

MAINE STATE LEGISLATURE

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Legislative Record

of the

Seventy-Third Legislature

of the

State of Maine.

1907.

fair to the committee to present these matters for investigation. The time of the committee from now to the end of this session is more or less taken up and if you have any investigation it should be thorough and complete. It is before the Committee on Salaries at the present time—all investigation of officers. Now we could not do it at this session. If you are going to investigate we want proper time—it is the right of the man who is to be investigated and it is the duty of the committee that they should give proper investigation to this matter.

I do not believe that anyone should be attacked by an order of this kind unless, as the senator from Penobscot suggests, charges have been preferred. A man's reputation is worth more than dollars and cents. You may start a rumor in the corridor of this capitol and you may strike at that man and strike at his family so that he will never get over it as long as he lives upon the earth; and for that reason, because we cannot have a fair investigation for lack of time—if we are going to investigate the officials of the Republican party of the State of Maine, and I have no doubt a good many ought to be investigated, let us give the committee power to sit in vacation and I would like very much to be on that committee. They ought to be investigated, but as for doing it in three weeks of this session, I do not believe we can do it and I therefore second the motion of the senator from Penobscot.

The question being put upon the motion of the senator from Kennebec the motion was lost.

The question being put upon the motion from the senator from Penobscot, the motion prevailed and the order was indefinitely postponed.

On motion by Mr. Ayer of Kennebec the Senate adjourned.

HOUSE.

Thursday, February 14th, 1907.

Prayer by Rev. Mr. Hayden of Augusta.

Papers from the Senate disposed of in concurrence.

Bill, "An Act to regulate fishing in Sunday River and tributaries in the county of Oxford, came from the Senate with Senate Amendment A.

The House reconsidered the vote whereby the bill was passed to be engrossed, Senate amendment A was adopted and the bill was then passed to be engrossed as amended.

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

Judiciary.

By Mr. Wold of Oldtown—Petition of Herbert Gray and 213 others, citizens and taxpayers of the city of Oldtown, in favor of the bills presented by Bodwell Water Power Company and Penobscot Chemical Fiber Company, granting to said companies additional right to generate and sell electricity; of H. J. Bailey and 52 others, citizens and taxpayers of Oldtown for same; of the Board of Trade of the city of Oldtown for same; of Henry L. Sweer and 62 others, citizens and taxpayers of Bradley for same.

By Mr. Johnson of Calais—Bill, "An Act to incorporate the Calais Water District."

By Mr. Hill of Machias—Bill, "An Act to amend Chapter 9 of the Revised Statutes, relating to filling vacancies in board of assessors."

By Mr. Gordon of Wells—Bill, "An Act to incorporate the Wells Telephone Company"; Bill, "An Act to incorporate the Wells Electric Light & Power Company."

Legal Affairs.

By Mr. Merry of Woodland—Petition of Lewis A. Cyr and 39 others of Limestone for the act providing for the support of the pauper insane and feeble-minded by the State.

By Mr. Davidson of Vinalhaven—Bill, "An Act to prohibit the use of automobiles and motor vehicles upon public ways in the town of North Haven." petition of citizens of North Haven in fa-

vor of same.

By Mr. Merriman of Livermore—Bill, "An Act to provide for sewerage in the village of Livermore Falls.

By Mr. Emery of Jay—Bill, "An Act to incorporate the Wilton Village Corporation.

By Mr. Knowlton of Monson—Bill, "An Act to amend Section 32 of Chapter 61, Revised Statutes, relating to the returns of births, marriages and deaths."

By Mr. Dunton of Belfast—Bill, "An Act to amend Chapter 130 of the Private and Special Laws of 1879 as amended by Chapter 428 of the Private and Special Laws of 1885, and by Chapter 123 of the Private and Special Laws of 1899, relating to the Police Court of the City of Belfast."

Appropriations and Financial Affairs.

By Mr. Walker of Biddeford—Petition of the Searchlight Club, 21 members, of Sanford, for appropriation for the State of Maine exhibit at the Jamestown Exposition, and the reproduction of the Home of Longfellow as the Maine State Building.

By Mr. Dunton of Belfast—Petition of David L. Wilson and 12 others of Belfast for resolve in favor of Maine State Sanatorium Association.

By Mr. Crosby of Albion—Petition of Amos L. Hinds and 14 others of Benton for same.

By Mr. Herrick of Brooklin—Petition of Local Board of Health of Brooklin for same.

Education.

By Mr. Dondero of Chelsea—Petition of Geo. M. Rogers and 106 others of Litchfield in favor of election of superintendents of town schools by the people, instead of school committee.

By Mr. Barrows of Hampden—Petition of Thos. E. Leary and 33 others of Hampden in favor of State University at Orono.

By Mr. Lord of Parsonsfield—Bill, An Act to amend Section 76 and Section 80 of Chapter 15 of the Revised Statutes, relating to State aid to academies.

By Mr. Dunton of Belfast—Bill, An Act to amend Section 19 of Chapter 15 of the Revised Statutes relating to dis-

play of the United States flag on all public school buildings or grounds.

Railroads and Expresses.

By Mr. Hill of Machias—Petition of E. M. Watts and 59 others of Jonesboro for the passage of an act providing two cent mileage on the Washington County Railway.

By Mr. Merry of Woodland—Petition of Lewis A. Cyr and 39 others of Limestone for the act providing for a transferable two cent mileage on the Bangor and Aroostook Railroad.

By Mr. Hill of Monticello—Petition of C. D. Ingraham and 55 others of New Limerick for same; of Ellsworth Lougee and 26 others of New Limerick for same.

By Mr. Milliken of Island Falls—Petition of B. D. Collins and 4 others of Golden Ridge, for same; of Lowell M. Davis and 27 others of Hersey for same; of J. W. White and 44 others of Ludlow and Smyrna for same.

By Mr. Hall of Dover—Bill, An Act relating to coroner's inquests in case of fatal accidents on railroads. (Tabled for printing pending reference on motion of Mr. Hall of Dover.)

By Mr. Wood of Bluehill—Bill, An Act to extend the charter of the Bluehill and Bucksport Electric Railroad Company.

Banks and Banking.

By Mr. Joy of Eden—Bill, An Act to extend the charter of the Mount Desert Trust Co.

By Mr. Lord of Parsonsfield—Bill, An Act to extend the charter of the Oxford Trust Co.

By Mr. Brown of Bradley—Bill, An Act to extend the charter of the Orono Trust Co.

Agriculture.

By Mr. Langley of Acton—Petition of Richard H. Hurd and 19 others of North Berwick for an appropriation in aid of the North Berwick Agricultural Association.

Military Affairs.

By Mr. Flaherty of Portland—Bill, An Act for the pay and care for the members of the National Guard for disability while in service.

Interior Waters.

By Mr. Lovejoy of Milo—Petition of Boston Excelsior Company of Milo in relation to Wilson Stream tolls; of John Perham and 126 others for same; of W. E. Gould and 21 others of Milo for same.

State Lands and State Roads.

By Mr. Sprague of Drew—Resolve in favor of Wilber Grant of Kingman, Me.

Ways and Bridges.

By Mr. Folsom of Norridgewock—Petition of B. F. Lancaster and 31 others of Norridgewock and Madison in favor of the act to free toll bridges.

Inland Fisheries and Game.

By Mr. Jacobs of Athens—Petition of C. A. Emery and 51 others of Somerset County, prohibiting taking of fish from Wesserunnett Stream and its tributaries situated in Athens, Somerset, Co., Maine, for a term of five years.

By Mr. Knowlton of Monson—Petition of R. A. Young of Onawa in favor of a change in the laws relating to the killing of song birds.

By Mr. Hall of Dover—Petition of W. E. Parsons and 20 others, residents of Piscataquis County, praying for the passage of an act to regulate the taking of firearms upon the wild lands of the State in close season.

By Mr. Dunton of Belfast—Petition of Walter I. Neal and 28 others, residents of Waldo County, for same.

By Mr. Hawkes of Windham—Petition of L. B. Nason and 36 others for close time on the Collins Pond, so called, in the town of Windham.

By Mr. Hall of Caribou—Petition of Edw. Babbirk and 11 others of Stockholm for fishway through Little Madawaska from the outlet to the Madawaska Lake in Aroostook County; of Wm. Hedman and 25 others of Caribou for same.

By Mr. Preston of Cherryfield—Petition of H. H. Bowles and 28 others of Cherryfield in favor of an act amending Sec. 30 of Chap. 32 of the Revised Statutes, as amended, relating to licenses for buying and selling skins of wild animals.

By Mr. Cobb of Gardiner—of G. D.

Libby and 46 others of Gardiner for same.

By Mr. Decker of Weld—Bill, An Act to regulate the taking of fish in Loon Lake and in Cow Pond, so called, in the County of Franklin.

Shore Fisheries.

By Mr. Preston of Cherryfield—Petition of John McNamara and 23 others of Steuben for the better protection of clams in the town of Steuben in Washington County.

By Mr. Skillin of Falmouth—Bill, An Act to amend Sec. 40 of Chap. 41 of the Revised Statutes relating to seines.

By Mr. Preston of Cherryfield—An Act for the better protection of clams in the town of Steuben in Washington County.

Towns.

By Mr. Harris of St. George—Bill, An Act to annex the island of Metinic in the County of Knox to the town of St. George.

Public Buildings and Grounds.

By Mr. Johnson of Calais—Petition of Horace G. Trimble and 33 others of Calais for the removal of the State capital from Augusta to Portland.

Remonstrances against the removal of State capital were presented as follows:

By Mr. Strickland of Bangor—Of Frank H. Tupper and 90 others of Bangor.

By M. Milliken of Island Falls—Of J. W. White and 38 others of Ludlow and Smyrna.

By Mr. Tucker of Wiscasset—Of Wilber F. Cate and 15 others of Dresden.

By Mr. Havey of Sullivan—Of Geo. W. Pettengill and 22 others of Sullivan.

By Mr. Safford of Kittery—Of J. Chester Cutts and 26 others, taxpayers of Kittery.

By Mr. Crosby of Albion—Of Roy W. Libby and 32 others of Albion.

By Mr. Emerson of Stow—Of A. L. Fernald and 26 others of Stow.

By Mr. Dow of Brooks—Of A. B. McKechnie and 25 others of Burnham.

By M. Putnam of Danforth—Of O. C.

Kirstead and 12 others of Weston; of O. H. Taylor and 30 others of Topsfield.

By Mr. Stuart of Belgrade—Of F. A. Page and 45 other taxpayers of Belgrade; of L. A. Bartlett and 11 other taxpayers of Belgrade; of Allen E. White and 40 other taxpayers of Wayne.

By Mr. Hill of Monticello—Of W. J. Bean and 7 other taxpayers of Monticello.

By Mr. Tolman of Glenburn—Of H. H. Wheeler and 44 others of Carmel.

By Mr. Skidmore of Liberty—Of B. F. Thompson and 38 others taxpayers of Montville; of Leon Gerald and 10 other taxpayers of Burnham; of A. S. Perry and 21 others of Belmont; of F. A. Pratt and 9 others of Palermo; of Aaron B. Ripley and 28 others of Searsmont.

By Mr. Stubbs of Strong—Of F. W. Patterson and 20 citizens of Industry.

By Mr. Dunton of Belfast—Of A. L. Ward and 24 others of Thorndike; of L. H. Mosher and 43 others of Unity; of W. P. Thompson and 68 others of Belfast.

By Mr. Havey of Sullivan—Of P. L. Aiken and 11 other taxpayers of Sorrento.

By Mr. Milliken of Island Falls—Of D. W. Cookson and 16 others of Dyer Brook; of Chester L. Church and 32 others of Silver Ridge; of Lowell M. Davis and 27 others of Hersey; of B. D. Collins and 22 others of Sherman.

By Mr. Crosby of Albion—Of Henry A. Moore and five other taxpayers of Albion; of J. K. Kidder and 11 other taxpayers of Albion; of Everett G. Wing and 14 other taxpayers of Albion; of Willis A. Pinkham and 28 others, taxpayers of Windsor; of L. W. Drake and 10 other taxpayers of Albion; of Jasper S. Gray and 13 other taxpayers of Windsor.

By Mr. Mayo of Foxcroft—Of C. W. Hayes and 51 others of Foxcroft.

By Mr. Kelley of Farmingdale—Of T. W. Pooler and 43 other taxpayers of Hollowell; of H. J. Carrick and 45 other taxpayers of Hollowell; of F. R. Goodwin and 43 other taxpayers of Hollowell; of Alex. Clark and 39 other taxpayers of Hollowell; of Jas. T. Bradley and 10 other taxpayers of Hollowell; of

Levi T. Williams and 12 other taxpayers of Hollowell; of Geo. A. Safford and 42 other taxpayers of Hollowell; of Nathan L. Niles and 42 other taxpayers of Hollowell; of Jas. Mignault and 41 other taxpayers of Hollowell; of Sifroi Pelletier and eight other taxpayers of Waterville.

By Mr. Hall of Dover—Of S. A. Buzzell and 29 others of Parkman.

By Mr. Emery of Jay—Of Luther Hutchinson and 35 others of Carthage; of W. V. Tainten and 17 others of Carthage.

By Mr. Folsom of Norridgewock—Of W. L. Perkins and 17 others of Mercer.

By Mr. Sprague of Drew—Of N. A. Averill and 18 others, taxpayers of Winn; of W. L. Scribner and 25 others, taxpayers of Springfield; of B. D. Averill and 14 others, taxpayers of Prentiss; of M. F. Scott and six others, taxpayers of Winn.

By Mr. Libby of Amity—Of W. S. Libby and 19 others of Amity.

By Mr. Wight of Newry—Of H. D. Abbott and five others of S. Andover.

By Mr. Gallagher of Waldoboro—Of Chas. E. Achorn and 24 others, taxpayers of Whitefield, Jefferson and Windsor.

By Mr. Copeland of Thomaston—Of E. J. Cook and 13 other taxpayers of East Friendship.

By Mr. Allen of Mt. Vernon—Of J. S. Mooers and 24 others of New Sharon; of A. S. Foster and 27 others, taxpayers of Rome.

By Mr. Stover of Brunswick—Of W. S. Rogers and 19 other taxpayers of Topsham.

By Mr. Johnson of Waterville—Of J. A. Grant and 44 other taxpayers of Waterville; of Fred L. Nash and 31 other taxpayers of Harrington; of Edgar L. Brown and 41 other taxpayers of Waterville.

By Mr. Pooler of Waterville—Of C. L. Borton and 46 other taxpayers of Waterville.

By Mr. Cobb of Gardiner—of S. J. Goodwin and 28 others of Smithfield; of E. A. Piper and 30 others of Smithfield; of Melvin Palmer and 30 others of Fairfield; of C. E. Varney and 40 others of Mercer; of I. C. Tracy and 14 others of Mercer.

By Mr. Hubbard of Perry—of Everett Spearin and 14 others, tax-payers of Alexander.

By Mr. Farrar of Corinth—of W. F. Kingsbury and 14 others of Bradford; of W. K. Holt and 12 others of Garland of Melvin R. Bean and 35 others of Hudson; of H. H. Dyer and 30 others of Bradford.

By Mr. Dow of Brooks—of A. F. Durham and 34 others of Monroe.

By Mr. Harthorn of Milford—of W. W. Eddy and 21 others of Eddington.

By Mr. Barrows of Hampden—of R. W. Simpson and 40 other tax-payers of Carmel.

By Mr. Young of Hiram—of S. W. Fife and 29 others of Fryeburg.

By Mr. Perry of Randolph—of Chas. S. Perkins and 11 other tax-payers of Vassalboro; of A. E. Lord and 12 others of Pittston; of Wm. Grant and 30 others of Randolph; of W. A. Lord and 28 other tax-payers of No. Vassalboro; of R. A. Marson and 30 others of Pittston.

By Mr. Allen of Richmond—Of W. C. Todd and 48 others of Georgetown; of C. M. Darcy and 41 other tax-payers of Readfield; of H. P. Harthorne and 27 other tax-payers of Woolwich.

By Mr. Mullen of Bangor—Of Emerson-Adams Co. and 351 others of Bangor.

Temperance.

By Mr. Milliken of Island Falls—Petition of Lowell M. Davis and 28 others of Hersey for act providing for the proper labelling of medicines containing alcohol and narcotic drugs; of B. D. Collins and 2 others of Sherman for same.

Remonstrances against resubmission were presented as follows:

By Mr. Dow of Brooks—Of Rev. Henry E. Dunnack and 13 others of Augusta; of B. F. Hope and 24 others of Augusta; of Abner Nichols and 22 others of Augusta; of M. O. Foster and 31 others of Augusta.

By Mr. Stearns of Norway—Of Lakeview Literary Club of Norway.

By Mr. Cobb of Gardiner—Of L. H. Clark and 144 others of Gardiner.

By Mr. Wood of Bluehill—Of Chas. H. Woodster and 22 others of Hancock.

By Mr. Kelley of Farmingdale—Of W. C. Johnson and 81 others of Hallowell.

By Mr. Hall of Caribou—Of Atwood W. Spaulding and 105 others of Caribou.

By Mr. Libby of Amity—Of Jas. Archibald and 69 others of Houlton.

By Mr. Irving of Presque Isle—Of V. C. Plummer and 30 others of Addison.

By Mr. Dow of Brooks—Of Rev. Willis A. Luce and 38 others of Winterport; of Gilman Roberts and 17 others of Waldo.

Waldo County Delegation.

By Mr. Dunton of Belfast—Petition of W. P. Thompson and 11 others, members of Waldo County Bar, for passage of the act relating to record of instruments affecting or conveying title to real estate in Waldo county now recorded in other counties.

On File.

By Mr. Lowe of Turner—Petition of W. H. Parkhurst and 30 others favoring the passage of the so called bridge bill; of Arch D. Leavitt and 43 others for same.

By Mr. Dow of Brooks—Petition of F. A. McAlister and 29 others of Burnham for same.

Reports of Committee.

Messrs. Stearns, Dyer, Mills, Hadlock, Theriault, Hall and Clarke, a majority of the committee on legal affairs, reported ought not to pass on bill, An Act relating to the police and city marshal of Biddeford.

Messrs. Staples, Dunton and Martin, a minority of the same committee, reported ought to pass on same.

On motion of Mr. Dyer of Buckfield, both reports were tabled pending acceptance and Thursday of next week assigned for their consideration.

Mr. Hadlock from the committee on Legal Affairs reported "ought not to pass" on Bill, "An Act to authorize the town of Swan's Island to assist in laying a telephone cable."

Mr. Stearns from same committee, on Bill, "An Act authorizing the construction of a wharf in the tide waters of Casco bay, in the city of Portland."

reported that the same be referred to the Portland delegation.

Mr. Dunton from same committee, on Bill, "An Act to incorporate the Citizens' Electric Company," reported that the same be referred to the next Legislature.

Mr. Irving from the committee on taxation, on Bill, "An Act relating to corporations," reported that the same be printed and recommitted.

Mr. Newbert from the committee on salaries and fees reported "ought not to pass" on Bill, "An Act in relation to compensation for clerk hire in the office of the clerk of courts for the county of Androscoggin."

The reports were accepted and sent to the Senate.

Mr. Dyer from the committee on legal affairs, reported "ought to pass" on Bill, "An Act to preserve the purity of the source of water supply of the village of Buckfield, and to protect public health."

Mr. Dunton from same committee reported same on Bill, "An Act to make valid the incorporation and corporate acts of Fort Fairfield Grange."

Mr. Martin from same committee reported same on Bill, "An Act relating to the ferry across the Penobscot river between the town of Orono and the town of Bradley."

Mr. Theriault from same committee, reported same on Bill, "An Act to change the name of the Hill Plantation."

Same gentleman from same committee, reported same on Bill, "An Act to amend Chapter 277 of the Private and Special Laws of 1903, amending an act to establish a municipal court for the town of Brunswick."

Mr. McClutchy from the committee on mercantile affairs and insurance, reported "ought to pass" on Bill, "An Act to extend the charter of the Mutual Fire Insurance Company"

Mr. Merrill from the committee on inland fish and game on petitions of A. A. Burleigh and many others praying for an act to prohibit the putting of all waste into the west branch of the Mattawamkeag river and its tributaries in the county of Aroostook, also remonstrance of M. L. Emerson and others

against same, reported Bill, "An Act to prohibit the deposit of certain waste substance in the waters of the west branch of the Mattawamkeag stream, or its tributaries."

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

First Reading of Printed Bills and Resolves.

An Act to amend the charter of the Messalonskeet Electric Company.

An Act to incorporate the Bingham Electric Light Company.

Resolve in favor of the Maine School for the Deaf.

Passed to Be Engrossed.

An Act to incorporate the town of East Millinocket.

An Act to amend Section 1 of Chapter 166 of the Private and Special Laws of 1887, as amended by Chapter 303 of Private and Special Laws of 1905.

An Act to repeal Chapter 58 of the Private and Special Laws of 1821, entitled "An Act to set off Jonathan Moody with his family and estate from the town of Whitefield and to annex them to the town of Gerry."

An Act to repeal an act incorporating the town of Mattamiscontis, approved March 8, 1829, and providing for the adjustment and payment of its indebtedness.

An Act to amend Chapter 267 of the Private and Special Laws of 1905 in relation to Alfred Light and Power Company, and to legalize its issue of bonds.

An Act in relation to reports of hearings in vacation in law or equity.

An Act to amend Section 30 and Section 32 of Chapter 39 of the Revised Statutes, Section 5 of Chapter 38 of the Public Laws of 1905, and Section 6 of Chapter 68 of the Public Laws of 1905, relating to the jurisdiction of municipal and police courts and trial justices.

Resolve in aid of the Temporary Home for Women and Children at Portland.

"An Act to set off part of Hamlin plantation and annex the same to the towns of Van Buren.

An Act to prohibit the sale of trout in Hancock county.

Resolve in favor of the official reporter of the Senate.

Passed to Be Enacted.

An Act to amend Section 58 of Chapter 2 of the Revised Statutes, relating to deposits by the State treasurer.

An Act to extend the charter of the Lily Water Company.

An Act to incorporate the Atlantic Trust Company.

An Act to amend Section 25 of Chapter 9 of the Revised Statutes, relating to taxation of property of manufacturing, mining and smelting corporations.

An Act additional to Chapter 420 of the Private and Special Laws of 1889, entitled "An Act to incorporate the New Portland and Eustis Telephone and Telegraph Company."

Finally Passed.

Resolve in favor of the Waldo County General Hospital.

Resolve in favor of Kingman and Drew Plantation.

Resolve in favor of the Maine Eye and Ear Infirmary.

Resolve in favor of Lettie Whittier of Mount Vernon.

Resolve in favor of J. W. Allen, secretary of the committee on State prison.

Orders of the Day.

On motion of Mr. Stearns of Norway, the vote was reconsidered whereby the House passed to be engrossed the bill to regulate fishing in Sundry river and tributaries in the county of Oxford, and on further motion by the same gentlemen it was laid upon the table.

On motion of Mr. Skillin of Falmouth, the Bill, An Act authorizing the erection of a bridge or roadway across tide water between Mackey's or Mackworth Island in the town of Falmouth, and the mainland of said town, was taken from the table.

Mr. Skillin offered an amendment by adding in the eighth line, after the word "States" the words "and of the selectmen of the town of Falmouth."

The amendment was adopted, the report of the committee, ought to pass, was accepted, and the bill was then read twice and assigned for tomorrow morning.

Investigation of State Departments.

Mr. Johnson of Waterville, moved to

take from the table House Document No. 147, and Senate amendment "A," order relating to investigation of various State departments.

The motion was agreed to.

Mr. JOHNSON—Mr. Speaker, I move that the House non-concur with the Senate in giving Senate amendment "A" a passage, and I would like to say a word in explanation of the motion. This order was introduced in the House on January 25. It was laid upon the table in the Senate and remained upon the table until February 8, when the Senate amendment "A" was offered which was adopted by the Senate, and then the order with the amendment came back to the House for its concurrence. It seemed to me that the original order was a perfectly proper one and I can see no reason why it should not receive a passage in this House and in the upper branch. When it came back with Senate amendment "A," as the amendment was read it grated rather harshly upon my ears. I do not wish to be recorded as being in favor of Senate amendment "A." This amendment is in fact a substitution, instead of an amendment, for the order as passed by the House; for everything after the date is stricken out and Senate amendment "A" is substituted in its place.

The order itself provided that the committee on salaries and fees be directed to investigate the expenditures of the various State departments for transportation, clerk hire and office sundries, and report by bill or otherwise; and "Ordered further that the committee have power to summon persons and papers and to employ a stenographer and any other assistants necessary for the performance of the duty with which the committee is charged." The Senate amendment strikes out everything after the date of the order and substitutes the following:

"Whereas, this Legislature deprecates investigations of departments and officials merely upon suggestion, but believes in the fullest investigation of any department or officer whose official conduct is criticised or questioned,

"Therefore, be it ordered, the Senate concurring,

"That the joint special committee on salaries and fees be authorized and directed to make a full, thorough, public investigation of any State officer or department whose official conduct is called in question by any written communication filed with the committee signed by any member of the Legislature or any reputable citizen of the State. Such committee to report by bill or otherwise."

Now, I object to this part of the amendment, that it is necessary that an indictment be filed against any state officer or any department before this Legislature may cause an investigation to be made. The gentleman who introduced this order in the House evidently had good reason for doing so, or it would not have been introduced. The order simply asks that the committee on salaries and fees make an inquiry into the expenditures by the various State departments for transportation, clerk hire and office sundries. Now, I am unwilling to subscribe, I say, to the principle that this Legislature must file an indictment signed by any member of the Legislature or by any reputable citizen. There is no imputation in that order that there has been any misconduct on the part of any State official; but I believe that this Legislature has the same right as the directors of any large corporation to know what its officials are doing, to audit their accounts—the same right that any large employer of labor has to examine the accounts of his clerks to see if they are correctly kept; and I believe there is no imputation upon the honesty or official conduct of such clerk or such treasurer, if such employer or the directors of a corporation desire to see how his books are kept and what are his methods of bookkeeping and audit his accounts, than it is here. I do not believe it is necessary here any more than in such a case that there should be a direct accusation filed. I think this Legislature has the power to examine the accounts of all State officials. I think it is no imputation upon the official con-

duct of those officials, and I believe that the order should stand as it passed the House. I do not believe that the Senate amendment should be adopted.

Mr. MILLIKEN of Island Falls—Mr. Speaker, it becomes proper perhaps in this connection to say a word as to the purpose of the original order. I agree entirely with the gentleman from Waterville (Mr. Johnson) as to the right of the Legislature to inquire into the expenses or the management of any department of this State at any time. The order was introduced with that idea, that inquiry should be made just as an inquiry is made by the directors of any corporation at any time into the conduct of any department of that corporation and the management of its affairs. The intention was, not to cast any imputation upon anybody or to suggest that anything was being done that was not entirely proper, but merely to make an ordinary quiet and business like auditing, if you please, of the accounts and management of the various departments. Unfortunately, perhaps, in this order the word "investigation" was used; and that word has lately come to have, in the minds of some at any rate, a special meaning. It has come to mean more than a simple auditing of accounts. It has come in the minds of some people to have the idea of indicting, of suspicion, of being haled before a tribunal and tried for some alleged misconduct in office.

I think there is no disagreement as to the original purpose of the order. I don't know of anyone who objects to a proper and careful auditing of accounts and of the management of the various departments by this committee. The objection which gave rise, as I understand it, to this amendment was the objection I have alluded to, that in the minds of some—although that was not the intention on my part, and although I still think the original order carried nothing of that sort with it—that in the minds of some this might imply some misconduct and might properly demand on the part of any person who shall appear before the committee at a public trial or hearing, a written

statement of any charges which he had to make.

Now, my position in the matter is simply this: That in my view of it the language of this amendment which has been added to this order by the Senate does not change in any degree the practical result which would come from the passage of the original order. I do not see that it interferes with the committee in the discharge of their duties; and so long as the word "investigation" has come to mean what it has in the minds of some I see no objection in this connection to making the requirement that any person who should appear before the committee to make charges should file some written statement, not an indictment, but any written statement of anything which in his view of it needs to be looked into. And my only reason for opposing the motion of the gentleman from Waterville (Mr. Johnson) to strike out the Senate amendment is my fear that if we do that and get into further discussion with the other branch of this Legislature on this subject the result will be that we shall not have any order passed and not have any opportunity to look into these matters which I feel the people of the State would like to have us look into—not to have a great trial here of each department one after the other, not to have any great public investigations, but to have this Legislature look into these matters carefully and quietly in a business-like way as any corporation would, and to have any person who comes here to make charges against any official, make those charges in some written form; and if an investigation is held and any person anywhere knows anything that ought to be looked into in his judgment, it is his opportunity to come and say so to the committee or else forever after to hold his peace.

Mr. NEWBERT of Augusta: Mr. Speaker, I rise to support the motion of the gentleman from Waterville that this House non-concur with the Senate in its amendment. I haven't very much interest in this order. I think the House voted unanimously to pass the Milliken order and it seems to me to be an entirely proper order. I believe in its

scope. It has come back to us from the Upper Branch amended by striking out everything in the original order but the date. We have a different proposition before us. I am a member of the committee on salaries and fees. We worked late last night. I do not believe it is possible for this committee on salaries and fees to sit as a permanent tribunal of this Legislature and hear all that might be brought up in the way of investigation.

There is something in this amendment which I do not care to speak about at length. I think that certain eminent gentlemen in the State are interested in protecting somebody and in covering up something. I have an interest in the order which was introduced in this House on the 23d of January. It passed this House without a dissenting vote. Today it is moulding in the graveyard of many ambitious hopes. Someone is waiting for this amendment to pass and then will feel justified in moving the indefinite postponement of the order passed by this House unanimously to look into the transaction and methods of the great Maine rum shop.

I sincerely hope that this House will not concur in the adoption of this Senate amendment.

Mr. MCKINNEY of Bridgton: Mr. Speaker, I would like to read a short passage from the Governor's message on this question which applies to this matter. In his recommendation that a State auditor should be appointed he speaks of the uncertainty of having the Governor and Council audit the accounts of the various departments and the expenditures of the State and says "It seems to have been permitted for two reasons: It is known to have been the custom nearly one hundred years ago, and since that time no authority has been granted to change it. It has long since outlived any usefulness it may have possessed, and each year its ridiculous features are more pronounced. The methods of bookkeeping, too, employed by some of the departments are extremely loose, and this whole subject should be investigated and the defects remedied."

If this amendment is passed it will

be impossible to investigate without charges, while if the order as originally presented becomes a law then we can carry out the recommendations of Governor Cobb with regard to the investigation of these accounts.

Mr. HILL of Machias: Mr. Speaker, it seems to me to be extremely foolish to try to audit the accounts of the different departments through any such method as this. The gentlemen who have spoken in opposition to the Senate amendment take the ground that this investigation is simply an auditing of the accounts, looking over the books of the different departments. Now, if that is all and if we are in need of a State auditor, let us go at it in the proper methods and create a State auditor, have an auditor, an expert, who will do this work and audit the accounts in the different departments and not attempt to appoint seven members on the part of the House and three on the part of the Senate, some of whom may be only old farmers, to try to straighten out the accounts and methods of book-keeping in the different departments.

As a matter of fact, I can see in this investigation nothing but a search for something wrong in the different departments; and from what little I have been about the court rooms during term time my feelings are such that if I were the head of a department I should strongly object to being placed in the position of a man who is brought up on trial without an indictment. Now Senate amendment "A" simply gives a proper legal protection to the honor, the good name and the reputation of the heads of our departments. If any man knows or believes that he knows of anything wrong in a department he has a chance to have that investigated and its officials put on trial; and that is the only way that I can look at this question of investigation. I shall lose no opportunity to vote to support Senate Amendment "A," and I hope it will supercede the original order.

Mr. MILLIKEN: Mr. Speaker, just a word further. The order was introduced for the purpose which I tried to make clear. The question of the method by which that purpose can best be reached I am content to leave to the

judgment of the members of the Legislature. As I said, my own judgment is that under the circumstances we shall best reach the result by adopting Senate Amendment "A."

There are two or three things suggested by what has been said to which I wish to refer. One is the suggestion that anybody is trying to cover up something. Now, I fail to see how anything is to be covered up by this amendment. I fail to see any injustice in asking any person who appears with suggestions or criticisms in regard to any public official to put his suggestions in writing and sign his name to them. That does not prevent the members of the committee from investigating anything they see fit to investigate. It simply proves that the person who appears here from outside with a charge shall not make his charge in some vague, indefinite way, but shall put it in writing and sign his name to it; and I want to say here and now if this order shall be passed and the committee shall be charged with this duty, if any person anywhere has any charges or suggestions or criticisms in regard to State departments that he wants to bring before the committee and which he is afraid to put in writing and sign his name to, if he will convince me that they are true I will sign my name to them and present them.

As to the question whether the committee can do this during the session I don't know as to that, but I know that every day that there is delay it takes so much of the time in which we shall have to do it.

Mr. WALDRON of Dexter: Mr. Speaker, I entirely concur in the remarks of the last speaker. I believe if we do not concur in the amendment as adopted by the Senate we shall be putting ourselves or record as establishing a precedent which is not in accord with our sense of justice or our right as men. It seems to me that every department of the State is entitled to know and have specifications filed against them if they are to be investigated. To commence a series of investigations by insinuation and innuendo is all wrong. If there is a department of this State, be it the highest or the low-

est, that is derelict in its duty in any sense and any member of this House has any reason to believe that they are wrong in any sense, then it is the duty of that member to specify or at least to state from his position here in the House something in the nature of the charges that they may have to make; and I sincerely hope that the order as amended by the Senate will be sustained, and that we shall put ourselves on record as having the manhood and the honor to step up and make charges against any department of this State that we want to investigate—not go behind screens and whisper that something is wrong in some department and not have the honor to say what it is. Therefore, I hope when this House votes it will sustain the position that the Senate has taken which is the honorable position that anybody can take when they charge up anything against any department of the State, against you and I or any other member of this House. I sincerely hope that the Senate amendments will be sustained.

Mr. BROTON of Auburn: Mr. Speaker, this whole thing is centered and dependent upon the investigation of our State Liquor Agency; and it is said that nothing shall be done in the dark. Now, I am not here to state what I know, but I have heard it whispered, and I think upon pretty good authority that the liquor which is furnished to our agency is costing us \$6 a gallon, whereas I am told we can have better liquor laid down at our doors, bought in the open market for \$3 a gallon. (Laughter.) If anything is being done behind a screen let us have the screen off and know where this extra \$3 is going to. If we have State officials to whom we are paying \$1500 a year and their positions are worth as many thousands, it is time the State knew it.

Mr. MILLIKEN: I would ask the gentleman if he would have any objection to making that statement before the committee?

Mr. BROWN: I have no objection to stating what I have heard.

Mr. NEWBERT: Mr. Speaker, I think we will all agree that suspicion, grave suspicion may exist and yet no man be quite able to file definite

charges against a State department. I believe that given an honest joint special committee who will employ an honest attorney who loves his profession and will do his duty, I believe that same committee will often uncover rottenness that no man, even in Maine, believes now to exist. I don't want the power of initiative taken away from this Legislature. I don't believe in obtaining this thing by this method. I don't believe in allowing the amendment offered to close the door to a just inquiry into the business transactions of our State departments.

Mr. WALDRON: Mr. Speaker, I don't want to be understood as wishing to close the door against any honorable and just investigation; and if the gentleman from Augusta (Mr. Newbert) will specify any charge against any single member of any State department, I will vote for it, on his word of honor; but to commence a series of investigations which includes every officer of this State from the highest to the lowest simply upon somebody's insinuation or innuendo or suspicion is not proper and is not right.

Mr. JOHNSON: Mr. Speaker, I desire to say one word. I do not understand, as I stated before, that this means an investigation in the sense of imputing any dishonorable conduct to any State official, but I do stand upon this principle that this Legislature and this House, if it desires to know the methods employed by any department of this State in the management of its business, has a right to obtain information through its regularly appointed committee. That is all the order passed by the House asks, that this committee obtain this information. There was evidence in the investigation of one department of this State, asked for by the official himself, whereby it appeared that that official obtained free transportation from the railroad companies of this State and charged up to the State of Maine as expenses, money that he never paid for traveling expenses; and he said in excuse and extenuation of that that it was the common practice and had been among the State officials of this State. I say, to inquire as to the methods of different departments, and

particularly as to what has been paid, expenditures for transportation, is opportune at this time.

Mr. WALDRON: May I ask the gentleman from Waterville a question?

Mr. JOHNSON: Certainly.

Mr. WALDRON: Was not Mr. Stetson investigated upon charges made particularly against Mr. Stetson and his department?

Mr. JOHNSON: I am not able to answer, I understood that the gentleman himself requested the investigation, that there were charges in the press, but none filed before the committee.

Mr. WALDRON: Have any charges in the press been made against any other department of the State that you seek to investigate?

Mr. JOHNSON: I will say that I know of none; and I know of no reason why an honest official—and I have no reason to suppose that an official exists who is not honest—should not welcome an inquiry into his methods of doing business and into the conduct of his office any more than the treasurer of a corporation should not allow his books to be opened to the officers of his company, or a clerk charged with the important duties of his employers should not exhibit his books and his methods to his employers.

Mr. NEWBERT: I desire to say only that the same newspaper which brought charges in public print against the head of the department of education, also published similar charges against the head of the State liquor agency. That paper makes the statement that somebody is making at least \$25,000 a year out of the liquor agency of Maine. Possibly that same editor might come before the committee if he were called.

Mr. WALDRON: Will the gentleman from Augusta make specific charges and put them in writing so that the State liquor agency may be investigated? If he will, I will support it cheerfully.

Mr. NEWBERT: I will say that that is one of the instances where, as I say, suspicion may exist where no definite charges can be filed. I am not prepared to file charges against the liquor commissioner of Maine.

Mr. WALDRON: Well, suspicion executed Christ, you know.

Mr. HILL of Machias: Mr. Speaker, the more I have listened to the remarks of gentlemen in regard to Senate-Amendment "A" the more I am strengthened in my opinion that the amendment should be adopted, and the more I am convinced that that amendment is nothing but a legal and just protection to honest officials, and affords no protection to anything that is crooked or dishonest.

Mr. STEVENS of Jonesport: Mr. Speaker, I cannot understand the disposition which some seem to entertain to stifle any investigation. Are they afraid that this investigation will prove to the people of the State of Maine that there is something rotten in Denmark? If they are guilty, let them suffer, yes, let them suffer, and the rank and file of the people of the State of Maine will say amen.

Mr. BROWN of Auburn: Mr. Speaker, I believe there is no one in this House who will deny the right that we must accord to our constituents in the performance of our duties at this session. As a taxpayer in the State of Maine and as one of its citizens I believe that the members of this House have no right to deprive me of the right to know how the money of the State in the various departments is expended. Were I one of the heads of the various departments and were I performing those duties honestly I would welcome any investigation from the proper committee that I might be free from even the suspicion of any crookedness. I believe, Mr. Speaker, that we shall not perform our full duties to our constituents if we fail to vote in opposition to the amendment proposed by the Senate.

Mr. MILLIKEN: Mr. Speaker, I think there is an exaggerated opinion of the difference between the Senate Amendment "A" and the original order. The contention seems to be on the part of those who oppose the Senate amendment that this amendment would close the door to any investigation of anybody without specific charges or evidence that would pass in a court of law; and I understand their objection

to be that it would prevent investigation from the fact that citizens of the State would shrink from appearing before the committee and filing definite charges that would pass in a court of law. Now that objection, it seems to me, would be well taken if that were the purpose of the amendment. That does not seem to me to be the case. As I look at it this amendment means that anybody, a member of this House, a citizen of this State or anybody anywhere who has any reason to believe that there is anything wrong in a department, may come to the committee and state in writing, not necessarily evidence, but his suspicion, if any suspicion exists. If the gentleman from Auburn (Mr. Brown) believes that there is something that needs looking into in the liquor agency, let him state his suspicion in writing to the committee and the committee will investigate. That is the way I understand the amendment.

Now, I see no reason under this amendment why anybody should not have the fullest and freest opportunity to have anything investigated that he thinks is wrong. I take the position and have from the beginning, that any department which is all right can stand investigation and should welcome it. And I believe that many of them do welcome it. I take the position that any state official whose department is not conducted as it should be, ought to be investigated. But it seems to me if we turn down the amendment we shall be quibbling over a technicality, over a mere matter of words, and we will defeat the whole purpose of the original order, and the practical result will be that we shall not get the opportunity to make any investigation at all. As I look at it, if the amendment is passed, on the contrary, we shall have the power to do everything we need to do, and the only requirement is that any person who appears before the committee shall state what he has to say in writing, not necessarily evidence but only his suspicion if it is no more than a suspicion, and his suspicion or his criticism that any department is employing too many clerks or spending too much for office supplies or too

much for transportation is reason enough for a full and complete investigation of that subject by the committee. I believe that the committee will be ready to investigate any suspicion and give it the fullest and most complete investigation if it keeps us up evenings every day in the session.

Mr. DAVIES of Yarmouth—Mr. Speaker, do I understand that there is any specific charge made against any individual or any department? I ask the gentleman from Augusta (Mr. Newbert) if he will make the charges of the Waterville Sentinel his charges?

Mr. NEWBERT—I am very glad to answer that I am not going to do it.

Mr. DAVIES—I ask the gentleman from Waterville (Mr. Johnson) if he makes the charges of the Waterville Sentinel his charges?

Mr. JOHNSON—Mr. Speaker, the gentleman is speaking wide of the question. I don't think his inquiry touches the matter under investigation and which we are discussing. I differ from the gentleman from Island Falls (Mr. Milliken) and my objection to this amendment is because its clear import and meaning is that there shall be no examination into the conduct of affairs of any department unless there are written charges, and because I felt that this House, this Legislature had the right to examine through its committees into the manner in which the business was being conducted I oppose it. It is not a question of specific charges but a question of whether this Legislature feels that it surrenders and wishes to surrender its right to examine the methods employed by its officials or the officials of this State in conducting this business. I have no knowledge of charges, as I stated, against anybody. I have no reason to suspect myself the honesty of any State official; but I do believe that this House has the right to inquire, for the information of its members, into the official conduct of any State official and report to us what they ascertain.

Mr. DAVIES—The gentleman suggests that I am speaking wide of the mark when I inquired of him if he personally would make charges which have been referred to, on the floor of

this House in a rather indefinite way, his charges. I leave you to judge whether the reply he made to my question was a direct answer or whether it was an evasion. It was not my purpose to take part in this debate. The matter was far too carefully and too competently handled by my associates without my making any suggestions or dipping into it whatever; but as matters have shaped themselves in this way, I desire to make my opinions known.

First, if there is one specific charge against any individual or any department I shall be glad to support it. And, Mr. Speaker, I have heard of investigations which were carried on for other than the purposes of finding out the conditions of various departments. I have heard, and not so very many years ago, of investigations which were attempted in this State and in other states for other purposes. If my mind is not at fault a couple of years ago a committee was appointed for the purpose of investigating the State Liquor Agency; and we are all aware of what the report of that committee was. Now, is it necessary that we should carry on investigations for the mere purpose of trying to discover in the office of some well recognized and competent official some little act that might appear on its surface something that might be used for some purpose other than the purpose that would naturally suggest something against that department? For my part, I am most heartily opposed to it. But I wish to go back to the original statement which is this, and I think I speak for some of my friends in this part of the House, if there is anything to be said against any individual or department, we stand ready to investigate it, but we shall resist an investigation that is couched only in insincere and vague terms.

Mr. BLANCHARD of Auburn—Mr. Speaker, I have read somewhere and I presume the most of you have read the same thing, that an ounce of prevention is worth at least a pound of cure; and I submit to you as a body of thinking men whether or not if, this investigation into the management of the vari-

ous departments of our State had been all it ought to be 20 years ago, I submit to you whether or not this Legislature would not have been relieved of the disagreeable duty of calling one of its heads of departments in and spending valuable time in investigation.

Mr. McCLUTCHY of Portland—It is known that all corporations have their accounts gone over at intervals, and it seems to me nothing out of the way for the accounts of our State departments to be examined.

The question being on the adoption of Senate amendment "A" in concurrence, Mr. Blanchard of Auburn called for the yeas and nays.

The question being, shall the yeas and nays be ordered,

The motion was agreed to.

The SPEAKER—All those who are in favor of adopting Senate amendment "A" will answer "yes" as their names are called; all those opposed to the adoption of the amendment will answer "no." The Clerk will call the roll.

YEA:—Allen of Columbia Falls, Allen of Mt. Vernon, Allen of Richmond, Baldwin, Barker, Brackett, Charles, Chase, Clark, Cobb, Colcord, Cyr, Dantforth, Davidson, Davies, Davis, Decker, Dow, Dyer, Emerson, Emery, Farrar, Folsom, Fulton, Giddings, Goodwin, Hadlock, Hall of Caribou, Hall of Dover, Haskell, Hathorn of Detroit, Hawkes, Herrick, Hill of Machias, Hill of Menticello, Irving, Jacobs, Johnson of Calais, Joy, Kendall, Knowlton, LaBree, Lane, Langley, Libby, Lord, Loring, Lovejoy, Martin of Rumford, Mayo, Merriman, Merrill, Merx, Miliken, Nowcomb, Newton, Oram, Peacock, Perkins of Alfred, Perkins of Kennebunkport, Putnam, Reynolds, Safford, Smith of Lisbon, Smith of Patten, Spear, Sprague, Stearns, Stevens of Portage Lake, Stuart, Stubbs, Tarbox, Theriault, Thomas of Howland, Titcomb, Tolman of Glenburn, Waldron of Dexter, Weeks, Whitehouse, Wight, Wood, Young—82.

NAY:—Allan of Dennysville, Barrows, Blanchard, Brown, Brown, Copeland, Dendero, Donigan, Duncan, Dunton, Edwards, Flaherty, Gallagher, Gleason, Grinnell, Harriman, Harris, Harthorn of Milford, Havey, Hibbard, Horigan, Johnson of Waterville, Jordan, Kelley, Leighton, Lowe, McClutchy, McKinney, Michaud, Minahane, Montgomery, Mullen, Murphy, Nowbert, Noyes, Perry of Randolph, Pike, Pinkham, Pooler, Preston, Scates, Skidmore, Skillin, Snow, Stevens of Jonesport, Stover, Strickland, Thomas of Harpswell, Tolman of Portland, True, Tucker, Waldron of Portland, Walker, Wardwell, Weld, Witham—56.

ABSENT:—Crosby, Farnham, Frost,

Gordon, Higgins, Leader, Lynch, Martin of Bangor, Moore, Morneau, Perry of Fort Fairfield, Randall—12.

So the amendment was adopted.

The order as amended then received a passage.

On motion of Mr. Cobb, of Gardiner, Adjourned.

SENATE.

Friday, February 15, 1907.

Senate called to order by the President.

Prayer by the Rev. Mr. Evans of Augusta.

Journal of the previous session read and approved.

Papers from the House disposed of in concurrence.

On motion by Mr. Putnam of Aroostook it was Ordered, the House concurring, that when the Senate and House adjourned they adjourn to meet on Monday, February 18, 1907, at 4.30 P. M.

This order was subsequently returned from the House concurred in by that branch.

House Bills Read and Assigned.

On motion of Mr. Staples of Knox. Bill, "An Act in relation to reports of hearings in vacation in law or equity," was tabled pending its first meeting.

An Act to amend Chapter 267 of the Private and Special Laws of 1905 in relation to Alfred Light and Power Co., and to legalize its issue of bonds.

An Act to amend Section 1 of Chapter 128 of the Revised Statutes relating to domestic animals.

An Act to amend Section 30 and Section 32 of Chapter 29 of the Revised Statutes, Section 5 of Chapter 38 of the Public Laws of 1905, and Section 6 of Chapter 68 of the Public Laws of 1905, in relation to the jurisdiction of municipal and police courts and trial justices.

Resolve in aid of the Temporary Home for Women and Children at Portland.

An Act to repeal an act incorporating the town of Mattamiscontis, approved March 8, 1839, and providing for the adjustment and payment of its indebtedness.

An Act to repeal Chapter 58 of the Private and Special Laws of 1821, entitled "An Act to set off Jonathan Moody with his family and estate from the town of Whitefield and to annex them to the town of Gerry."

An Act to amend Section 1 of Chapter 186 of the Private and Special Laws of 1887 to set off a part of the farm of