

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

**Seventy-Second Legislature**

OF THE

STATE OF MAINE.

---

1905.

**HOUSE.**

Friday, March 3, 1905.

Prayer by Rev. Mr. Hayden of Augusta.

Journal of yesterday read and approved.

Papers from the Senate disposed of in concurrence.

The following order received a passage:

Ordered, the Senate concurring, that when the House and Senate adjourn it be to meet on Tuesday, March 7th, at 4.30 P. M., 1905.

The majority and minority reports of the committee on mercantile affairs and insurance, in regard to arbitration clause in the Maine Standard policy, came from the Senate.

On motion of Mr. Eriggs of Auburn, pending the acceptance of either report, they were tabled and Thursday of next week assigned for their consideration.

Petition of E. S. Dixon and 12 others against repeal of what was formerly chapter six, section 23, of the Revised Statutes, now section 25, chapter 9, which was placed on file in the House, comes from the Senate referred to the committee on taxation in non-concurrence.

The House receded and concurred with the Senate in its reference.

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

**Judiciary.**

By Mr. Merrill of Skowhegan: Bill, an act to secure proper and uniform records in municipal courts and provide for record books, supplies and so forth.

**Legal Affairs.**

By Mr. Nash of Damariscotta: Petition of F. C. Carney and 13 others for amendment to section eight of article nine of the constitution, relative to taxation.

By Mr. Baxter of Portland: Bill, an act to amend section 24 of chapter 48 of the Revised Statutes, relating to savings banks.

By Mr. Abbott of North Berwick:

Ordered, the Senate concurring, that the committee on legal affairs make inquiry in relation to the present meth-

od of assessing and describing wild lands taxed by the State and the several counties for the purpose of securing legal assessment and proper and sufficient description of such lands to make the sale thereof by the State treasurer for the non-payment of State and county taxes of binding and legal effect; and further to make inquiry as to the advisability of requiring the State treasurer to give in the name of the State additional and amended deeds to DeForest Keyes and Herbert L. Kimball, containing sufficient description of the wild lands forfeited to the State and sold by the State to them on tax sale, so as to enable them to locate such lands so sold to them, and to report by bill or otherwise in said matters, looking to the just interest of the State and to just and equitable relief of said parties herein mentioned, who have in good faith paid their funds to the State and have received nothing whatsoever from the State. (Tabled on motion of Mr. Powers of Houlton.)

**Railroads and Expresses.**

By Mr. Kimball of Rockland: Bill, an act to amend section ten of chapter 52 of the Revised Statutes, relating to the management and operation of steam railroads. (Tabled for printing pending reference on motion of Mr. Kimball.)

**Temperance.**

By Mr. Price of Weston: Petition of Robert Boyd, M. D., and 17 others of Linneus for the act providing for the labelling of patent medicines containing alcohol and narcotic drugs.

By Mr. Purinton of Bowdoin: Petition of R. A. Rich and five others of Richmond for same.

By Mr. Milliken of Island Falls: Petition of Brown G. Smith and 17 others of Cherryfield for same; of F. C. Harris, M. D., and five others of Sherman for same; of J. E. Partridge and 19 others of Bristol for same; of J. H. Roberts and seven others of Fairfield for same.

By Mr. Scribner of Charleston: Petition of A. N. Purinton and 17 others for same; of F. A. Bickford and three others for same.

By Mr. Reed of Portland: Petition of E. A. Pond for same.

By Mr. Reed of Portland: Petition of E. A. Pond for same.

By Mr. Putnam of Danforth: Petition of Winfield Thornton and nine others for same.

By Mr. Smith of Madison: Petition of L. M. Ellingwood and Rev. J. W. Vaughan of Athens for same.

By Mr. Stearns of Millinocket: Petition of F. V. Weymouth and 24 others of Millinocket for same.

By Mr. Oakes of Auburn: Petition of Albert N. Jones and 24 others for same; of Charles R. Tenney and six others for same.

By Mr. Thomas of Topsham: Petition of Lewis M. Fulton and 40 others for same.

By Mr. Treworgy of Surry: Petition of Dr. W. E. Emery and 12 others of Surry for same.

By Mr. Baxter of Portland: Petition of Stephen W. Weeks and one other for same.

By Mr. Hill of Buxton: Petition of C. W. Cook and 17 others of West Buxton for same.

By Mr. Fawsette of Garland: Petition of J. L. Sanders and 11 others for same.

By Mr. Verrill of Westbrook: Petition of C. F. Parsons and 12 others of Westbrook for same.

By Mr. Leighton of Westbrook: Petition of George B. Hsley and 45 others of Westbrook for same.

By Mr. Newbegin of Gray: Petition of H. F. Thayer and 29 others for same.

By Mr. Sawyer of Smithfield: Petition of F. J. Robinson and two others of Fairfield for same.

By Mr. Howes of Palmyra: Petition of Rev. C. A. Brooks and 101 others of Norway for the passage of the Sturgis bill.

By Mr. Webster of Chesterville: Petition of George C. Purington and 64 others of Farmington for the enactment of a law that will clothe the Chief Executive with authority to enforce the prohibitory law.

#### Taxation.

By Mr. Newbegin of Gray: Petition of F. L. Clark and 35 others in favor of bill to increase the rate of taxation of railroads.

#### Salaries.

By Mr. Ingersoll of Biddeford: Bill, an act to amend chapter 116, section 11, of the Revised Statutes, relating to compensation of members of government.

The adjournment order passed by the House to meet at 4.30 o'clock Tuesday afternoon, came from the Senate non-concurred in and amended so as to read "at 10.30 A. M. on Tuesday."

Mr. Higgins of Limerick, moved that the House insist and ask for a committee of conference.

The motion was agreed to and the Speaker appointed on the part of the House Messrs. Higgins of Limerick, Kimbal of Rockland and Baxter of Portland.

The Speaker subsequently announced that the order had been returned from the Senate with Senators Stetson, Pierce and Pike appointed on the part of the Senate.

#### Reports of Committees.

Mr. Littlefield from the committee on judiciary, reported ought not to pass on bill, an act to amend paragraph 6 of chapter 88 of the Revised Statutes.

Mr. Holmes from the committee on legal affairs reported ought not to pass on bill an act to amend section 60 of chapter 29 of the Revised Statutes relating to intoxicating liquors.

Mr. Oakes from same committee, on bill, an act to amend an act entitled, an act in relation to political caucuses in the city of Bangor, reported that same be referred to the Penobscot county delegation.

Mr. Howes from the committee on education, reported ought not to pass on bill an act relative to the employment of superintendents of schools by cities and towns.

Mr. Tracy from the committee on legal affairs, on bill, an act entitled, an act to limit the tenure of office, reported that same be referred to the next Legislature.

Mr. Weatherbee from the same committee, on petition of Ellen N. Mayhew of Westbrook for right to sell land for burial purposes in said city, reported leave to withdraw.

Mr. Webster from same committee, reported ought not to pass on resolve in aid of St. Joseph's Home of Wallagrass, Maine.

Mr. Stearns from the committee on education, on resolve in favor of establishment of Normal school in the city of Calais, reported that same be referred to the next Legislature.

Mr. Copp from same committee, on resolve in favor of the establishment of a Normal School in Machias, reported that same be referred to the next Legislature.

Mr. Morrison from the committee on ways and means and bridges, on resolve to aid in building steel bridge across the Penobscot river between the towns of Lincoln and Chester, reported that same be referred to the next Legislature.

claims, on resolve in favor of the city of Lewiston for supplies for State paupers, reported that same be referred to the Governor and Council.

Mr. Irving from the committee on taxation, reported ought not to pass on bill, an act to tax all shares of stock

Mr. Hastings from the committee on corporations.

Mr. Irving from same committee, reported ought not to pass on bill, an act to amend section 12 of chapter 9 of the Revised Statutes, relating to the taxation of personal property.

Mr. Sargent from the committee on education, reported ought not to pass on bill an act relating to the appointment of the State school fund and mill tax.

Mr. Irving from the committee on taxation, on petition for the repeal of section 25 of chapter nine of the Revised Statutes, relating to the taxation of manufacturing, mining and smelting corporation, reported leave to withdraw.

Mr. Hale from the committee on judiciary reported in a new draft and ought to pass bill, an act to provide for the transfer of certain records to Knox county registry of deeds.

Mr. Littlefield from same committee, reported in a new draft and ought to pass bill, an act to amend section three of chapter 41 of the Revised Statutes of

1903, relating to sea and shore fisheries.

Mr. Littlefield from same committee, reported in a new draft and ought to pass bill, an act to amend chapter 34, section three of the Revised Statutes, relating to notaries public.

Mr. Holmes from the committee on legal affairs, reported ought to pass on bill, an act additional to chapter 93 of the Revised Statutes relating to mechanic's liens.

Mr. Baxter from same committee, reported in a new draft bill, an act to amend section eight of chapter 117 of the Revised Statutes, relating to constables, and that it ought to pass.

Mr. Weatherbee from same committee, reported ought to pass on bill, an act to incorporate the Van Buren Electric Light and Power Company.

Mr. Tracy from the committee on legal affairs, reported ought to pass on bill, an act to amend the charter of the Lubec Electric Water and Light Company.

Mr. Tracy from same committee, reported ought to pass on bill, an act to amend section 12 of chapter 140 of the Revised Statutes, relating to coronor's inquests.

Mr. Oakes from same committee, reported ought to pass on bill, an act to amend section 48 of chapter 125 of the Revised Statutes, relating to cruelty to animals.

Mr. Gray from same committee, reported ought to pass on bill, an act to incorporate the Van Buren Water District.

Mr. Oakes from same committee, reported ought to pass on bill, an act to amend section one of chapter 57 of the Revised Statutes, by providing for the organization of yacht clubs.

Mr. Gray from same committee, reported ought to pass on bill, an act to incorporate the North Chesterville Light and Power Company in the village of North Chesterville, in the town of Chesterville and town of Farmington, county of Franklin.

Mr. Gray from same committee, reported ought to pass on bill, an act authorizing the removal of dead bodies of deceased persons from Freedom cemetery.

Mr. Russell from the committee on appropriations and financial affairs, reported ought to pass on resolve authorizing a temporary loan for the year 1905.

Mr. Russell from the committee on appropriations and financial affairs, reported ought to pass on resolve authorizing a temporary loan for the year 1905.

Mr. Russell from the committee on appropriations and financial affairs, reported ought to pass on resolve authorizing a temporary loan for the year 1906.

Mr. Nash from the committee on railroads and expresses, reported ought to pass on bill, an act to extend the charter of the Houlton and Woodstock Electric Railroad Company.

Mr. Purinton from the committee on agriculture, reported in a new draft and ought to pass bill, an act to regulate the purchase of milk and cream by creameries.

Mr. Berry from the committee on inland fisheries and game, reported ought to pass on resolve for the purpose of building a fish hatchery and feeding station at the Rangeley Lakes.

Mr. Hill from the committee on towns, reported ought to pass on bill, an act to amend section 12 of chapter 4 of the Revised Statutes of 1903, as amended by chapter 335 of the public laws of 1903.

Mr. Jordan from the committee on counties, reported ought to pass on bill, an act to repeal chapter 415 of the private and special laws of 1903, annexing certain islands to the town of Phippsburg.

Mr. Newbegin from the committee on claims, reported ought to pass on resolve in favor of George N. Drowse.

Mr. Hastings from same committee, reported ought to pass on resolve to reimburse the town of Falmouth the sum of \$38.66, for its loss of State funds.

Mr. Hastings from the same committee, reported ought to pass on resolve to reimburse the town of Falmouth the sum of \$38.60 cents, for its loss of State school funds.

Mr. Hastings from the same committee, reported ought to pass on resolve

in favor of the town of Gray for reimbursement for money paid on account of Riley plantation.

Mr. Bean from same committee, reported ought to pass on resolve in favor of the town of Greenbush for reimbursement for money paid on account of Gaspon Ronco, a State pauper.

Mr. Seavey from the committee on commerce, reported ought to pass on bill, An Act authorizing Samuel Sylvester to build a wharf into the waters of Small Point harbor, in the town of Phippsburg, State of Maine.

Mr. Percy from the committee on interior waters reported in a new draft bill, an act to authorize the Mattawamkeag Lumber Company to erect and maintain piers and booms in the West Branch of the Mattawamkeag river and in Fish river, and that it ought to pass.

Mr. Putnam from same committee reported in a new draft bill, and act to authorize the erection of dams, side dams, piers and booms in Higgins stream and Grant Brook in the plantation of Brighton and town of Wellington and in Buzzell Brook in the town of Wellington and Harmony, and making improvements in said streams, and that it ought to pass.

Mr. Sargent from same committee reported in a new draft bill, An Act to authorize the Emerson Lumber Company to erect and maintain dams across the West Branch of the Mattawamkeag river in the town of Island Falls in the county of Aroostook, and that it ought to pass.

Mr. Thompson from same committee reported in a new draft bill, an act to amend chapter 64 of the Private and Special Laws of 1899, as amended by chapter 472 of the Private and Special Laws of 1901, and chapter 48 of the Private and Special Laws of 1903, relating to the Wilson Stream Dam Company, and that it ought to pass.

Mr. Smith from same committee reported in a new draft resolve in favor of the Norcross Transportation Company, and that it ought to pass.

Mr. Davis from same committee reported in a new draft bill, An Act to incorporate the Hastings Brook Im-

provement Company, and that it ought to pass.

Mr. Kinsman from the committee on inland fisheries and game, on bill, An Act for the protection of duck in Lower Kezar Pond, Fryeburg, reported legislation unnecessary.

Mr. Kinsman from same committee reported ought to pass on bill, An Act for the protection of muskrats in the towns of Hartland, Harmony, Athens and Palmyra, in the county of Somerset.

Mr. Kinsman from same committee on petition of Frank S. Harper and others for close time on Sokokis Lake and tributaries in Limerick, York county, reported leave to withdraw.

Mr. Kinsman from same committee, on bill, An Act in relation to hunting wild animals on cultivated lands, reported legislation unnecessary.

Mr. Kinsman from same committee, on petition of H. F. Farnham and others for restricting fishing in Big and tributaries of same and Berry river, reported leave to withdraw.

Mr. Kinsman from same committee, reported ought not to pass on bill, an act to amend section 5 of chapter 407 of the private and special laws of 1903 prohibiting throwing sawdust and other mill refuse into certain streams of Cumberland county, with petition of J. P. Scribner for same.

Mr. Kinsman from same committee, on petition of J. A. Nason and 39 others of Sherman for a bounty on bears, reported leave to withdraw.

Mr. Kinsman from same committee, reported ought not to pass on bill, an act to amend section 8 of chapter 32, Revised Statutes, relative to the protection of birds.

Mr. Kinsman from same committee, reported ought not to pass on bill, an act to provide for a bounty on bears in Somerset county.

Mr. Kinsman from same committee, reported ought to pass on resolve to authorize the land agent to sell and convey certain land owned by the State in Caribou now used as a State fish hatchery, with statement of facts.

Mr. Kinsman from same committee, on petition that a law be enacted prohibiting fishing in Berry and Dexter

ponds situated in Winthrop and Wayne, reported leave to withdraw.

Mr. Kinsman from same committee, on petition of V. G. Plummer and 40 others of Addison asking for a law prohibiting the throwing of sawdust and other refuse into Pleasant river, reported leave to withdraw.

Mr. Kinsman from same committee, on petition of W. R. Butler and F. B. Snow, president and secretary of Bluehill fish and game association, to regulate the size of salmon and trout which may be taken from Third pond so called in the town of Bluehill, reported leave to withdraw.

Mr. Kinsman from same committee reported ought to pass on bill, an act to regulate fishing in Chepentacook lake in the county of Washington.

Mr. Kinsman from same committee, reported in a new draft bill, an act to regulate fishing in Mattawamkeag Lake.

Mr. Berry from same committee reported ought to pass on bill, an act to regulate the taking of white perch and black bass in Whitney and Hogan ponds, county of Oxford, and Tripp pond in the county of Androscoggin.

Mr. Berry from same committee reported ought to pass on bill, an act to amend section 3, paragraph 6, entitled "Oxford County," of chapter 407 of the private and special laws of 1903, relating to fishing in the tributaries of Magalloway river.

Mr. Berry from same committee reported petition of N. C. Pinkham and 18 others asking for an amendment to the inland fish and game laws delating to trespass reported that the same be referred to the committee on legal affairs.

Mr. Berry from same committee reported ought to pass on bill, an act to regulate fishing in Lufkin pond, Phillips.

Mr. Berry from same committee reported petition of F. O. Smith, I. W. Mason, and others that the open time for fishing in Sweet's pond shall be from the time the ice goes out in the spring until October first, reported leave to withdraw, as the subject matter of this petition is already incorporated in a bill which is now being considered by this committee.

Mr. Berry from same committee reported ought to pass on bill, an act to regulate fishing in the South Branches of the Sandy river in Franklin county.

Mr. Berry from some committee on petition of A. J. Abbott and others asking for a change in the law limiting the protection of game to the wild lands of the State and not have it apply to incorporated towns and cities, reported leave to withdraw.

Messrs. Gardner, Mullen, Lanigan, Berry, Josselyn and Leonard, a majority of the committee on taxation, to which was referred bill, an act to amend section 25 of chapter eight of the Revised Statutes relating to taxation of railroad companies, reported ought not to pass.

Messrs. Irving and Hastings, a minority of same committee, reported ought to pass on same bill, in a new draft under same title.

On motion of Mr. Merrill of Skowhegan, both reports were tabled and Wednesday of next week assigned for their consideration.

Bill, an act to amend an act approved Feb. 9th, 1905, in relation to the assessment of taxes on the estates of deceased persons before the appointment of executors or administrators of such estates, came from the Senate the report of the judiciary reporting ought to pass.

On motion of Mr. Hale of Portland, the rules were suspended, the bill, received its three several readings and was passed to be engrossed.

The committee of conference on order relating to time of adjournment, reported that they were unable to agree.

Mr. Higgins of Limerick, moved that the House adhere to its former action.

The motion was agreed to.

Mr. Thompson of Orono, moved that the Chair appoint another committee of conference.

The SPEAKER: The Chair rules that the motion is out of order as the House has voted to adhere.

#### First Reading of Printed Bills.

An Act to prevent wilful destruction of trawling arbutus. (Tabled pending first reading on motion of Mr. Reed of Portland.)

An Act to further regulate the analysis of food and agricultural seeds.

An Act to amend section 53 of chapter 41 of the Revised Statutes, relating to a bounty on seals.

An Act to amend chapter nine of the Revised Statutes relating to the assessment of taxes on lands in places not incorporated.

An Act to regulate the sale and analysis of food.

An Act to amend chapter 119 of the private and special laws of 1881, as amended by chapter 122 of the private and special laws of 1899 relating to the taking of spawn herring in Narragansett bay.

An Act to authorize the maintenance of piers and booms in Baskahegan stream at Danforth.

Resolve in aid of navigation on Lewey, Long and Big Lages.

Resolve in favor of Peter M. Nelson, representative Penobscot tribe of Indians.

Resolve in favor of the Central Maine Fair Association. (Tabled pending second reading on motion of Mr. Littlefield of Rockland.)

#### Passed to be Engrossed.

An Act to abolish the common council and increase the membership of the board of aldermen of the city of Portland.

Resolve in favor of W. S. Cotton.

An Act to incorporate the Foreside Water Co.

An Act ceding to the United States exclusive jurisdiction over certain lands acquired for public purposes within this State and authorizing the acquisition thereof.

An Act pertaining to the duties of the cattle commissioners.

An Act to amend Section 93 of chapter four of the Revised Statutes relating to town and city by-laws and ordinances.

An Act in addition to chapter 19 of the Revised Statutes, relating to contagious diseases among cattle. (Tabled on motion of Mr. Oakes of Auburn, and Thursday of next week assigned for its consideration.)

The adjournment order came from the Senate that branch insisting on its



action and requesting another committee of conference.

Mr. HIGGINS of Limerick: I understand that the House has already voted to adhere. I move that the House still adhere and stick to it.

**Passed to be Enacted.**

An Act to regulate the sale of imitation dairy products.

An Act to regulate the sale of milk and cream.

An Act to incorporate the Newport Trust Comptny.

An act to incorporate the president and trustees of the Farmington Home for Aged People.

An Act regulating the duties of the commissioner of agriculture relating to the manufacture and sale of dairy products and their imitations.

An Act to enlarge the corporate rights of the Piscataquis Woolen Company to do electric lighting.

An Act to amend Chapter 212 of the Private and Special Laws of 1903, entitled "An Act to incorporate the Searsport Water Company.

An Act granting Belonie Hebert and Sons the right to erect and maintain piers and booms on the St. John river in the town of Madawaska.

An act authorizing West Harbor Ice Company to construct a fishway and to protect alewives in West Harbor Ice pond and its tributaries.

An Act to authorize Joseph Long to build and maintain a toll bridge for foot passengers across St. John river at or near Fort Kent and to build and maintain piers and abutments for supporting said bridge.

An Act to amend Chapter 242 of the Private and Special Laws of 1895 entitled "An Act to incorporate the city of South Portland."

An Act to amend an Act approved February 9th, 1905, in relation to the assessment of taxes on the estates of deceased persons before the appointment of executors or administrators of such estate.

Two orders that the sum of \$30 and usual mileage be paid to Charles Knowlton and to William B. Webb for services rendered by them at this session as pages, were referred to the

committee on appropriations and financial affairs.

**Orders of the Day.**

On motion of Mr. Higgins of Limerick, resolve in favor of Waldo County table.

The resolve was read a second time and was passed to be engrossed.

On motion of Mr. Pierce of Weston, bill, relating to compensation of commissioners of inland fisheries and game was taken from the table.

The bill was read a second time, and on motion of Mr. Price the rules were suspended, the bill received its third reading and was passed to be engrossed.

On motion of Mr. Baxter of Portland, resolve providing for amendment to constitution relating to taxation of wild lands, was taken from the table, and on further motion by the same gentleman it was referred to the committee on taxation.

On motion of Mr. Thompson of Orono, rules were suspended and that gentleman introduced petition of Rev. R. B. Mills and 29 others of Harpswell Centre, urging the passage of an Act for the proper labelling of proprietary medicines, and on further motion by Mr. Thompson it was referred to the committee on temperance.

On motion of Mr. Stevens of Portland, the rules were suspended and that gentleman introduced resolve in favor of a feeding station at Sebago Lake Hatchery, and on further motion by Mr. Stevens it was referred to the committee on inland fisheries and game.

On motion of Mr. Morey of Lewiston, Senate order relating to compilation of inland fish and game laws were taken from the table.

Mr. MOREY moved that the resolve be put upon its passage in concurrence.

Mr. SEWALL of Bath: Pending its passage in concurrence I would like to ask the gentleman from Lewiston if that is what the title seems to indicate, a mere compilation, or if it is a codification of the law.

Mr. MOREY: I was informed, Mr. Speaker, that this provided for the printing of the reports when it was introduced here. I placed it on the table for further information in regard to it.

I am informed that it is merely for the printing for a compilation of these fish and game laws. That is the information that I received; I don't know whether it is correct or not.

Mr. SEWALL: I think the gentleman ought to know whether that information is correct before we act further in the matter. I tabled what seemed to be a similar bill in regard to the sea and shore fisheries. I was informed that it was simply a compilation. Now I am informed that it is a codification. Four years ago we spent four or five hundred dollars codifying the shore fisheries laws. Since then we have spent a large amount of money revising the Statute. While the compilation of these laws is very necessary, the codification of the laws which would re-arrange the statutes is all wrong, and I think the House ought to know definitely just what this order carries with it.

The SPEAKER: The Chair will inform the gentleman that the order has been printed. It is House document No. 303.

The question being on the motion that the order receive a passage in concurrence.

The motion was agreed to.

On motion of Mr. Sargent of Brewer, bill, An Act to incorporate the Hampden Water Co. was taken from the table, and on further motion by the same gentleman it was referred to the committee on legal affairs.

On motion of Mr. Oakes of Auburn, bill relating to compensation of certain State officers was taken from the table.

Mr. Oakes offered an amendment by striking out in the third line of Section four after the word "legal" the words "and usual."

The amendment was adopted, the bill was then read a third time as amended and was passed to be engrossed.

On motion of Mr. Swett of Portland, resolution from the city council of Portland relating to the election of aldermen was taken from the table, and on further motion by the same gentleman it was placed on file.

On motion of Mr. Hale of Portland, petitions of R. E. Page and others, of H. L. Griffin and others, of C. F. Burgess and others in relation to the Grout

law were taken from the table, and on further motion by the same gentleman they were placed on file.

On motion of Mr. Baldwin of Boothbay Harbor, remonstrance of A. O. Bowen and 11 others against any change in the Grout Law, was taken from the table, and on further motion by the same gentleman it was placed on file.

On motion of Mr. Oakes of Auburn, bill to enlarge the duties and fix the compensation of the Attorney General, was taken from the table.

Mr. Oakes offered amendment to Section eight, by striking out in the fifth line after the word "legal" the words "and usual," and also amending Section seven by striking out in the fifth line the word "shall" after the word "he," and inserting in place thereof the word "may."

The amendments were adopted, the bill was read a third time as amended and was passed to be engrossed.

On motion of Mr. Thompson of Roque Bluffs, the rules were suspended and that gentleman introduced petition of D. W. McDonald and 37 others of Machias asking the passage of bill giving blacksmiths a lien on their work, also petition of H. L. Libby and 36 others of Washington county for same, and on further motion by Mr. Thompson they were referred to the committee on legal affairs.

On motion of Mr. Powers of Houlton, resolve in favor of Fannie L. Jenkins was taken from the table.

The resolve was then read a second time and was passed to be engrossed.

#### Girls' Orphanage of Lewiston.

Special assignment: Report of the Committee on Appropriations and Financial Affairs, reporting "referred to next Legislature," on Resolve, in favor of Girls Orphanage of Lewiston.

The question being on the acceptance of the report of the committee.

Mr. GARCELON of Lewiston: Mr. Speaker, I would like to have the Clerk read the statement of facts in connection with this resolve inasmuch as it has not been printed.

The clerk read the statement of facts.

Mr. GARCELON: Mr. Speaker and Gentlemen of the House: I want to present the facts in this case to your

attention because I shall ask you to reject the report of the committee on financial affairs for the reason that I believe this is one of the worthiest propositions that has been presented to this House within the last ten or fifteen years.

The history of the establishment of this institution you have just heard read. There was also a financial statement covering the expenditures of the institution for the past year. Without wearying the House with the details I will give the figures. There were expended for the care, the keeping, clothing, fuel, lights, groceries, etc., \$4,515. There was received from paying inmates \$2735. Leaving a deficit of \$1736. We have asked this Legislature for recognition; we ask it from the State for the reason that there are some 13 cities and towns who have inmates in this institution ranging over five different counties. Of the number, 86 now residing in the institution, 10 are paying full board, or \$6 a month. That means the care and clothing of those children; 45 pay half board, anywhere from two to three or four or five dollars as the case may be. Thirty are entirely free. If on the basis of \$6 a month, or \$72 a year, you were to figure up the number of absolutely free children cared for, you will find that it amounts to the sum of over \$2000 that this good work is saving the cities and towns of those various counties under this one head alone, saying nothing of those 45 who only pay part board. On a basis of \$6 a month—not \$6 a week—they are caring for these little orphan girls and they have never received a cent in recognition of this work; and I think it is only common justice that we should understand the matter and give recognition to these Sisters. I shall ask you to reject the report of the financial committee and then I shall make a motion, if that is carried, to substitute the resolve for the report.

Mr. WHITMORE of Brunswick: Mr. Speaker. I have sat here during this session and watched money given away for institutions of learning, for normal schools and for numerous charities and I have watched the proceedings in regard to other things that have come

before the House which affect the tax payers and I find that this one cardinal virtue is not here, consistency. You have given the University of Maine, or you are asked to give, \$32,000, and I don't know how much more is coming. You have given Bates \$15,000. You have given the normal schools thousands upon thousands,—for what? For children, boys and girls who have fathers and mothers, children who, if they went out into the world without going to those institutions could get a living. And, gentlemen, you have given I think \$3000 to support a horse trot over in Waterville. You have turned down, your committee has turned down, those poor blind men who asked you for aid for a workshop. You have turned down the poor weak minded children, your committee have; and now here comes an institution asking for your help for the poor orphan girls. It seems to me that humanity, equity and justice demand that you should recognize them. Give where they are deserving, find which deserves the most and which is the most entitled to your aid, leave out those that can get along without your aid. I second the motion of the gentleman from Lewiston.

Mr. OAKES of Auburn: Mr. Speaker, I dislike at this stage of the session of the Legislature to oppose a deliberate report of the committee on appropriations and financial affairs. I should have preferred that this matter should be recommitted to the committee to see if they would not consider this question further. I believe the subject is a worthy one for careful consideration. I think this institution is doing a great deal of good. I understand that we are in the position of having no divided report from the committee on appropriations, so that it is either an opposition to an entire report or it is no opposition at all. That is the position we find ourselves in now in regard to this matter; but it seem to me that this House can do nothing better in the exercise of its discretion than to care for children under these circumstances, children who are especially objects of sympathy, children who are in this institution well cared for and placed upon the world as worthy mem-

bers of society after they leave this institution. The amount asked for is not large. I think we may be sure that it will go to a good purpose; and I desire to have my influence, which is not great, to go in support of the motion made by the gentleman from Lewiston.

Mr. MORRISON of Eden: Mr. Speaker, I agree with the gentlemen who have already spoken this morning on this subject. Two years ago I was a member of the finance committee and went to Lewiston, and looked over the charities there, and I remember that this was a most worthy charity. I do not like to speak against the decision of any committee in this House, but, Mr. Speaker, I shall add my testimony in favor of this institution.

Mr. RUSSELL of Readfield: Mr. Speaker, as a member of the committee on appropriations and financial affairs I feel called upon to say a few words. Your committee heard all that was offered at the hearing, and this report was adopted by no means because of the lack of sympathy with the object in view. But certain other things perhaps entered in to determine the action of that committee, one of which was of course that which enters into the action, which controls men in business affairs. The number of calls upon the treasury for money for various purposes has been very large, almost unprecedented and we are confronted with calls upon the treasury which, if allowed, will place the treasury in a very embarrassing condition.

The appropriations recommended by this committee for the city of Lewiston seemed to us very liberal and especially so to the organization or sect of Sisters, whatever you might call it, who are conducting this charity. No doubt it is a worthy object, we admit it; but we found ourselves compelled to turn down even some worthy objects, and among others this, believing that they had been liberally and justly dealt with; and we trust that the House will sustain the report of your committee.

Mr. JOHNSON of Hallowell: Mr. Speaker, as a member of your committee on appropriations and financial affairs, I wish to present a short state-

ment of facts. Allow me to say that, so far as sympathy is concerned, I yield to no man in sympathy for any one who comes before this Legislature or our committee seeking assistance in a charitable way; and were it within our power, and if the financial condition of our State would warrant it, I can assure you, gentlemen, that no one should leave us empty-handed. I have been deeply impressed with the principles that these noble men and women represent in their appeals to us for assistance. Their appeals touch every sensibility of man. But, Mr. Speaker and Gentlemen, we have more worthy calls than we can respond to, and some have to be rejected.

Now you expect us as business men transacting your business and our business, to deal with every one and every institution equitably, justly and fairly, and besides that you expect our decision shall be made honestly, conscientiously and fearlessly. That, your committee tries to do. Now, every successful business man at the close of every year takes account of his stock, he closes his books and he shows his statement, that he can use as a guide in the business that he then enters upon for the year. Your committee did not take stock; they have issued no statement; but the treasurer of your State has and placed it in the hands of your committee on appropriations and financial affairs; and the statement that I found on my desk yesterday morning I will quote from.

The total, that has been favorably reported upon up to date, that was March first, was \$1,988,234. The total amounts pending before the different committees are \$456,232. Fixed charges not in the first appropriation bill, \$150,000. The estimate of running this Legislature is \$85,000. That makes a total of \$2,689,467. Now in those totals and estimates there is no resolve calling for any appropriation for our State school for boys, which two years ago was \$125,300. What that will be, we cannot tell. I have heard that it would call for \$100,000; but whatever they do call for we shall have to meet because that is a State institution and must be taken care of. Now, what as business men have we got with which to pay that bill? That is the question for us

to decide. Supposing they appropriate \$100,000 for the State Industrial school, \$25,000 less than they did two years ago. That will make our total footings \$2,738,000, providing we pass all that is called for. If our assets are more than our liabilities, we are all right. If they are less, I claim as a business man we are wrong.

Now, our estimated receipts which you will find on page 19 of the State treasurer's report are \$2,249,000. Our State treasurer has cash on hand to the 31st day of December, 1904, of \$245,000, making a total of \$2,494,000 with which to pay \$2,738,000. If we appropriate all that has been called for we shall have a deficiency of almost a quarter of a million. And what would you think of us as business men to recommend that? Now this is the condition in which we find ourselves at the present time, after we have reported against two resolves calling for \$150,000 besides scaling down almost every resolve that has come before us calling for appropriations. And do you suppose we did that because we wanted to? No; we did it because we were compelled to.

Mr. Speaker, I have taken four of the larger cities receiving appropriations for State beneficiaries for a comparison, and in this comparison do not make the mistake of comparing State institutions and State beneficiaries because they are distinct and have no relation to each other. A State institution stands on the same footing as our homes or our factories. We own it; we must support it. If we take \$5000 from our cash account and build an addition to our home or our factory, we simply transfer \$5000 from our cash account to our construction account and our assets remain the same. If we give \$5000 as a charity, to a State beneficiary, then, sir, what do we have as an asset? We have a cancelled check, and they do not sell at a premium on the market, if I know anything about it. And besides, over these State beneficiaries our State has no voice in their financial policy, while in regard to State institutions the State dictates the policy.

Now the four cities that I have taken with which to make a comparison, I will give you their names, their population, their valuation, their State tax, and also I will give you the amount of appropriations that they have received this year. We will take the city of Bangor with a population of 21,850 people, with a valuation of \$16,898,967. They pay into the State as a State tax \$45,135. Your committee has appropriated to them for State beneficiaries \$13,800, \$3900 for the year 1905 and \$6900 for the year 1906. The city of Augusta with a population of 11,600 people, with a valuation of \$7,658,705, they pay a State tax of \$21,019. Your committee have appropriated for them \$8600, \$4300 for the year 1905 and \$4300 for the year 1906. Portland with a population of 50,145 people, with a valuation of \$51,615,575, pays a State tax of \$135,202. Your committee on appropriations and financial affairs has

appropriated for them for State beneficiaries \$39,000. Now, the city of Lewiston with a population of 23,000, with a valuation of \$14,305,000, and a State tax of \$38,625, your appropriations committee has appropriated for them \$37,000, \$20,000 for 1905 and \$17,000 for the year 1906, and the committee on education has given them \$15,000 more, making \$52,000 for State beneficiaries from this Legislature given to the city of Lewiston, \$4400 more than the cities of Portland and Augusta combined, and only \$9000 less than Bangor, Augusta and Portland, which pay a State tax of over \$200,000. Twice before at this session has your committee been appealed to by this same organization, the Sisters of Charity. Your committee on appropriations has answered to them generously, giving \$13,000 for their hospital and \$4000 for their Healy asylum, their boys' home, which makes a total of \$17,000 to this one organization. This, their third appeal, although worthy as it may be, your committee have felt compelled to refer to the next Legislature. And now, Mr. Speaker and gentlemen, I ask you in all candor and seriousness, has your committee dealt fairly and justly with Lewiston and her sisters, or has she discriminated against them? This question is for you to decide, and I shall ask that when it is decided it shall be by a ye and nay vote that your committee may know whether you approve or disapprove of the way they have treated these people.

Now, Mr. Speaker and gentlemen, we leave this in your hands. You have the power to reject the report of your committee. You also can, if you so will, appropriate hundreds of thousands of dollars. You can give appropriations and make the liabilities of your State, if you so choose, far beyond its resources; but if you do, you must remember that there is only one answer to this question. Hundreds of corporations have met and faced that answer in days gone by, and undoubtedly many will in days to come, and that is, either insolvency or bankruptcy or to mortgage the resources of your State for years to come. This your committee will never agree to. And now, gentlemen, I think there is a duty for you to perform in this occasion. There is a duty which you owe to yourselves, to your constituents and to your State; that duty is to stand by the report of your committee.

Mr. SWETT of Portland: Mr. Speaker, when my friend from Lewiston (Mr. Garcelon), whom I esteem as highly as any man of my acquaintance, came to me yesterday and asked me to do what I could for this object, I told him frankly that I would, but the committee has had as yet no printed statement of facts, and of course the House could not be prepared to act understandingly without that statement. Now, this statement which has been submitted this morning is virtually and undoubtedly about the same as the statements which were presented to the committee at the hearing upon this matter, so there is no question to be raised in reference to that. But, as my

colleague on the committee (Mr. Russell) has stated to the House, we have had to consider many of these questions from that cold business standpoint which is so weak when opposed to the sympathy of true and loving hearts. I do not think that any member of the finance committee whether he is a friend of this institution or not—of course they are all friends of the institution—but whether he was in favor of this appropriation or whether he was opposed to it, will say that the committee has not acted fairly, kindly and generously with every object of this kind which has been before them. We have repeatedly turned down objects which were passed by those of our members who were interested in the strongest otherwise than fairly and consistently, but that he felt that we had done for him as much as we could, and in many cases more.

That is the substance of all I have to say. I hope the House will sustain the report of the finance committee

Mr. SEWALL of Bath: Mr. Speaker, I am drawn into this debate just as other gentlemen who have no idea of taking part in the discussion have been drawn into it, on the statement of facts which we have heard for the first time and upon the discussion which we have heard for the first time and which, under existing circumstances, must be the only time we can have for a discussion of this question. Ordinarily all of us, both out of respect for the committee and out of respect for the regular form of procedure in the House, would have had this matter recommitted, but by a peculiar circumstance, not known at all to the House, the committee on financial affairs and appropriations have made no minority reports to this Legislature, and I understand it is their established policy to make no such minority reports. That is an innovation, so far as I know, in regard to any committee action. And I would have liked before we entered upon this discussion to have known how certain members, who might have been in the minority on that committee, really felt upon this proposition. The proposition comes to us under very peculiar conditions, and both of those conditions impel me to vote for the motion of the gentleman from Lewiston. In the first place, it is a proposition which comes to us without any political backing which can assure itself of any large support in this House. In the second place, it comes from a committee which, as I say, has adopted this very unusual method of procedure.

Now, I can understand how new members here, I can understand possibly how all members here, would be impressed by the very exhaustive statement of the gentleman from Hallowell (Mr. Johnson). But I hope that the figures he presented will not mislead any member of this House from the main point at issue. I, sir, on the committee on which the gentleman from Hallowell has the honor of serving this year, I served two years ago. We went through with all these questions day after day. That respected chairman of our committee, Mr. Pettin-

gill of Rumford Falls, came in at the suggestion of the Governor and at the suggestion of those interested in the State who feared that the Legislature might run wild on appropriations, with just such a statement as that in order to curb and keep down appropriations until we might know where we stood. At the end of the session, notwithstanding the fact that our committee on appropriations was overruled time and time again by the judgment of this House, our State came out of that session \$400,000 or \$500,000 to the good—I think about \$450,000. The trouble with our State is not that we will spend money in excess of our resources. We are too level-headed and thrifty a people to do that. But the trouble is, and we know it, every man knows it in his heart, that these appropriations are not equitably distributed; that the forces which dominate the third house, the forces which come from those centers in our State which have disproportionate political influence, they get what they ask for, and the worthy charities, and not only the charities but other petitions for aid in remote sections are ridden down because their support comes from men who are either new members or from men who will not devote their time to organizing a lobby on the floor of either body in support of their proposition.

Now, this is not, as the gentleman from Hallowell said—and perhaps this was his most impressive statement—an appropriation for the city of Lewiston which is going to give that city a disproportionate share of appropriations. If the argument had any justice in it, that we should divide up our appropriations through the State geographically and in proportion to the assets and population of its centers, if there were anything in that argument it would not apply to this case in point, for I have just had handed me a list of these orphans in this home and they come from all over the State of Maine. This is as distinctly a State institution as any institution you can find in the State. They are there from Rumford Falls, from Oxford, from Chisholm's Mills, from Westbrook, from South Brewer, from Portland, from Bath, from North Jay, from Auburn, from Lewiston, from Biddeford, from Brunswick and from Pejepscot. Now, these girls are not only there saving money to the different towns in the State which otherwise, if they had any decent charitable instinct at all, would have to support them. They are not only there saving money to the State but they are saved from what is much worse; they are saved from the poor-house, from vice and the gutter, and they are put with these Sisters in just the best hands it is possible for them to be put. It may be local if you will, if you insist that it is a local institution, let it be so. If you insist that it is a sectarian institution let it stand at that, but it is a kind of sectarianism which I would like to see encouraged in this State. If I were on my death bed and had to leave children to the care of my organization I would leave them to the care of just such Sisters as these. And if there is any organization in religion or anywhere

else which preaches and practices the virtues of the family, it is that very organization which for such purposes I wish could be adopted as the creed of all Christendom. Why, gentlemen, the argument is unworthy that this is a local institution. A local institution! The gentleman from Hallowell comes from a declining town, a city I believe it is, and which for 50 years has been steadily going backward in assets, in valuation, in population. If you compute it on that basis how would he be justified in coming here and getting \$41,000 for that worthy school there, the Industrial School for Girls?

Gentlemen, I noticed a little time ago that a report of the committee on appropriations, one of its unanimous reports, reported against the Waldo County hospital. I noticed also that after conference between the two bodies, a great deal of activity going on between the leaders of political influence in this Capitol. That was sent back and the committee made no protest. It did not feel that its dignity was hurt in the case of Waldo when it reported in favor of the Waldo County hospital. There is a little hospital in the county of Knox. The committee made a report, perhaps reluctantly, giving it a certain amount. The amount was raised in both bodies and went through. And I ask you, if the same influences that were so successful in overturning the vote of the committee as regards the Waldo County hospital or increasing the appropriation for the Knox County hospital, if those influences could have been enlisted on the side of this little institution which for 26 years has gone along without getting any assistance from the State—I ask you whether we would have to be called here at this moment without any information on the subject except what has just been given us to make this appeal on behalf of the Lewiston institution? Why, gentlemen, it is not the amount of your appropriations but it is the object of your appropriations; and this House, sitting here as a committee of the whole in its deliberative capacity, with the statements that have been put before it with the fulness you have heard on this subject, is in a better capacity to act than any committee we can organize in this or any other Legislature.

The gentleman from Hallowell lives not so far away from Waterville. It is not so long ago that we made our appropriation of \$3000, I think, for a fair which has simply run behind because its attendance at the horse trots was not what might have been expected, and it was only recently that the gentleman from Rockland tabled a bill which was on the point of its passage, and which I suppose will be passed, granting to breeders of poultry about everything which might appear to appeal to the agricultural vote—for that is why those items were set out here, to appeal to the agricultural vote to carry that bill through the House—it was not so long ago that we heard that measure read in its fulness—and I say the measure is destined to be ultimately passed—one item, I think, for the breeding of pigs, as if that needed any encourage-

ment in this or any other state in the Union. (Laughter).

Mr. SWETT: Mr. Speaker.

The SPEAKER: Does the gentleman yield?

Mr. SEWALL: Certainly.

Mr. SWETT: I hope the gentleman does not mean that any member of this House is to infer that this appropriations committee has been influenced by that corrupt element which he so frequently alluded to that has been able to make the committee on appropriations do several things that they ought not to have done. If I misunderstand the gentleman I ask his pardon, but certainly I do not think anyone who heard those remarks could draw any other inference from what he said.

Mr. SEWALL: I am surprised and hurt that my old colleague on the appropriations committee should accuse me of making an imputation of anything like dishonesty or corruption in regard to any body of the Legislature or anybody in any other capacity under this roof. I have been drawn into an atmosphere where such charges have been made but they have never been made by me, and I have worked on persistently and I believe successfully to free any such charge from anybody who has ever had any business under this roof; and that applies to the committee on appropriations and every subject that may come up here for discussion. What I do say is this, which needs no exemplification from me or anybody else; that as we are so constituted, as human nature is so constituted, as it has been engrafted almost into our political system, that there are gentlemen of greater political influence in these two bodies and out in the corridor, than others; and it commends the subject to me at the outset when those gentlemen are working against rather than in favor of any measure. We want to see in our appropriations and in every other measure exact and even justice done. And if the committee on appropriations are constituted like ourselves—and the committee on appropriations in this instance are especially handicapped, I believe, under the rule that they seem to have adopted, so that worthy measures like this which can stand out in the light of day and must appeal to the heart and the sympathy and the intelligence of every member—if those measures come in here I wish them discussed and voted on with the exact fairness and freedom which would be received by any measure which had the fullest amount of attention by the members and the fullest amount of attention from these gentlemen who are so influential with the two bodies of this Legislature. This is a measure which has not the support of those gentlemen. This is a measure in regard to which it seems to be the case that the edict has gone forth that we must stop here for fear that unworthy measures may creep in and take money which does not belong to them. Now, my position is that we are competent to judge of those unworthy measures as they arise; but until we reach that point that

they should act in no wise as a deterrent to such a measure as this which now claims our attention. (Applause).

Mr. JOHNSON of Hallowell: Mr. Speaker, I wish to say for the benefit of our Brother Sewall of Bath, that the appropriations committee has adopted no policy prohibiting anyone from presenting a minority report if they so wish. I have heard the chairman of our committee repeatedly state to members when they do not quite agree with the majority, "Now, if you so wish, of course you want to understand and bear in mind that you have the right to carry in your minority reliable situation with reference to the matter." And that is something that has never been lost sight of this session with us. And I would like also, to make one other remark, that the State School for Girls in Hallowell is a State institution and not a beneficiary institution.

Mr. MOREY of Lewiston: Mr. Speaker and gentlemen of the House, I had not intended to take any part in this discussion, and I find myself in a most peculiar matter their full and honest attention and decided after a vote was taken, by a considerable majority of the committee, that this resolve should be reported as ought not to pass, or referred, in other words, to the next Legislature. I want to be loyal to my committee in their work; we have tried to do the best that we could for the interests of the State; but I do feel, without taking issue with the members of my committee, and perhaps being subject to the criticism that inasmuch as our report came in here unanimously it would be my duty to support the report, that it is right for me to say that I voted against the conclusion of the committee, it is nevertheless a matter which presents so great an appeal from me as a member of that committee) I thought it was my duty to explain, and I think now it is my duty to say a word in favor of that charity which comes here asking for the generosity of this House.

For 26 years those people have struggled along in the city of Lewiston to save those little girls who have no parents, many of whom have neither father nor mother, others that have a mother living, and they are placed there so that the mother might work in the mills and maintain for the child and herself a living of some sort. The greatest amount charged per month is \$6. Think of it—\$1.50 a week for board and care and nursing for these little girls that are growing up. They take them from the ages of three or four and maintain them until they are 14 or 15 years of age, and no girl is sent forth unless she has a good home to go to or a good situation where she is cared for by loving hearts. Think of the good that this institution is doing and has done in 26 years without a particle of assistance from the State of Maine. It makes no difference to me that they belong to a different creed or faith from what I do. There they are in that city receiving the little girls from different parts of the State. There is no work that is done which for the dollars expended brings such fruitful results. It is a place where no one connected with

the institution or the hospital receives one cent of salary—women giving their whole lives, pursuing their religious calling, asking only to be allowed to do good while they stay in this world and taking these unfortunate, homeless children who would otherwise drift to the poorhouses and later on to dens of vice. All working forces for morality are in their hands and springing forth for the betterment of the State. My friend from Lewiston (Mr. Garcelon), who has been so persistent in his efforts—and I may say it was against my judgment that he was pushing the thing through—is very much in earnest in the matter—I know that there was the right spring of humanity in his heart, and I know that what he was doing it for was for the good of those helpless orphans; and while I am here I want to say that I want to be loyal to my committee, they did what they thought was right with a view to the just expenditures of the State, but down underneath all is that well of humanity; and the gentlemen of this House must each one individually, when he votes on this proposition, say whether or not the few dollars asked for to enable them to carry forward this work shall be granted to them for the bettering of the condition of the girls of the State, making them more useful to the community and to society, or whether the money shall be spent, if you please, for the perpetuation of the different enterprises that are brought forth, many of which are without much individual merit; and I do not believe when the vote of this House is taken that there will be but one answer to this proposition. It is a worthy charity, we all concede that, every member of the finance committee admits it and is glad to concede it; and the question is in the case of an object of this kind that appeals to the heart, whether you can afford to say so, when the matter is presented to your consideration.

I did not intend to say a word but the matter is one upon which I felt I must speak to clear my conscience; and now, gentlemen, I shall vote in accordance with the sentiments I have uttered.

Mr. O'BRIEN of Lewiston: Mr. Speaker and gentlemen of the House: As the gentleman from Lewiston (Mr. Morey) has said, it was not my intention to say anything when this matter was brought up for discussion, but reference has been made here as to whether or not certain institutions in this commonwealth are State institutions, private or beneficiary institutions. Along that line I wish simply to impress upon the minds of the members of this House that there in Lewiston, as has been well said, we have had during the past 26 years an orphanage for the care and betterment of our little orphan girls. That orphanage is presided over by an organization of women who, regardless of remuneration or emolument of a worldly nature, have given their lives, given up all the inducements and all the advantages that the world, and especially a country such as this in which to live holds out to young women and young men of ambition and



progressive spirit—have given up all those tendencies and all those inclinations and have thrown their entire life, their entire soul and their very heart into a work which consists merely in the uplifting and bettering of these young girls who are to be the mothers of tomorrow, with the only hope of reward that in the great beyond their great sacrifice which they make here shall be sufficiently rewarded. I wish also to add, Mr. Speaker, that while that organization of women professes the same creed as I do, so far as the little orphans are concerned who are taken into their care and custody, so far as the creed of those children is concerned, no distinction is ever made. Those good Sisters of Charity take to their bosom the poor unfortunate girls of a great manufacturing city with all its opportunities and snares for vice that are held out to the young; they take to their bosom those poor, friendless, homeless, parentless children and give to them proper nourishment, care, education and training which will fit them for the duties of the home and of the nursery. But on the other hand, I wish to say, Mr. Speaker, that that institution there in Lewiston, unlike the great majority of institutions throughout this commonwealth, does not expend a cent of money in salaries. There is no opportunity there for graft. Those women devote their entire lives and energies to the betterment of those poor unfortunates. They handle and will handle whatever money shall come into their hands, not for their best interests, but for the best interests and the best advantages of those little orphans whose care they have taken upon themselves. And I say, Mr. Speaker and gentlemen of the House, that with those facts confronting us, regardless of what the report of the committee on financial affairs and appropriations has been, we can as members of this House return to our constituents if we give to those people the small appropriation which they ask. If we give to them this small appropriation we can return to our homes at the end of this session feeling as one does who "Wraps the drapery of his couch about him and lies down to pleasant dreams."

Mr. MILLIKEN of Island Falls: Mr. Speaker, I do not hope to be able to add anything to the discussion on this subject, but as representing a section of the State which is remote from the location of the institution under consideration I wish to say one word in justification of my vote. I yield to no man in desire, and earnest desire, that all the money of the State shall be expended as carefully as you and I would expend it if we were directors of a private corporation having the interests of our stockholders at heart.

I think there are three things which should be considered in regard to any matter of this kind which comes to our attention. The first is, whether or not the institution in question is doing a worthy work. About that there is no question in this case. The second consideration is, whether or not the benefits of that institution are open to the people

of the State; that is, to the class of people it is intended to benefit, without distasteful third proposition is the only one open to debate.

Now, I feel, as any member of the House would feel, that under ordinary circumstances the judgment of a committee is entitled to very great consideration, but on this proposition as it has been developed here in the House, I feel that there are very weighty reasons that have been advanced why in this instance the judgment of the committee should be overruled. The question is, can we afford, can the State afford to make this appropriation? With all due respect for the reasons that have been advanced by the committee for limiting appropriations, I submit, gentlemen, that if we can afford \$41,000 for an institution which is educating and training 60 girls, we can afford in this other case to appropriate the amount which is asked for, for an institution which is having the care of about 80 girls. I do not think that the fact that one institution is a State institution and the other is not, should have very much influence in the discussion of this question. The question is whether an institution is a benefit to the State, whether it comes under the two restrictions I outlined, whether it is doing a good work and is open to the people of the State without distinction; and I feel that any measure of this kind which comes before this Legislature without political backing and without any political wire pulling in its favor, that can present so good a case as this institution has presented, appeals to me so much that I would rather take the chance of expending money in this instance to the possible embarrassment of the treasury, than to take the other chance in taking which I believe there is a good deal more liability in this instance of doing injustice to a worthy cause.

Mr. RUSSELL of Readfield: The inference to be drawn from some of the remarks is that the several appropriations or recommendations which have been spoken of have emanated from the committee on appropriations and financial affairs. So far as the agricultural society at Waterville is concerned, I wish to state, in order that the House may not act under a misapprehension, that the committee on financial affairs had nothing whatever to do with it. Whatever action was taken was taken without our knowledge or consent. I wish further to say in answer to the suggestion that the committee agreed that no minority reports should be made by our committee, that I know nothing about that, and I heartily endorse what the gentleman from Hallowell has said in his statement on that point.

Mr. LITTLEFIELD of Rockland: Mr. Speaker, I wish to make an inquiry of the gentleman from Lewiston (Mr. Garcelon) whether or not it is a fact that this is a branch of the same institution for which some \$17,000 or \$18,000 has already been appropriated by the Legislature?

Mr. GARCELON: In reply to that

question I will say this: There are three institutions, one on Ash street, the other is on Sabattus street, and this occupies the old hospital building. It was founded as a hospital and built for a hospital, and has been run for several years as a hospital. Each and every one of them are entirely distinct.

Mr. REED of Portland: I move to amend the resolve by striking out the words "twenty-five hundred" and inserting "one thousand."

The SPEAKER: The Chair will rule that the resolve is not at the present time before the House. The report of the committee has not been accepted.

Mr. LITTLEFIELD: I understood the gentleman from Hallowell to say that this was a branch of a general institution in Lewiston for which appropriations had already been made. I would like to have that point cleared up.

Mr. JOHNSON of Hallowell: That is what they told us at the hearing. The same parties appeared at all three of the hearings and that was so stated at the hearing. That is all I know about it.

Mr. RUSSELL of Readfield: May I ask, Mr. Speaker, if the resolve does not state that fact?

The SPEAKER: It states that this resolve is in favor of the Sisters of Charity of Lewiston.

Mr. REED: I would inquire if it is in order for me to move to recommit the resolve to the committee.

The SPEAKER: Yes.

Mr. REED: I make the motion that the resolve be recommitted.

Mr. SEWALL: I would like to hear from the Chair whether that is in order when a motion of acceptance is before the House?

The SPEAKER: The Chair rules that it is in order.

Mr. JOHNSON of Hallowell: I move that the vote be taken by the yeas and nays.

The SPEAKER: Does the gentleman from Bath appeal from the decision of the Chair?

Mr. SEWALL: Not at all. I am very glad to take the decision of the Chair. I understood under the rules that the motion to recommit would not take precedence over the previous question. I understood that the previous question takes precedence over the motion to recommit.

The SPEAKER: There has been no previous question ordered. When a question is under discussion, under the rules the following motions take precedence—to adjourn, lay on the table, for the previous question, to commit, to postpone to a day certain, to amend and to postpone indefinitely.

Mr. GARCELON: I would like to suggest to the House that I don't know as there is any additional information that can be given to the members of the House, and I am perfectly willing to rest this case in the hands of this body. I don't think it is proper for us to go to work and re-hash this and bring it back again, and I think we are in as good a position to decide it as we would be in a month from now.

The question being shall the yeas and

nays be ordered on the motion to recommit the report and accompanying resolve to the committee on appropriations and financial affairs.

The motion was lost.

The question being to recommit the report and accompanying resolve to the committee on appropriations and financial affairs, a division was had and the motion was lost by a vote of 24 to 52.

The question then being on the acceptance of the report of the committee, Mr. Johnson of Hallowell, moved that the yeas and nays be ordered.

The motion was agreed to.

The SPEAKER: On the acceptance of this report the yeas and nays have been ordered. All in favor of accepting the report of the committee, reporting that the resolve be referred to the next Legislature, will say yes as their names are called; those opposed will say no. The clerk will call the roll.

YES:—Baldwin, Burkett, Clark, Cobb, Cushman, Davis of Guilford, Dennison, Downs, Gannett, Higgins, Johnson of Hallowell, Josselyn, Kimball, Kinsman of Cornville, Littlefield, Poor, Price, Russell, Sawyer of Milbridge, Thompson of Roque Bluffs, Tupper—21.

NO:—Allan, Belleau, Berry, Blanchard, Bradford of Friendship, Briggs, Buzzell, Copp, Garcelon, Giddings, Gray, Hale, Hanson, Hastings, Hathaway, Hodgkins, Howes, Hutchins, Ingersoll, Johnson of Waterville, Jones, Jordan of Yarmouth, Leightor, Merrill of Skowhegan, Milliken, Morey, Morrison, Mullen, Nash of Damariscotta, Norcross, Oakes of Auburn, O'Brien, Page of Appleton, Peacock, Pendleton, Percy, Philbrook, Reed, Sargent of Brewer, Sargent of Castine, Sawyer of Smithfield, Scribner of Charleston, Seavey, Shaw, Smith of Saco, Staples, Talpey, Thomas, Thompson of Orono, Tracy, Turner, Usher, Verrill, Webb, Whitmore, Wilder, Witherspoon, Witt—58.

ABSENT:—Abbott, Albert, Barrows, Baxter, Bean, Bliss, Bradford of Livermore, Bunker, Byron, Cole, Cousins, Davis of Benton, Dudley, Fawsette, Foss, Fulton, Goodwin, Grant, Hagerthy of Ellsworth, Hagerthy of Sedgwick, Hall, Hill, Holmes, Hussey, Irving, Jillson, Johnson of Calais, Jordan of Cape Elizabeth, Kinsman of Augusta, Knapp, Laliberte, Lanigan, Leonard, Libbey, Longfellow, Lougee, Marshall, Martin, Merrill of Dixfield, Miller, Morton, Nash of Kennebunk, Newbegin, Newcomb, Oakes of Milford, Page of Hampden, Perry, Fowers, Purinton, Putnam, Sanborn, Scribner of Springfield, Shevenell, Smart, Smith of Madison, Sparrow, Stearns, Stevens, Swain, Terreault, Thurlough, Treworsy, Trickey, Vittum, Walker, Washburn, Weatherbee, Webster, White—69.

PAIRED:—Sewall, No; Swett, Yes.

So the motion was lost.

Mr. GARCELON: Mr. Speaker, I move that we substitute the resolve for the report of the committee.

The motion was agreed to, and the resolve was then tabled for printing under the joint rules.

Mr. HIGGINS of Limerick: Mr. Speaker, I move that this House now adjourn

until tomorrow at 9 o'clock in the morning, and I shall then make a motion that the House adjourn until next Tuesday at half past four o'clock.

The motion was agreed to.

### SENATE.

Saturday, March 4, 1905.

Senate called to order by the President.

Prayer by Rev. Mr. Degen of Augusta.

Journal of yesterday read and approved.

On motion by Mr. Shackford of Washington it was "Ordered, that when the Senate adjourn it be until Monday next at 10.30 A. M."

On motion by Mr. Clark of Hancock, the Senate adjourned to meet on Monday, March 6, 1905, at 10.30 o'clock in the forenoon.

### HOUSE.

Saturday, March 4, 1905.

Prayer by Rev. Mr. Livingston of Augusta.

Journal of yesterday read and approved.

On motion of Mr. Higgins of Limerick, the House adjourned to meet at half past eight o'clock P. M. on Monday next.