, and then take \$20,000 from the general fund, general income, and apply it in addition to that appropriation, perhaps it might be well enough for the members of the House to inform themselves in regard to it.

The only object of this amendment is to allow delay. It can go into the second appropriation bill. It will cause no one any harm.

Mr. Parkhurst of Bangor: I wish to say a word in explanation of the man-

ner in which the estimates for this appropriation is made up, and how the money is expended. It has been my fortune to serve on the committee on Insane hospital, as its secretary, for two terms of the Legislature. During that time I have been afforded very full opportunity to investigate the management of the hospital. Under the law of the State, as it now exists, the Insane hospital is entitled to receive money in two ways: First, a specific appropriation which is carried in the salary item, amounting to \$7000, which provides for the salaries of the superintendent, the doctors in attendance, and the treasurer.

Secondly, a sum which is computed from the number of inmates in the hospital. There are at all times three classes of patients, those who are committed by order of court, those who are committed by the desire of their families and relatives and paid for entirely by the individual, and third, those who are committed under due process by the towns and cities of the State, which are partly paid for by the State and partly by the towns and cities committing them. The latter class includes the larger number of patients there.

At the present time, or at least two weeks ago, there were 589 patients of the latter class out of a total of 733. Those patients have been committed by due process of law and the State is charged, under Section 14 of Chapter 143 of the Revised Statutes, with \$1.50 per week for their maintenance. The towns themselves pay the balance of the board rate, which at present is \$4 per week. So, should the amendment of the gentleman prevail, the sum which the State itself is obliged to pay would not be in any sense lessened. If it were possible for the institution to be managed at a less expense, and it were proper for them to receive patients at a less board rate than \$4 a week, the sum saved would go to the towns.

The second class, made up as it is of patients who are committed by their friends, and whose expenses are paid by their friends, have of course, at the present time, no bearing upon the question as their expenses cannot be in any sense charged to the State. There are, I believe, in that class at the present time about 75. Of the first class, who are committed by order of court, the State is obliged by the law to pay the entire charge.

In regard to the possibility of there being a sum in excess of the actual needs of the hospital I wish to explain that the entire sum collected is about \$150,000. That sum is made up of the weekly board of over 700 patients. It is not possible to determine in advance exactly what will be required. In case there is a contagious disease which breaks out among them the expenses of the hospital are greatly increased.

If this should happen during a recess of the Legislature no recourse can be had to the law making branch for redress, and the trustees must necessarily have a reasonable fund in their possession at all times, because the added number of nurses and the added care would increase the cost per patient to much over \$4 per week. I understand that the board, three years ago, was reduced to \$3.75, but it was found on account of the increased cost of material, that that was not sufficient to pay all the expenses of the institution and that they were going behind, and the board rate was advanced to \$4 a week so there might be a certainty that the institution could properly take care of the poor unfortunates who were committed to it.

But even if it were possible to save money, to accumulate it, that money accumulated belongs to the State. It is expended by the board of trustees made up from different parts of the State, men who have served the State in different capacities and who are doing a noble and charitable work. They give to the hospital their best energies, and those gentlemen may be depended upon in their aggregate capacity as trustees, or, as we all know them, in their individual capacities, to see that every dollar goes to the benefit of the insane.

In conclusion I would say that even if they do accumulate and that sum remains in their hands as a surplus, should this appropriation be cut down, should the estimate be scaled, the sum still would be due to the institution under the law; and if, therefore, it is the desire of the gentleman from Dover (Mr. Guernsey) to lessen the amount that the State pays, it should be done by amending the law and providing that the State should pay less than \$1.50 a week for those patients for whose maintenance it is charged.

Mr. Guernsey: I wish to ask the gentleman from Bangor whether or not

it is not a fact that the \$68,000 set aside in this appropriation not only includes the amount of board which is fixed by law, but also the amount that is paid to the institution for expenses, which depend on the income and expenses?

Mr. Parkhurst: As I understand it this sum appropriated can find its way into the treasury of the Insane hospital only by reason of there being enough patients there to demand it. The custom is to make out, at the end of each quarter, a board bill charging the State with \$1.50 a week for the actual number of patients that are there. Should there not be enough to take all of these appropriation it remains in the treasury. Not a dollar of it can find its way into the treasury of the Insane hospital unless there are enough patients who are by law to be supported partially by the State at \$1.50 a week, or entirely so when committed by the court, to take from the State, under this quarterly bill, the sum which has been appropriated. Should there be more than enough to take it the State is charged and must make up by deficiency the sum that is due.

Mr. Guernsey: In examining the accounts, this morning, I found the State was charged with an amount of board for so many patients and then at different times through the year there were sums of \$15,000, paid in lump sums, to the treasury of the Insane hospital for the purposes of expenses.

Mr. Parkhurst: I believe those sums were the amounts due the institution under a specific appropriation for adding buildings, which I understand have been \$30,000, and each payment, therefore, has been \$15,000.

Mr. Guernsey: Not only was the appropriation of \$66,000 paid to the institution, two years ago and last year, for the purpose of board and for the purpose of general expenses, but also \$30,000, which the gentleman from Bangor refers to, was paid outside of that. I have not got the two amounts mixed.

Mr. Manley: I beg to differ with the gentleman. There is another separate appropriation which goes to the Insane hospital, which will be in the second appropriation bill, was in the last appropriation bill of the last Legislature, entirely different and separate from this—\$15,000—a different sum entirely.

Mr. Guernsey: I understand that is for the extensions and the \$30,000 that

was appropriated in addition to the regular bill, two years ago, was also for extensions.

Mr. Plummer of Portland: I wish to offer a further amendment, a separate and entirely different amendment: To strike out in the sixth line on page 7, the words and figures, "University of Maine, \$20,000."

The question being on the adoption of amendment A offered by Mr. Guernsey,

The amendment was lost.

Mr. Guernsey offered amendment "B" to strike out on page 5 the words in lines 31 and 32, "lights for State prison, \$4,500."

Mr. Guernsey: Two years ago a water contract was made for the State prison, for \$2500 a year. I opposed that contract, but I shall make no objection to it now. But I do oppose the appropriation of \$4500 for lights which is contained in this bill, and I offer this amendment to strike it out that the committee may further investigate and see whether or not a less sum would not be sufficient to light the State prison. I simply wish to delay that for further consideration.

Mr. Manley: This item of \$4500 for lighting the State prison was placed in that appropriation bill because six years ago the Legislature authorized the Governor and Council to make a contract for lighting the State prison. The Governor and Council executed that contract for a period of 10 years. The contract has not expired, and will not expire for four years to come. The contract fixes the price, and we found that the amount of lights used for the past two years had exceeded the amount of \$4500. But we only placed in the appropriation bill the amount of \$4500. We saw no other way but to place it in the bill and leave it for your consideration.

Mr. Hix of Rockland: The contract provides for lighting the prison and other State buildings, and the price is the same as paid by private business firms doing business in that vicinity. I understand it is equivalent to about \$2 per thousand for gas. The consumption of electricity in the State prison is entirely in the hands of the warden and officials. The meters are taken and the bill is made out upon what they use. The appropriation of the finance committee was fixed in accordance with previous years. On the general appropriation bill the matter has been thoroughly looked into by the finance committee. It is a matter of law and a matter of contract, and it seems to me to be a proper method of doing business to pass this appropriation bill, and if any feature in the bill needs attacking, then attack it and let it go on its own merits.

Mr. Wood of Camden: I wish to say that the electricity used for lighting in my town is paid for at the same rate as the electricity used in the State prison, 20 cents per 1000 volts. I also understand that the contract was made with the State prison for a period of 10 years, and has now four years yet to run. I think it is very poor legislation to undertake to attack existing contracts. I think we

should live up to the contracts that have been made by previous Legislatures.

I understand that the expenses of wiring for electricity in the State prison was borne by the company without cost to the State, in consideration that the State should make a 10-year contract. At the end of 10 years, if a satisfactory price cannot be made, the State has a perfect right to stop, and the company at that time can take out the wires or the State can buy the wiring at a proper valuation made at that time.

I also understand, as the gentleman from Rockland (Mr. Hix) said, that this is entirely within the hands of the warden and building inspectors. They can use as much light or as little as they choose. I trust that the amendment will not prevail.

Mr. Guernsey: I have no desire to ask this Legislature to violate any existing contracts. This contract is an elastic contract, and the Legislature can properly regulate the amount that can be taken under it by making an appropriation. When it first went into effect, about \$1000 was required for light. The next year, about \$2200. The following year it rose to \$3000; and finally went to more than \$4500, but I understand the Governor and Council only paid the amount of the appropriation, \$4500. My only object in delaying this matter is to have it further considered, and to see whether or not a smaller amount cannot be appropriated for the purpose. I do not intend to attack the contract or ask the State to violate it, although it contains some terms that I should object to, one of which prevents the wardens from carrying a lantern around the premises in a dark night.

Mr. Gardner of Patten: I would inquire of the gentlemen from Rockland and Camden if they have any information as to the number of electric lights in the State prison building?

Mr. Hix: I could not give the exact number of lamps. The contract when made provided for a certain number of lamps. Then any additional lamps that were to be added were left entirely in the hands of the Governor and Council. Even the warden himself cannot order new lamps put in. They are to come through the Governor and Council. When the buildings are lighted it is done by an order of the Governor and Council.

Mr. Macomber of Augusta: I hold in my hand the contract between the State of Maine and the Lighting Co. at Rockland, which was made six years ago by order of the Legislature. The committee on State prison visited that institution and at the request of the warden and inspectors of the institution they examined into the question of lighting. That committee unanimously reported that it was desirable that a contract should be entered into for the purpose of lighting the State prison buildings and the houses belonging to the State used in connection with the prison. This contract was made by a committee of the Governor and Council, of which Judge Downes of Calais, was the chairman, and it was signed by Henry B. Cleaves and every member of the Council.

Now the conditions of that contract are that for a period of 10 years there shall be a contract between the State of Maine and this lighting company for the lighting of that prison. And I claim that it is

not within the power of this Legislature or of this House to annul or abrogate that contract. It is a contract that is as binding as any contract that can be made. So far as the amount of the appropriation is concerned, it makes no difference whether it is much or little.

The conditions of the contract are these, that that lighting company shall receive for the current supply of that institution 20 cents per 1000 volts. As the gentleman has stated, that is substantially the same as \$2 a thousand for gas. A meter is placed in that institution and every particle of current that is supplied to it passes through that meter. That meter, under the conditions of the contract, must be at all times kept and watched by the warden. There is another condition in the contract and it was put there for the reason that the lighting company was subjected to a large expense for wiring the building.

You gentlemen who have lights know that when the wiring is put in you have to pay the bills, but in consideration of the contract running 10 years and that at no time they should use less than 116 lights, the lighting company agreed to furnish and to put in place all the wiring in the prison and furnish at the same time all the lamps, which they have done up to this time.

Now in answer to the gentleman from Dover (Mr. Guernsey) as to why the amount has increased from one year to another, for the first year or two it was decided by the Governor's Council that the cells of the prison should not be lighted, but that those lights should be put around in the corridors, in the guard room and the warden's house. That is why the price was not as great in the first years of this contract as the last years. From time to time the prison inspectors and committee of the Council have been there and taken up this question, and they decided that in all those cells there should be one small lamp; and that is the reason for that increase.

Now whether the appropriation is much or little, I think there is no doubt in the minds of anybody here that we cannot abrogate that contract or change it by any action we can take. If the appropriation of \$4500 is made, and the warden or the prison inspectors or the committee of the Executive Council cut down that light supply to 116 lights, they can do it and it is entirely within their control, not within the control of this House.

The question being on the adoption of amendment "B,"

The amendment was lost.

Mr. Guernsey offered amendment "C," to strike out on page 5 in lines 27 and 28 the words and figures, "water for State House, \$1800."

Mr. Manley: I regret to confess that this is a matter in which I have a little personal interest. I am a stockholder and an owner in the Augusta Water Co. I never had anything to do with any arrangements that have been made between the company and the State. When the water company was chartered and went into existence 10 or 12 years ago, water was placed in this building. It has been increased from year to year. Two years ago, the company, through its proper representatives, of whom I was not one, had a full hearing before the finance committee as to the price which should be paid for the use of water.

The superintendent of public buildings had added some 36 lawn sprinklers which he kept running every day during the summer months. The elevator was found to consume 59 gallons of water every time it was raised. And the finance committee fixed the price at \$1800, which the company felt was a low price, much lower than it ought to have been for all the uses for which water is used in this building. This building is open to the public every day in the year. The State officials and their clerks are here constantly the year around.

I took the liberty to go to the Governor the other day and talked with him about this contract, and I am authorized to repeat what took place between us. Remember that these bills are passed upon by the Governor. I told him that I was authorized to state to him that, when the next bill came due, if he and his Council would examine carefully into the uses made of the water in this building, remembering the fact that the company has to pump this water to an elevation of 325 feet, if they thought the price was too high and would agree upon what they thought was a fair and equitable price, the company would accept. The Governor authorized me to say that he thought that was a fair and honorable proposition, and that when the next bill came in, if this was in the appropriation, he would examine carefully into it, and if he thought the price was too high he would reduce it. If he did not think it was too high, but that it was just and fair, he would pay it.

Now the company is perfectly willing to leave it in the hands of the Governor and Council, believing that they will do justice to the company and that they will act for the best interests of the State. The price fixed here is the price which the last Legislature voted upon unanimously. The company is perfectly willing to leave it absolutely in the hands of the Governor and Council.

Mr. Guernsey: I offered that amendment for the same purpose, to secure delay for further investigation.

The question being on the adopting of amendment "C,"

The amendment was lost.

Mr. Guernsey called for the yeas and nays. The necessary one-fifth not voting, the call for the yeas and nays was not sustained.

Mr. Guernsey offered amendment "D," to strike out on page 6 in line 18, the words and figures, "printing, \$35,000."

Mr. Guernsey: I wish to state in regard to that item that I have taken nearly a week to investigate it and the amount of figures is so great that I have not had time. I think further delay in regard to that appropriation could do no one any harm.

Mr. Bennett of Hollis: I understand that the gentleman from Dover has not antagonized any single one of those items, and I am glad that there is a man who has got the ability and the grit to take this matter up and look into it. (Applause). If we compare our appropriations with what they were 20 years ago we will find that they are nearly three times as large, while the population of the State has had hard work to keep on a level. It is time we should look to see where all this expense is going to. Thirty-

five thousand dollars this State pays for printing, and every man here knows where three-quarters of that printing goes to. Six weeks after this Legislature closes you will find one-half of it in the junk stores in Portland. We are not here to throw away money in this way; and the gentleman only asks a fair chance to investigate this matter. Either there is much to it or little. Thirty-five thousand dollars is a good deal of money and I have got respect for the taxpayers. I hope every man on this floor will give this gentleman a fair chance to investigate this matter. (Applause).

Mr. Burns of Westbrook: I will say that this matter of State printing and binding was before a special committee of the Legislature nearly all winter four years ago. It was very thoroughly investigated, and we investigated the expense in other states and compared these expenses with those of firms doing a large amount of printing in this State, and the prices charged we found to be reasonable and very much less than the same work was done for in other states. At that time a law was passed electing a State printer and also a State binder. The price of the work was fixed by law, and no jobs can be accepted by the State printer or by the State binder except the order comes from the heads of the departments and is approved by the Governor and Council. So I do not see wherein we can change the thing. If the heads of departments and the Governor and Council see fit to order a smaller quantity, of course the expense will be less, but we cannot change the price of the work unless we repeal the law.

Mr. Smith of Presque Isle: I have but very little to say on this matter of State printing and binding. Up to this point the gentleman from Dover has not made a single, positive, definite charge of anything wrong or improper in regard to any matter we have discussed so far. He simply says that he wants time to investigate further. The State printer and State binder are now elected in joint session of the Legislature, and the price for State printing, as I understand it, is established by the act which created the office of State printer; and also in regard to the State binding. In regard to the work of the State printing and binding, a voucher has to be presented and the matter is carefully examined and audited by the Governor and Council before any money is paid out whatever. We have in this State some 18 or 20 different boards which are required to make reports. We have, for instance, the board of agriculture which puts out several thousand copies—reports in which every farmer in this State is interested. The gentleman from Hollis (Mr. Bennett) says that these reports would turn up in the junk stores of Portland. I don't believe it. I know the farmers in my section, in the county of Aroostook, are interested in the agricultural reports sent out by the agricultural department of this State, and I should hesitate a long time before I voted to reduce any appropriation that went towards the printing of these reports for the farmers of the State.

The bank examiner sends out a large number of reports. There is a call for them. Then we have the labor bureau, the reform school, the fish and game, the industrial school, State prison, Maine State College, and all the others. The State binding includes the binding of

these various reports, and the price is all established by law, and every item is verified and every penny is accounted for. Then this item in this bill includes the Legislative printing; for instance, every speech that is made adds to the cost of the State printing. The few remarks that I am making here will cost more to print than they are actually worth. (Laughter).

Two years ago, the Legislative printing, including the various bills that were introduced and the engrossing and the diagrams and the calendars and the various things which are printed, amounted to \$12,478.54. That was the printing that was incidental to the session of the Legislature two years ago. I have no doubt but what the printing at this session will equal that of the last. It seems to me that this estimate of \$35,000 is not too much. It seems to me that we can take the estimate made by the finance committee in regard to this item of \$35,000, and I hope that that item will not be stricken out.

Mr. Manley: I simply desire to say for the information of my friend from Hollis (Mr. Bennett) that this appropriation covers work which has mostly been done and not paid for. The reports of 1898 are not made to the Governor and Council until January 1st, 1899. Those reports have all been made. They have been in the hands of the printer, and I understand that every one has been printed except the Agricultural Reports. So they have acted in good faith. They have performed the work. And if we are to make any reform in this matter which can possibly be made, it should be done in reference to the work of 1900, and not for the appropriations for the year 1899, most of the work of which has been already done.

Mr. Bennett: I have no objection to paying the printers for all they have done. My point was that the gentlemen from Dover wished to have more time. That is what I think he ought to have. I do not think that he will antagonize it in anyway, shape or manner.

The question being on the adoption of amendment "D."

The amendment was lost.

Mr. Guernsey offered amendment "E" to strike out on page 6, lines 25 and 26, the words and figures "binding and stitching, \$18,000."

The amendment was lost.

The question then being on the adoption of amendment "F" to strike out on page 7, line 6, the words and figures, "University of Maine, \$20,000."

The amendment was lost.

The bill was then read the third time and was passed to be engrossed.

On motion by Mr. McFadden of Dresden, resolve in favor of the Home for Friendless Boys at Deering was taken from the table and tomorrow assigned for its consideration.

On motion of Mr. Deering of Saco.

Petition of Joseph Walker and others in favor of setting off Ocean Park so called from the town of Old Orchard and annexing same to the city of Saco, also Bill "An Act to set off a part of the town of Old Orchard and annex the same to the city of Saco, were taken from the table, and referred to the Committee on towns.

On motion of Mr. Leavitt of Eastport, Adjourned.