

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-First Legislature

OF THE

STATE OF MAINE.

1903.

HOUSE.

Wednesday, Jan. 14.

Prayer by the Rev. Mr. Hayden of Augusta.

The following petitions, bills, etc., were presented and referred:

Judiciary.

By Mr. Norton of Gardiner—Petition of Frederick Danforth and 26 others of Gardiner, to incorporate the territorial limits of the city of Gardiner, or the compact portions thereof as a water district.

By Mr. Drew of Portland—Bill, "An act to amend Section 28 of Chapter 73 of the Revised Statutes, relating to conveyances."

By Mr. Smith of Presque Isle—Bill, "An act to amend Sections 1 and 4 of Chapter 339 of the Private and Special Laws of 1901."

By Mr. Potter of Brunswick—Petition to regulate the speed of automobiles.

By Mr. Sutherland of Biddeford—Bill, "An act to authorize the Old Orchard Electric Light Company to issue bonds, and for other purposes."

Legal Affairs.

By Mr. Allan of Portland—Bill "An act to enable women paying taxes to vote in municipal elections."

By Mr. Low of Portland—Bill, "An act to amend the Portland city charter."

By Mr. Barker of Bangor—Bill, "An act regulating the sale or exchange of mortgaged personal property."

Bill, "An act to amend Section 24 of Chapter 102 of the Public Laws of 1891, as amended by Chapter 267 of the Public Laws of 1892, relating to providing for the printing and distributing ballots at the public expense and regulating voting at State and city elections."

By Mr. Perkins of Wilton—Bill, "An act to extend the Wilton Electric Light and Power Company."

By Mr. Morrison of Eden—Bill, "An act relating to the Bar Harbor Electric Light Company."

By Mr. Potter of Brunswick—Petition in respect to water supply for the towns of Brunswick and Topsham.

Education.

By Mr. Smith of Presque Isle—Bill, "An act to establish an additional Nor-

mal School to be located at Presque Isle in the county of Aroostook.

By Mr. Mead of Bridgton—Resolve to provide for the expenses of the Maine Industrial School for Girls.

Resolve in favor of the Maine Industrial School for Girls.

Railroads, Telegraphs and Expresses.

By Mr. Shaw of Bath—Bill, "An act to amend the charter of the Lewiston, Brunswick & Bath Street Railway."

By Mr. Davis of Waterville—Bill, "An act to authorize the Wiscasset, Waterville & Farmington Railroad Company to build branches in Winslow and Oakland."

Bill, "An act to extend certain franchises held by the Wiscasset, Waterville & Farmington Railroad Company."

By Mr. Parrott of Oxford—Bill, "an act to authorize the Norway & Paris Street Railway to purchase the property and franchises of the Oxford Light Company."

By Mr. Dudley of Augusta—Bill, "An act to authorize the Augusta, Winthrop & Gardiner Railway to supply electricity in the town of Winthrop."

Bill, "an act to amend the charter of the Augusta, Winthrop & Gardiner Railway."

By Mr. Favour of Kittery—Bill, "An act granting additional powers to the Portsmouth, Kittery & York Street Railway."

By Mr. Littlefield of Rockland—Bill, "An act to amend the charter of the Rockland Thomaston & Camden Street Railway."

By Mr. Favour of Kittery—Bill, "An act to enlarge the powers of the Berwick, Elliot & York Street Railway."

By Mr. Pooler of Waterville—Bill, "An act to grant additional powers to the Portland & Brunswick Street Railway."

Bill, "An act to grant additional powers to the Waterville & Oakland Street Railway."

Public Charities and State Beneficiaries.

By Mr. Davis of Waterville—Petition of Martin Blaisdell and seven others of Waterville, praying for aid for Maine Home for Friendless Boys.

By Mr. Drew of Portland—Petition of Maine Federation of Womens' Clubs,

representing 4457 women, praying for the establishment of a home and school for the feeble minded.

Petition of the officers of the Portland Women's Council representing 2800 women for the same.

By Mr. Shaw of Bath—Petition of 21 citizens of Bath praying for aid for Maine Home for Friendless Boys.

By Mr. Drew of Portland—Petition of W. W. Brown and 21 others of Portland, for same.

By Mr. Potter of Brunswick—Petition of George L. Skoffield and 25 others of Brunswick, for same.

By Mr. Norton of Gardiner—Petition of Freeman Patten and 21 others of Gardiner, for same.

By Mr. Burrill of Ellsworth—Petition of A. W. Greeley and 25 others of Ellsworth, for same.

By Mr. Drew of Portland—Resolve in favor of the Maine Eye and Ear Infirmary.

Petition of trustees of Maine Industrial School for Girls, praying for the establishment of a home and school for the feeble minded.

By Mr. Dudley of Augusta—Petition for an appropriation for Temporary Home for Women and Children in Portland.

By Mr. Davis of Waterville—Petition for aid for Temporary Home for Women and Children of Portland, by M. C. Foster and 50 others.

By Mr. Allan of Portland—Resolve in favor of St. Elizabeth's Orphan Asylum of Portland.

Petition of A. S. Moulton and 100 others in favor of resolve in favor of Temporary Home for Women and Children of Portland.

By Mr. Poor of Belfast—Resolve in favor of the Children's Aid Society of Maine.

Inland Fisheries and Game.

By Mr. Allen of Wellington—Petition of J. F. Sprague and others of Monson, in favor of taxing hunters and paying farmers for crops destroyed by big game.

By Mr. Allan of Portland—Resolve in favor of screening Jordan's river in Cumberland county.

Shore Fisheries.

By Mr. McNamara of Thomaston—Bill, "An act in relation to the catch-

ing of lobsters about the islands of Matinicus and Criehaven."

Petition of H. J. Ames and 8 others of Matinicus and Criehaven Plantation in favor of an act for close time on lobsters in waters within five miles of the islands of Criehaven and Matinicus in the county of Knox.

Petition of John E. Crea and 10 others of Matinicus and Criehaven Plantation for same.

By Mr. Potter of Brunswick—Petition in respect to shad and alewives in Androscoggin county.

Public Buildings and Grounds.

By Mr. Tapley of Brooksville—Petition of 53 citizens of Whitefield for an appropriation to excavate and improve State reservation at Fort William Hendy, Pemaquid; Petition of A. W. Glidden and 29 others of Newcastle; of R. K. Sewall and 29 others of Wiscasset; of 8 citizens of Bremen; of S. A. Richardson and 7 others of Jefferson—for same.

By Mr. Greenleaf of Westport—Petition of A. O. McDougall and 41 others of Boothbay for same.

Temperance.

By Mr. Allan of Portland—Remonstrance of Rev. F. S. Morin and others against re-submission of the prohibitory amendment; Remonstrances of preachers of most of the Methodist churches of Cumberland and York counties against same.

Taxation.

By Mr. Dudley of Augusta—Bill, "An act to amend Chapter 258 of the Public Laws of 1893, as amended by Chapter 130 of the Public Laws of 1895, relating to the taxation of saving banks."

Banks and Banking.

By Mr. Sweeney of Fort Kent—Bill, "An act to incorporate the Fort Kent Bank."

York County Delegation.

By Mr. Sutherland of Biddeford—Bill, "An act relating to the salary of the county attorney of the county of York."

Orders.

On motion of Mr. Smith of Presque Isle,

Ordered, That 300 copies of the or-

der of proceedings and debates be printed for the use of the members of this House.

On motion of Mr. Allen of Sanford, Ordered, That the State printer be directed to furnish each member of the House with a daily file of proceedings the same as last session.

On motion of Mr. Carleton of Rockport,

Ordered, That the committee on elections be granted the use of this hall afternoons and evenings during the hearings of the contested election cases.

On motion of Mr. Drew of Portland,

Ordered, That when the House adjourns it be to meet at ten o'clock on the following morning unless otherwise ordered.

On motion of Mr. Gannett of Augusta,

Ordered, That the committee on inland fisheries and game be directed to inquire into the expediency of enacting a license law for non-resident hunters, and to report by bill or otherwise.

On motion of Mr. Swett of Portland,

Ordered, The Senate concurring, that a committee consisting of the Governor, President of the Senate and such members of the Senate as may be joined on the part of that body, and seven members of the House of Representatives of which number the Speaker of the House of Representatives shall be one, be appointed a committee to arrange for suitable memorial exercises to be held in the Hall of the House of Representatives on Wednesday, January 28th, 1903, in order that the Executive Department and members of the Legislature may pay a just tribute of respect to the memory of the late Thomas B. Reed.

Papers from the Senate disposed of in concurrence.

The Hay-Bond Treaty.

Resolves protesting against the Hay-Bond treaty.

This resolve came from the Senate, read twice under a suspension of the rules and passed to be engrossed.

Mr SEWALL of Bath: Mr. Speaker, I move that the rules of the House be suspended and that the resolve take its two readings without reference to a

committee and be passed to be engrossed.

The motion was agreed to.

The resolve was then read twice.

Pending its passage to be engrossed.

Mr. DAVIS of Waterville: Mr. Speaker, personally I know but very little about that measure and what the protest means, and at this early stage in our Legislative proceedings I arise to protest against this measure becoming a law, or against the enactment of the measure until the members of this House shall have had sufficient opportunity to look into the merits of the protest. I sincerely hope that it will go no farther, and I move, if it is in order, that it be laid on the table for future consideration. I am willing to have a time assigned, if it pleases the member from Bath, or leave it indefinite, but I protest against railroading anything through this House at this early stage of the proceedings.

The motion was lost.

Mr. DAVIS: Mr. Speaker, I doubt the vote and call for a division.

Mr. SEWALL of Bath: Mr. Speaker, before that vote is taken it seems to me, in view of the reflections of the gentleman from Waterville (Mr. Davis), on the motive of the movers of that resolution not only in this body but in the Senate, that I am entitled to make an explanation.

Mr. WEEKS of Fairfield: Mr. Speaker, I move that the gentleman from Bath (Mr. Sewall), have unanimous consent to speak at this time.

The motion was agreed to.

Mr. SEWALL of Bath: Mr. Speaker, It was not from any reluctance on my part to have a very full discussion of that resolve at this time that I made the motion that I did. It was from no desire to railroad any measure through the House at this time, and it strikes me that it comes with very ill grace from the gentleman from Waterville (Mr. Davis), who only the other day, when we were hardly in our seats, not only was trying to instruct us in his generous resolution regarding the Democratic press of the State, but almost before we recovered our breaths he introduced another resolution of a very important character, and proposed it, I submit, from motives that could

not be analyzed and bear the test of existing simply for the good of the State.

Mr. Speaker, this resolution is in direct response to our Governor's message wherein the only subject of federal importance and legislation he touched upon was the matter of the fisheries. The proper response to that invitation on the part of the Governor is to pass this resolution. It is in the fullest accord with the sentiment of our delegation both in the Senate and House of Representatives in Washington, and is in no sense an instruction to them, but only encouraging them in the work which they have begun. And it is in full accord, Mr. Speaker, with the sentiments of the entire population of the whole maritime section of our State. The object in asking action at this time was solely and entirely on my part that our action might go to Washington before the next meeting of the Senate committee of foreign relations. For the situation is critical, and if we do not speak on the subject, we whose people are most affected, 25,000 of them according to that resolution, and threatened almost with ruin—if we do not speak, I do not know whom we can expect to speak for us.

That is the simple statement. If the House is in a mood to hear anything more on the subject, I shall be very glad to proceed. And I say to the gentleman from Waterville (Mr. Davis), and I say to those members here, who make up the majority of this House, who come from other parts of the State than the seacoast, without any reflection upon them, that they can hardly be cognizant of the conditions existing in our seaport towns, today. You are prosperous in Waterville. You are prosperous in the interior. And the owners of our timber lands have had a prosperity come upon them of which they could hardly dream. One part of this State, gentlemen, is in a different condition. Blow after blow has been inflicted upon it. And you can see the results, if you will, in the census returns for the last three decades, and you will find that where your population has diminished and dwindled, it has been in the seaport counties of our State. It was so in 1880. In 1890 the loss in population reached nearly 7000

people there. And in the last decade the only counties in this State which showed a loss in population were the fishing and seaport counties of Knox, Lincoln, Waldo and Hancock. The fishing industry there is the only industry that is left to them. Shipbuilding is a lost art in those counties excepting in a few centers, and fortunately one of those centers is in the county which I have the honor in part to represent. Our flag, you know, has disappeared from the sea. Change in the management and control of the lime industry has run out the little coaster, deprived the people on the coast of the opportunities for furnishing fuel to the lime kilns, and the men who made the barrels and the shooks along the coast are themselves thrown out of employment. This is the only industry that is left to them; and this has had its blows. We are shut out from the trade in the West Indies, and by a strange fatality the very weapon which Canada and Newfoundland have used against our fishermen today is a weapon which we put into their hands when we paid the Halifax award and allowed them to use, as they are using today, the interest in that award, amounting last year to \$166,000 as subsidies with which to fight our own fishermen.

That is as plain a statement as I can make, and it is a statement, I assure the gentleman from Waterville, absolutely free from partisanship; and I wish I could say the same of certain resolutions which he has submitted at our present session. This resolve permits us to raise our voice to defend these people against a threatened calamity, that is imminent as our senators and representatives have advised us in Washington. The treaty proposes to open up to Newfoundland the salt fish trade which today is practically controlled by New England and in which we have 25,000 of our people engaged; and I venture to say they are the bravest and best people we have within the limits of our State. Five million dollars, the resolve tells you, was brought into this State last year by these people, every dollar of it hard-earned and honestly earned and earned at the expense of perils and privations to which no other class of people have to submit. The Governor said in his message to us, eloquently and very truly—and I did not hear the gentleman from Waterville charge the Governor with being a partisan or having any desire to railroad anything through this House—the Governor said of this industry in his message that it is one resource that we have among us where an honest man can earn his livelihood, and that livelihood will be limited only by the amount of industry he puts into his exertions there. The Governor might have added that not only that is true, but that if you take away this resource from those people, they have nothing else whatever

to fall back upon; they go back to the rockiest part of our coast, to a soil so sterile that there is no other means of livelihood left to them, and they go back to homes that will, if this treaty passes, be in desolation and despair.

That is the plea I make for the immediate passage of that resolution, that our voice may be known to the country, and that although we may act in vain, we may do all we can to save these deserving people from a threatened and terrible calamity.

Mr. DAVIS of Waterville: Mr. Speaker, may I have the courtesy of the House to reply?

The SPEAKER: If there is no objection the gentleman may proceed.

Mr. DAVIS: Mr. Speaker, I wish to say that I do not want my position caricatured, or misunderstood by the House, and therefore I must reply to the gentleman from Bath (Mr. Sewall) and say that his charge of partisanship is unfounded. His charge that I have attempted to railroad a measure, or his intimation that I have attempted to railroad a measure through this House, is not true. Mr. Speaker, it is true that I offered the other day a resolution for the resubmission of the Fifth Amendment of the amended Constitution of Maine, and that I asked for its reference to the judiciary committee. I did this because I believed, and still believe, that all measures carrying such weight as this one and meaning so much to the people of Maine, should go before its proper committee where it can be properly handled, thoroughly digested, and at the proper time reported again to the Legislature. And I say, Mr. Speaker, and I say to the gentleman from Bath (Mr. Sewall), that it is a libel on the intelligence of this House to ask them to pass a measure and to make it a law at the beginning of this session when they don't know what they are doing. I have asked for nothing of the kind, I do not propose to, until the House through its proper committee can have had time to thoroughly digest these measures. And, Mr. Speaker, I submit that it is entirely unfair for the gentleman from Bath or for anyone to offer a measure for passage by this House until such time and such opportunity can be had. There is no reason for it. The gentleman from Bath assumes what is not true when he assumes that I am opposed to this measure. The chances are that I will be one of its most loyal supporters, but I want to know, before I vote upon any measure, that it is for the interests of this State and for the people of this State; and call it partisanship if you please, I propose to vote intelligently on these measures if I have the opportunity; and, Mr. Speaker, I insist upon my motion.

Mr. PIKE of Lubec: Mr. Speaker, when that vote is taken I move it be taken by the yeas and nays.

The motion was agreed to.

The question being on the motion to lay the resolve upon the table, the yeas and nays were ordered.

YEA—Albert, Allen of Wellington, Bailey, Benner, Blanchard, Brewster, Bussell, Butler, Carleton, Clark of Prospect, Coyne, Curtis, Daniels, Davis, Dudley, Farnsworth of Pembroke, Gagnon, Garcelon, Gardner, Hall, Knapp, Knowlton of Camden, McIntire, McNamara, Morey, Nelson, Peaslee, Pooler, Smith of Hartland, Spear, Stover, Taylor, Thomas of Harpswell, Thurlow, Tripp—35.

NAY—Allan, Allen of Sanford, Barker, Blake, Bodwell, Briggs, Burrill, Buxton, Cameron, Campbell, Clarke of Nobleboro, Coburn, Cole, Cordwell, Davidson, Dilling, Downing, Drew, Eaton of Calais, Eaton of Wells, Farnsworth of Tremont, Favour, Foss, Gannett, Greenleaf, Hawkes, Hayes, Hill of Brownfield, Hill of Winterport, Hinkley, Howe, Howes, Hubbard, Jones, Josselyn, Kimball, Knowlton of New Portland, Lamb, Leavitt, Libby of Oakland, Littlefield, Low, Manson, Maybury, McGregor, McKusick, Mead, Merriam, Mewer, Mills, Morrison, Nash, Newcomb, Nickerson, Norton, Oakes of Auburn, Oakes of Milford, Page of Drew Plantation, Page of Skowhegan, Patterson, Perkins, Pettengill, Pike, Poor, Potter, Purinton, Putnam of Houlton, Randall, Reynolds, Rice, Ross, Ruggles, Sargent, Sewall, Shackford of Harrington, Shackford of Poland, Shaw, Smith of Madison, Smith of Presque Isle, Snowe, Stearns, Sturgis, Sutherland, Swett, Sweeney, Tapley, Tartre, Thomas of Topsham, Thornton, Todd, Tremblay, Twambly, Waterhouse, Watson, Weeks, Wentworth, White, Williams—98.

ABSENT—Abbott, Boyd, Bussey, Cook, Dodge, Furbish, Hill of Buxton, Irving, Libby of Mechanic Falls, Libby of Newfield, McFaul, Parrott, Putnam of Danforth, Savage, Thompson of China, Thompson of Orono, Weatherbee—17.

So the motion was lost.

On motion of Mr. Sewall of Bath, the resolve was then passed to be engrossed.

Finally Passed.

Resolve protesting against the Hay-Bond treaty.

On motion of Mr. Ross of Bangor,

Adjourned.