

MAINE STATE LEGISLATURE

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Legislative Record

of the

Seventy-Third Legislature

of the

State of Maine.

1907.

HOUSE.

Wednesday, February 20, 1907,

Prayer by Rev. Mr. Gibson of Augusta.

Papers from the Senate disposed of in concurrence.

The following order was received from the Senate, having been passed in that branch and sent down for concurrence.

In Senate February 15, 1907.

Ordered, That the House concurring for the purpose of determining the expediency of repealing Sections 14 to 35 inclusive of Chapter 29 of the Revised Statutes, a subject matter referred by joint order of the Legislature to the joint standing committee on temperance, and, at the same time considering the substitution for the agency system now existing under our State laws the plan of dispensing intoxicating liquors for medicinal and mechanical purposes through reputable drug stores, another question before this same committee by the direction of this Legislature, and for the further purpose (if, in the judgment of this committee, the local agency system should be retained) of recommending any needful amendments which, in the opinion of the committee, would add to the efficiency of the present laws governing the sale of intoxicating liquors by authority of the State and prevent the unlawful sale of said liquors by these agencies, the committee on temperance is empowered and authorized to summons such persons and send for such books and papers, as in the committee's judgment, will be of assistance to them in making a report to this Legislature; and at any hearing under this order may administer oaths, examine witnesses and employ a stenographer or any other assistant necessary for the performance of these duties.

Mr. NEWBERT of Augusta—Mr. Speaker, I wish to offer an amendment to the Senate order by adding the following:

Amendment "A," Amend by adding to the Senate order the following: "This order shall be construed as em-

bracing in its scope an inquiry into the affairs of the State liquor agency, touching the methods employed by the State Liquor Commissioner in the purchase of pure and unadulterated intoxicating liquors and the supplying of the same to the city and town agencies, also as touching the remuneration which the State Liquor Commissioner now receives or has received while holding office. The committee on temperance is authorized and directed to employ an attorney to prosecute said inquiry.

I wish to say a word in support of the amendment. A great deal of interest centers in this attempt to inquire into the affairs of the State and town and city liquor agencies. On January 23 an order was introduced in this House by me calling for a special joint committee to inquire into the State and town and city liquor agencies. That order was before this House for two weeks. It was debated to some extent. It was passed unanimously. I know of no objection on the part of any member on this floor. That same order has come back to this House indefinitely postponed in the upper branch; and the order which has been read this morning seems to have taken its place. I have no objection to the order from the Senate other than I think its scope is too narrow. I think under that order we might have the play of Hamlet with Hamlet left out; an investigation of the State and town agencies without an inquiry into the head of the department. I submit, gentlemen, that we cannot investigate a department in the State of Maine without some inquiry as to its head.

There has been a good deal of misunderstanding about this order which I introduced and I wish to make a personal statement as to my motive in introducing it. In the discussion the other day in the upper branch the senator from Cumberland (Mr. Merrill) said he opposed the order because it was introduced as a back fire on the removal of the State House proposition; and the legislative reporter in this House for the Portland Express—and I didn't know before that this gentleman was a humorist, but he seems to be, for he sent this in to his

paper under date of last Friday in large scare headlines, "Holding a Club Over President Allen's Head. Friends of Augusta Try to Strike Allen Through Liquor Commissioner Because the Senator Is Counted in Favor of Changing the Capital." I say the author of that is a humorist. It is almost too ridiculous to be debated in this House, and I simply refer to it in order to justify myself before the members of this House.

Now, I introduced that order on the 23d day of January. I had it in my desk for a week before that, before any citizen of this town even dreamed that the State capital removal proposition was anything more than a biennial joke. I introduced it before I even knew that the honorable senator referred to in this paper was either the sponser for the State liquor agency system or the principal factor in the removal of the State capital. I knew nothing about it. I am willing, as I shall be able, to debate the State capital proposition on this floor when our friends from Portland desire to do so; and in the meantime I think this question should be considered on its merits. So much for that.

I want to refer to this liquor business. I introduced that order because I have believed for 10 years that this whole agency system was as black as the blackness of Hell. I introduced it because I believed that the laws creating the system have been broken for years. The statutes are all right; they have been broken by commissioners and by town and city agents, wilfully, knowingly broken and departed from in letter and in spirit, everywhere wherever an agency is established. How many are there? I don't know that this House knows how many there are in the State of Maine. There are just 16 of these open rum shops in the State of Maine conducted under a statute which will not permit a druggist of character to sell a gill of alcohol for bathing purposes, and yet the same statutes will permit the agency of the little town of Chelsea over here, a mile and a half from the Home, containing 2500 feeble, weak old men, with only one house in sight of the agency established by the town

of Chelsea, to make money out of the poor old crippled veterans of the Civil War. There are 16 agencies in the State of Maine. Where are they? In the city of Auburn, in the city of Bath, in the town of Bethel, in the town of Chelsea, in the town of Farmington, in the city of Gardiner, in the town of Greenwood, in the city of Lewiston, in the town of Machias, in the town of Phillips, in the city of Portland, in the town of Randolph, in the city of Rockland, in the city of Waterville, in the town of Webster and in the town of Wiscasset. How much business do these agencies do? I have here the figures only of the sales on the part of the commissioner to these towns and cities for the 12 months up to the time he made his last report in November:

Report of State liquor commissioner for the year 1905:

Cities and Towns.	Total value.
City of Auburn	\$17,424.94
City of Bath	13,820.59
Town of Bethel	1,892.96
Town of Chelsea	1,520.89
Town of Farmington	3,943.21
City of Gardiner	5,806.61
Town of Greenwood	2,347.00
City of Lewiston	37,382.28
Town of Machias	4,366.67
Town of Phillips	2,169.21
City of Portland	8,748.85
Town of Randolph	5,890.75
City of Rockland	10,118.23
City of Waterville	12,210.02
Town of Webster	1,149.76
Town of Wiscasset	3,140.31
	\$131,932.28

I want to show you the enormity of the practices under some of these agencies. Take the city of Portland. I am told that the city of Portland runs its agency according to law, and because it does so it cannot pay its rent. It bought of the liquor commissioner of Maine for the 10 months covering his report liquor which amounts only to 51 cents for each voter in the city of Portland. The liquor sold to the town of Wiscasset amounts to \$8.24 per voter. In the little town of Greenwood in Oxford county it amounts to \$12.61 per voter. And here is the great criminal in the town of Randolph across the bridge from Gardiner, within striking distance of the Togus Home, with its 2500 crippled veterans, this miserable agency in Randolph—Portland only buying 51

cents worth per voter in the city—the little town of Randolph with only 309 voters buying what amounts to \$19.06 for every voter in the town! If Portland runs its agency according to law do you think that little Randolph runs its agency according to law?

My amendment simply broadens the scope of this Senate inquiry, and I believe it is the sense of this House to do this thing right. There are a great many charges in the air. I do not make them. I shall not have time to back them up. But they are made. They are made in the press. And all right-minded men in the State who know anything about this matter know that for years money has been made out of this thing. The towns make money, the cities make money and the State of Maine makes money. It made almost \$9000 last year from dispensing medicines to its people; and the charge is made that the commissioners before now have gotten rich out of this agency business. I don't know whether that be true or not. The charge is made that the present commissioner pays too much for his liquors; the charge is made that he pays 40 per cent. too much for the liquors he sells to city and town agencies. You men may know more about rum than I do—some of you. (Laughter.) You may know more about the prices of whiskey than I do. Whiskey and rum seem to be the popular drinks in these agencies. An Indian in Penobscot county came to an agency and wanted five gallons of rum and the agent put it up and said: "What do you want it for?" The Indian said: "My wife was bitten by a snake." The agent said: "Isn't that a good deal of rum, Joe, for a snake bite?" "Hell, no," he said, "heap big snake." (Laughter.) I suppose the Waterville Sentinel can stand by itself; I don't care to support it in this matter. It made some charges against a State department and they seem to have been verified. This same Waterville Sentinel takes the ground that the liquor commissioner is paying 75 cents a gallon too much for the liquors that he buys, and it calls attention to the fact that he could save money by buying from the wholesale houses in the prohibition city of Ban-

gor. Why doesn't he go to Bangor and buy his whiskey and his rum if he can get it more cheaply there? How much was sold to agencies last year? Sixteen agencies, and they bought what amounts to nearly \$132,000 worth from the State of Maine. They increased over the year before; they lost one agency and they increased the output over \$34,000. They sold something like 600 barrels to only 16 agencies. I was brought up on cider and sauer kraut; I don't know anything about the prices of rum. It says here that the wholesale price of pure grain alcohol of high grade handled by druggists is \$2.28. This article takes the ground that alcohol is sold by the State agency to local agencies for \$2.84 a gallon. Taking out 10 per cent. which goes to the State and it makes it \$2.53. If \$2.28 is the regular wholesale price, I submit that \$2.53 is too high. It makes a large sum, something like \$2000 too much in the business of a year. "For an inferior quality of gin there was paid \$3.25 a gallon; for Pepper whiskey in bulk, \$4.50 a gallon; for one brand of Rye whiskey \$4; for another, \$3.50; for another, \$2.75; for still another, \$2.50; for rum, \$2.50." The last rum I bought I didn't pay as much for as that and I got it from a druggist in Augusta. (Laughter.) "A very brief inquiry at Boston among reputable wholesale dealers will satisfy anybody that these prices are very far above the market. A saving of 75 cents a gallon can be made on all of the bulk whiskey bought by this State, without the quality being affected in anyway, unless it is possibly improved." And the article goes on to talk about case goods. "Pepper whiskey is \$12.25 a case; Old Crow, \$9.25; Warm Spring, \$10; Hewett's Halt, \$9.50; Bass' Ale, \$3; India Ale, \$2.40." Now the author of this editorial in the Waterville Sentinel says that somebody is making \$20,000 a year of illegitimate profit out of the State agency system; and it raises the question as to what is the tie that binds the great Maine rum shop to two small wholesale houses in the city of Boston. We would like to know.

I have been told a good many things about this matter. I have been told that

I have political friends mixed up with this thing. Gentlemen of the House, I care nothing about that. If I have political friends who have their fingers in a crack, I say, when this Legislature shuts the door let those same fingers be pinched. I have no more protection for a Democrat than I have for a Republican in this matter; nor should there be any politics in it, no State House in it, no politics in it, no prejudice in it, but a simple determined intention on the part of this House to look into this matter. I have been careful in this discussion, in the brief statement that I have made, not to cast any aspersion on the character or reputation of any man in this State, and I want to say this, and I want to submit it for your consideration: I submit, Mr. Speaker and gentlemen, that it ill becomes a State official in the State of Maine, when the Legislature is trying to get a measure through to inquire into his department—I say it is ill becoming in him to lobby persistently for three weeks in the corridors of this State House and on this floor by his personal persuasion and presence and by the employment of his attorney and a lobby, to defeat the will of this Legislature. I am willing to stand by that statement, gentlemen, because I know it has been done. A friend from that lobby came to me yesterday and said: "Newbert, we have got you tied to the stake and you are hollering for help." I am not hollering for help. I leave this whole matter for the consideration of this House, and personally, gentlemen, I am done with it.

Mr. Davies of Yarmouth moved that the order and the offered amendment lie on the table for printing.

The motion was agreed to.

Senate Bills on First Reading.

An Act to amend Chapter 212 of the Private and Special Laws of 1903, as amended by Chapter 139 of the Private and Special Laws of 1905, relating to Searsport Water Company.

Resolve providing for preventing contagious diseases among cattle and horses.

An Act to amend Section 2 of Chapter 465 of the Private and Special Laws of 1868, providing for the elec-

tion of the superintending school committee and superintendent of schools in the city of Lewiston.

Resolve in favor of the Madawaska Training School.

Resolve providing for an epidemic or emergency fund.

An Act authorizing the erection and maintenance of piers and booms in the west branch of the Penobscot river.

Bill, An Act to amend Section 1 of Chapter 166 of the Private and Special Laws of 1887, as amended by Chapter 303 of the Private and Special Laws of 1905, which was passed to be engrossed in the House, came back from the Senate amended by Senate amendment "A," by adding to the title the words, "relating to the Fort Fairfield Village Corporation."

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

A communication was received from the highway commissioner in relation to the inquiry made of him by the House for information in regard to bridges, which was tabled for printing on motion of Mr. Tolman, of Portland.

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

Judiciary.

By Mr. Davidson of Vinalhaven—Petition of G. B. Smith and eight others of Vinalhaven in favor of the initiative and referendum.

By Mr. Havey of Sullivan—Petition of Daniel Deasy and 25 others for the enactment of a village corporation charter for the village of Prospect Harbor.

By Mr. Hall of Caribou—Petition of Vincent M. Theriault and 27 others of Fort Kent in favor of change in time of commencement of supreme judicial court in Aroostook county.

By Mr. Irving of Presque Isle—Petition of Fred P. Whitney and 41 others for same.

By Mr. Goodwin of Sanford—Bill, An Act in relation to the Springvale Library Association.

By Mr. Johnson of Waterville—Bill, An Act to amend an Act incorporating the city of Waterville and relating to the tenure of office of the members of the fire department of said city.

By Mr. Danforth of Skowhegan—Bill, An Act to amend Chapter 89 of the Public Laws of 1905, relative to notice to beneficiaries under wills.

By Mr. Davies of Yarmouth—Bill, An Act to incorporate the Thomas Brackett Reed Association.

By Mr. Weld of Old Town—Bill, An Act relating to the Old Town municipal court in the county of Penobscot.

By Mr. Spear of South Portland—Bill, An Act to amend Section 6 of Chapter 142 of the Revised Statutes relating to term of commitment to houses of correction; also Bill, An Act to amend Section 14 of Chapter 142 of the Revised Statutes relating to earnings of prisoners committed to houses of correction; also Bill, An Act to create a board of harbor commissioners for the city of South Portland.

By Mr. Johnson of Waterville—Bill, An Act to incorporate the Maine Title Guaranty Company.

By Mr. Hathorn of Detroit—Bill, An Act to grant additional powers to the Sebasticook Power Company.

Legal Affairs.

By Mr. Dow of Brooks—Petition of A. J. Nickerson and 69 others of Searsport to amend the act establishing a municipal court in the town of Searsport so as to give the Belfast police court concurrent jurisdiction in civil and criminal matters; petition of A. J. Nickerson and 30 others of Searsport for repeal of the act establishing a municipal court in the town of Searsport. (Tabled pending reference, on motion of Mr. Colcord of Searsport).

By Mr. Strickland of Bangor—Petition of officers of Deaconess Home Association of Bangor to change name.

By Mr. Blanchard of Auburn—Petition of Henry J. Woodhead and 78 others, operatives in Bates mill, Lewiston, in favor of improving storage in Rangleley Lakes, as asked for by the Union Water Power Company; of George Naylor and 33 others, operatives in Bates mill for same; of R.

Fraser and 51 others, operatives in Bates mill for same; of Martin A. Ward and 48 others, operatives in Bates mill.

By Mr. Frost of Lewiston—Petition of Alexander L. Couper and 24 others; of William Finn and 24 others; of F. E. Whittle and 24 others; of Fred J. Hodgkins and 25 others; of Herbert F. Kelley and 25 others, operatives in Bates mill for same.

By Mr. Lowe of Turner—Petition of Samuel Shurtfelt and 34 others; of John F. Tilton and 27 others; of C. C. Brackett and 25 others; of A. S. Weir and 24 others; of James Gray and 27 others, operatives of Bates mill for same.

By Mr. Edwards of Lewiston—Petition of Alfredo Bubier and 47 others; of George W. Monk and 24 others; of G. W. Meserve and 31 others; of Minnie Hecker and 34 others, operatives in Bates mill, for same; of D. T. Mitchell and 40 others; of Orrin B. Noyes and 28 others; of Charles E. Bartlett and 27 others; of Edwin T. Wood and 48 others, operatives in Hill Manufacturing Company for same.

By Mr. Smith of Lisbon—Petition of Alfred J. Pratt and 61 others; of Louir Frachette and 56 others; of C. C. Chapman and 43 others; of August Tilch and 63 others; of J. M. Smith and 65 others; of F. A. Channell and 59 others, operatives in Bates mill for same.

By Mr. Scates of Westbrook—Petition of Rev. A. F. Craig and 37 others of Westbrook in favor of an act to prevent prize fighting.

By Mr. Hawkes of Windham—Petition of Thomas J. Ingram and 13 others for same.

By Mr. Gordon of Wells—Petition of A. S. Ladd and 32 others of Wells for same.

By Mr. Brackett of Sebago—Petition of A. F. McWhorter and 34 others of Standish for same.

By Mr. Irving of Presque Isle—Petition of E. E. Parkhurst and 49 others of Presque Isle; of Marcus S. Huson and 20 others of Presque Isle for same.

By Mr. Goodwin of Sanford—Petition

tion of Rev. J. B. Ranger and 29 others of Sanford for same.

By Mr. Weeks of Fairfield—Petition of Rev. O. C. Williams and 23 others of Fairfield for same.

By Mr. Allen of Mt. Vernon—Petition of D. D. Hodgdon and 33 others of Wayne for same.

By Mr. Milliken of Island Falls—Petition of the selectmen of Windham and 30 others for an act authorizing the removal of bodies of deceased persons in the town of Windham, with statement of facts; Bill, An Act to authorize the removal of the bodies of deceased persons from the Hawkes cemetery, so-called, in the town of Windham.

By Mr. Allen of Richmond—Bill, An Act to incorporate Richmond Board of Trade.

By Mr. Dow of Brooks—Bill, An Act to repeal Chapter 154 of the Private and Special Laws of 1899, establishing a municipal court in the town of Searsport. (Tabled pending reference on motion of Mr. Colcord of Searsport.)

By Mr. Knowlton of Monson—Bill, An Act authorizing Eliotsville plantation to build and maintain its roads and bridges and to raise money for that purpose.

By Mr. Putnam of Danforth—Bill, An Act to amend an act passed at the present session of the Legislature entitled "An Act to make valid certain doings of the town of Danforth in the county of Washington."

By Mr. Strickland of Bangor—Bill, An Act to change the name of the Deaconess Home Association of Bangor.

By Mr. Putnam of Danforth—Bill, An Act to enable the town of Danforth to purchase the stock of franchises of the Danforth Water Company or any part thereof.

By Mr. Stubbs of Strong—Bill, An Act to incorporate the Strong Lighting & Improvement Co.

By Mr. Tolman of Portland—Bill, An Act authorizing the Island Ferry Co. to construct a wharf and ferry slip into the waters of Casco Bay. (Referred to Portland delegation on motion of Mr. Tolman.)

By Mr. Grinnell of Bath—Bill, An Act to repeal Chapter 22 of the Private and Special Laws of 1903 establishing

a street and sewer commission for the city of Bath.

Appropriations and Financial Affairs.

By Mr. Fulton of Blaine—Petition of John M. Ramsay and 17 others of Blaine, for resolve in favor of Maine State Sanatorium Association.

By Mr. Gordon of Wells—Petition of A. S. Ladd of Wells and 32 others for same.

By Mr. Spear of South Portland—Petition of J. H. Syphers of South Portland and 17 others for same.

By Mr. Stearns of Norway—Petition of Biel F. Bradbury, M. D., of Norway and others for same.

By Mr. Weld of Old Town—Bill, An Act to regulate the abuse of medical charity.

Education.

By Mr. Lord of Parsonsfield—Bill, An Act to amend Section 81 of Chapter 15 of the Revised Statutes, relating to State aid for academies.

By Mr. Knowlton of Monson—Bill, An Act to incorporate Bridgewater Classical Academy.

By Mr. Kendall of Bowdoinham—Bill, An Act to create the office of State historian and encourage the teaching of local history in our public schools.

By Mr. Perkins of Alfred—Bill, An Act to amend Section 76 of Chapter 15 of the Revised Statutes of 1903, relating to State aid to academies.

Railroads and Expresses.

By Mr. Putnam of Danforth—Petition of O. H. Taylor and 25 others of Topsfield in favor of an act to regulate fares upon the Washington County Railroad; of Charles A. Rolfe and 55 others of Princeton; of Fred Johnson and 14 others of Princeton; of Chester E. Yates and others of Princeton for same.

By Mr. Allen of Columbia Falls—Petition of George E. Grant and 11 others of Columbia Falls; of W. A. Hicks and 44 others of Columbia Falls; of Rufus D. Tabbatt and 21 others for same.

By Mr. Hill of Machias—Petition of W. G. Means and 135 others of Machias for same.

By Mr. Peacock of Lubec—Petition of F. S. Reynolds and 44 others for same.

By Mr. Weeks of Fairfield—Bill, An Act to authorize the Sabsticook &

Moosehead Railroad Co. to extend its lines to Eliotsville plantation and to Albion.

Mercantile Affairs and Insurance.

By Mr. Cram of Bristol—Petition of H. H. Chamberlain and eight others against any change in the existing laws relative to fire insurance, especially relating to arbitration clause.

Banks and Banking.

By Mr. Flaherty of Portland—Bill, An Act to amend Chapter 73 of the Public Laws of 1905 entitled "An Act regulating the sale of bonds and other obligations on the installment plan by foreign corporations."

By Mr. Folsom of Norridgewock—Bill, An Act to incorporate the Somerset Trust Co.

By Mr. Flaherty of Portland—Bill, An Act to amend Chapter 48 of the Revised Statutes relating to savings banks. (Tabled for printing pending reference on motion of Mr. Flaherty.)

By Mr. Peacock of Lubec—Bill, An Act to incorporate the Lubec Trust & Banking Co.

By Mr. Putnam of Danforth—Bill, An Act to incorporate the Danforth Trust Co.

By Mr. Baldwin of Boothbay Harbor—Bill, An Act to change the name of the Boothbay Harbor Banking Co. to the Boothbay Harbor Trust Company, and to ratify certain doings in relation thereto.

Agriculture.

By Mr. Lovejoy of Milo—Petition of E. F. Douglass and 14 others of Sebago for the exemption of young stock from taxation; of T. H. Wiggin and nine others of Baldwin; of C. W. Trickley and 12 others of Exeter; of Gordon McKay and 5 others of Maxfield for same.

By Mr. Merry of Woodland—Petition of Allen Quimby and 21 others of Stockholm; of Frank J. Morse and 23 others of Woodland; of R. R. Cameron and 40 others of Caribou; of L. G. Smith and 23 others of Caribou; of J. B. Greaton of Starks and 22 others for same.

By Mr. Stevens of Portage Lake—Remonstrance of U. B. Sutherland and 20 others of Portage against Hon. Luther McKinney's amendment to Chapter 4 of Revised Statutes impos-

ing unnecessary restrictions upon the keeping of dogs.

By Mr. Newcomb of Newburg—Resolve in favor of the Waldo and Penobscot Agricultural Society.

Military Affairs.

By Mr. Flaherty of Portland—Bill, An Act to amend Chapter 97 of the Public Laws of 1899. (Tabled on motion of Mr. Milliken of Island Falls.)

By Mr. Cram of Bristol—Resolve in relation to Fort William Henry in the town of Bristol.

By Mr. Hall of Caribou—Resolve to provide water supply on State camp grounds.

By Mr. Flaherty of Portland—Resolve in favor of Mrs. Hannah McCabe, mother of the late Martin McCabe of Co. E, to reimburse her for moneys paid by her in the illness and death of her son, contracted by attending muster; also resolve in favor of Bernard Griffen, father of the late Walter S. Griffen, late quartermaster sergeant of Co. L, to reimburse him for moneys paid on account of the illness and death of his son, contracted by his attending muster.

Interior Waters.

By Mr. Weld of Old Town—Bill, An Act in relation to the West Branch Driving and Reservoir Dam Company.

By Mr. Sprague of Drew Plantation—Bill, An Act to incorporate the Kingman Developing Company.

By Mr. Mullen of Bangor—Bill, An Act to incorporate the Penobscot Driving and Improvement Company.

By Mr. Peacock of Lubec—Bill, An Act to authorize Austin Hall, George A. Hall and Roy P. Hill to maintain their dam across Orange river in the town of Whiting and improve said river as far as Orange lake for driving purposes.

By Mr. Mullen of Bangor—Bill, An Act to amend Chapter 419 of the Private and Special Laws of 1897 as amended by Chapter 155 of the Private and Special Laws of 1899 and by Chapter 308 of the Private and Special Laws of 1901 entitled "An Act to incorporate the Penobscot East Branch Log Driving Company."

By Mr. Putnam of Danforth—Re-

solve in aid of navigation on Schoodic Grand Lake.

State Lands and State Roads.

By Mr. Dyer of Buckfield—Petition of P. C. Fickett and 87 others of Paris for An Act to provide for State aid, and for the expenditure of other public moneys in the permanent improvement of Maine highways or State roads.

Ways and Bridges.

By Mr. Putnam of Danforth—Resolve in favor of building a bridge in the town of Forest City in Washington county.

Inland Fisheries and Game.

By Mr. Gleason of Mexico—Petition of John P. Swasey and others to regulate trout fishing in the tributaries of Swift river in the county of Oxford, also to prevent the putting in of sawdust and other refuse into Swift river.

By Mr. Peacock of Lubec—Petition of W. J. Mahlman and 83 others to amend Section 8 of Chapter 32 R. S., relating to the shooting of gulls; of Milford Dennison and 14 others for same.

By Mr. Brackett of Sebago—Petition of G. H. Hall and six others for the passage of a law to prohibit the sale of trout and landlocked salmon in the county of Cumberland; of J. R. Shaw and 35 others for same.

By Mr. Jacobs of Athens—Petition of J. F. Holman and 13 others of Athens for the screening of the outlet of Kingsbury pond; of G. G. Robinson and 20 others of Kingsbury for same; of A. L. Flanders and 25 others; of A. E. Buzzell and 33 others for same.

By Mr. Peacock of Lubec—Bill, An Act to amend Section 8 of Chapter 32 of the Revised Statutes relating to the shooting of gulls.

By Mr. Clark of Hollis—Bill, An Act for the protection of deer in York county.

By Mr. Stubbs of Strong—Bill, An Act to repeal Chapter 248 of the Private and Special Laws of 1905, amendatory to Section 3 of Chapter 407 of the Private and Special Laws of 1903, relating to the time and number of fish that can be taken in the streams lying wholly or partly in the

towns of Freeman, Salem and Strong.

By Mr. Stuart of Belgrade—Resolve in favor of an appropriation to erect a screen in the stream connecting Great lake and Long lake in the town of Belgrade, county of Kennebec.

Sea and Shore Fisheries.

By Mr. Herrick of Brooklyn—Petition of P. L. Cole and 29 others relative to close time on clams.

By Mr. Peacock of Lubec—Petition of William F. Foley and 30 others, relating to an act to amend Section 1 of Chapter 317 of the Special Laws of 1901, relating to taking of lobsters in Trescott and Lubec.

By Mr. Kendall of Bowdoinham—Petition of C. S. Dunning and 13 others of Brunswick and Harpswell to make the owners of the shore the owners of clams; of Eugene Thomas and 18 others of Brunswick and Topsham in support of the bill for the taking of clams; remonstrance of E. M. Spinney and 13 others of Phippsburg and Georgetown against legislation affecting fisheries in Kennebec river and tributaries.

By Mr. Farnham of Bath—Remonstrance of John C. Morse and 117 others of Phippsburg and Bath against proposed legislation relating to fishing in Kennebec river and tributaries.

By Mr. Kendall of Bowdoinham—Bill, An Act to amend Section 35 of Chapter 41, R. S., relating to the taking of clams.

By Mr. Davies of Yarmouth—Bill, An Act to amend Chapter 161 of the Public Laws of 1905, relating to the taking of clams in Yarmouth; also Bill, An Act to amend Section 44 of Chapter 41 R. S., relating to the regulation of smelt fishing.

By Mr. Peacock of Lubec—Bill, An Act to amend Section 1 of Chapter 317 of the Special Laws of 1901, entitled "An Act to protect lobsters in the waters adjacent to the shores of the towns of Lubec and Trescott."

Claims.

By Mr. Kendall of Bowdoinham—Resolve in favor of James Doughty.

Pensions.

By Mr. Safford of Kittery—Resolve

in favor of Mary A. Goodwin, widow of Stephen C. Goodwin of Kittery.

Insane Hospitals.

By Mr. Duncan of Rockland—Petition of Ephriam Perry and 41 others of Rockland that all patients committed to the Insane hospitals be supported by the State.

State Prison.

By Mr. Allen of Mount Vernon—Bill, An Act to amend Section 1 of Chapter 116 Revised Statutes, relating to the salary of public officers and compensation of members of the government; resolve in favor of Maine State prison.

Public Buildings and Grounds.

Petitions in favor of removal of State capital to Portland were presented as follows:

By Mr. Scates of Westbrook—Of W. W. Thomas and 10 others of Portland; of Thomas J. Haskell and 16 others.

By Mr. Hawkes of Windham—Of H. H. Boody and 29 others of Windham; of L. P. Libby and 42 others.

Remonstrances against removal of State capital were presented as follows:

By Mr. Allen of Mount Vernon—Of J. H. Morse and 20 others of Oakland.

By Mr. Libby of Amity—Of D. W. Estabrook and 25 others of Amity.

By Mr. Newton of Webster—Of Frank L. Sanborn and nine others.

By Mr. Hall of Caribou—Of Rev. O. F. Marsan and two others of North Caribou.

By Mr. Knowlton of Monson—Of A. C. Curtis and 52 others of Wellington.

By Mr. Allen of Mount Vernon—Of W. D. Read and 12 others of Mount Vernon.

By Mr. Folsom of Norridgewock—Of E. Hodsdon and 47 others.

By Mr. Allen of Mount Vernon—Of Readfield Grange, 257 members.

By Mr. Knowlton of Monson—Of H. W. Frost and 28 others of Willimantic.

By Mr. Kendall of Bowdoinham—Of Alvah Mallett and 13 others of Topsham; of A. Q. Goud and 38 others of Topsham.

By Mr. Minneham of South Berwick—Of Horace J. Goodwin of South Berwick and 59 others.

By Mr. Donigan of Bingham—Of L. C. Williams and others.

By Mr. Stuart of Belgrade—Of A. E. Blaisdell and 13 others of Sidney.

By Mr. Stubbs of Strong—Of Philip H. Stubbs and 45 others of Strong.

By Mr. Oram of Bristol—Of A. J. Ervine and 35 others of Bristol.

By Mr. Merrill of Monmouth—Of W. L. Mace and 24 others of Winthrop.

By Mr. Grinnell of Bath—Of J. F. Upton and 11 others of Phippsburg.

By Mr. Tucker of Wiscasset—Of Charles B. Adams and 16 others of Edgecomb.

By Mr. Libby of Amity—Of W. A. Heal and 13 others of Weston.

By Mr. Merry of Woodland—Of George R. Umphrey and 65 others of Washburn.

By Mr. Emery of Jay—Of William Small and 31 others.

By Mr. Folsom of Norridgewock—Of J. M. Norton and 26 others of Anson.

By Mr. Fulton of Blaine—Of F. S. Harriman and 402 others, taxpayers.

Temperance.

Remonstrances against resubmission were presented as follows:

By Mr. Perkins of Alfred—Of S. F. Griffin and four others of Lyman and Alfred.

By Mr. Folsom of Norridgewock—Of J. K. McKenney and 90 others of Madison; of Samuel Vose and 36 others of Madison.

By Mr. Irving of Presque Isle—Of Frank Emerson of Millinocket and 25 others.

By Mr. Stubbs of Strong—Of W. L. Daggett and 17 others of Strong.

By Mr. Dow of Brooks—Of Fremont Reveridge and seven others of North Haven.

Labor.

By Mr. Donigan of Bingham—Bill, An Act limiting the number of hours of labor for river and stream drivers on the Kennebec river.

Taxation.

By Mr. Knowlton of Monson—Petition of C. F. Donnell and 47 others of China in favor of bill to increase the school tax by one mill.

Sagadahoc County Delegation.

By Mr. Knowlton of Bowdoinham—Bill, An Act for the better protection

of ducks, water fowl and other wild birds in Kennebec and Eastern rivers and Merrymeeting bay.

Washington County Delegation.

By Mr. Pike of Eastport—Bill, An Act to authorize the county commissioners of Washington county to create a sinking fund for the purpose of paying the bonded debt of said county.

Placed on File.

By Mr. Duncan of Rockland—Resolution of the city government of Rockland in favor of industrial education for the blind.

By Mr. Donigan of Bingham—Petition of Arthur Hilt and 30 others in favor of the Donigan bridge bill; of Charles E. Haggett and 35 others for same.

Orders.

Mr. Gleason of Mexican presented the following order:

Ordered, That the committee on temperance be and hereby is directed to inquire into the expediency of providing by law for the seizure and forfeiture of horses and carriages found engaged in the transportation of intoxicating liquors when the same is intended for illegal sale within the State when the owner of the teams, his agent or servant have reasonable grounds to know or believe that said team or teams are to be used for the purposes of such transportation, and report by bill or otherwise.

The order received a passage.

On motion of Mr. Weeks of Fairfield.

Ordered, The Senate concurring, that there be printed for the use of the Legislature each Monday and Tuesday 500 copies of the financial statement prepared by the committee on appropriations and financial affairs.

Mr. Newbert of Augusta presented a Bill, An Act to establish a board of education in the city of Augusta and to provide for a uniform system of schools therein, and on motion by Mr. Newbert the bill was tabled for printing pending its reference to the committee on education.

From the Senate: Bill, An Act to ratify the action of the committee appoint-

ed to build a bridge across the York river.

On motions of Mr. Safford of Kittery the rules were suspended, the bill received its three readings and was passed to be engrossed.

Mr. Skillin of Falmouth moved to reconsider the vote whereby the House referred to the committee on sea and shore fisheries the Bill, An Act to amend Chapter 161 of the Public Laws of 1905, relating to the taking of clams in Yarmouth.

Mr. DAVIES of Yarmouth: Mr. Speaker, the bill which the gentleman from Falmouth has referred to is one which was drawn at the suggestion of one of the members of the sea and shore fisheries committee and is entirely a local matter, and the bill was drawn for the purpose of having the consideration of the facts set forth therein come before that committee. It is hardly necessary for me to remind the members of the House that no possible harm can come to the interests of any of the inhabitants of any of the towns surrounding Yarmouth if this bill went to the committee for consideration. Indeed, it has been the policy of this House up until the present moment to have a reference of such bills to the committees to which they were referred without any hindrance, and I desire to object to a reconsideration at this time.

Mr. SKILLIN: Mr. Speaker, I have no objection to the bill that I know of. I merely made that motion that it might be reconsidered to have it laid upon the table for printing.

The question being on the reconsideration of the vote whereby the bill was referred to the committee on shore fisheries, a division was had and the motion was agreed to by a vote of 56 to 49.

On motion of Mr. Skillin, the bill was then tabled for printing.

Reports of Committees.

Mr. Hibbard from the committee on shore fisheries, on petition of O. P. Reynolds and 14 others of Perry praying that the statutes relating to close time on smelts may be so amended that during the month of September

smelts may be taken from the waters of Cobscook bay, coves and inlets, reported that the petitioners have leave to withdraw.

Mr. Herrick from same committee reported "ought not to pass" on Bill, "An Act regulating the taking of clams in the town of Swan's Island."

Mr. Folsom from the committee on pensions reported "ought not to pass" on resolve in favor of George R. Adams.

Same gentleman from same committee reported same on resolve in favor of Emily A. Forbes.

Same gentleman from same committee, on Bill, "An Act to amend Section 4, Chapter 145 of the Revised Statutes, 1903, relating to pensions for widows of soldiers in Aroostook War.

Mr. Irving from the committee on taxation, on Bill, "An Act to amend Section 13 and 124 of Chapter 15 of the Revised Statutes, relating to the mill fund and school tax," reported that the same be printed and recommitting.

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 amend Section 3 of Chapter 40 of the Revised Statutes, relating to lime casks."

Same gentleman from same committee reported same on Bill, "An Act relative to the Waldo and Penobscot Agricultural Society."

Mr. Theriault from same committee reported "ought to pass" on Bill, "An Act to incorporate the Myles Standish Rifle Club of Portland."

Same gentleman from same committee reported "ought to pass in new draft" on Bill, "An Act to amend Chapter 144, Section 22 of the Revised Statutes, relating to support in insane hospitals under title of "An Act to amend Chapter 144 of the Revised Statutes, relating to commitment and support of the insane."

Mr. Dunton from same committee reported "ought to pass" on Bill, "An Act to authorize the town of Brooks to retire its bonded indebtedness and issue new bonds."

Same gentleman from same committee reported "ought to pass in new draft under same title" on Bill, "An Act to amend Chapter 143 of the Re-

vised Statutes, relating to the Maine Industrial School for Girls."

Same gentleman from same committee reported same on Bill, "An Act to amend Chapter 143 of the Revised Statutes, relating to the State School for Boys."

Mr. Newton from the committee on telegraphs and telephones on petition of Cambolasse Telephone Co. praying that they be incorporated, reported bill entitled "An Act to incorporate the Cambolasse Telephone Co."

Mr. Stuart from the same committee on mercantile affairs and insurance reported "ought to pass" on Bill, "An Act to incorporate the Augusta Mutual Plate Glass Insurance Co."

Mr. Oram from same committee reported same on Bill, "An Act to amend Chapter 49 of the Revised Statutes, relating to fraternal beneficiary associations."

Mr. Perry from same committee reported "ought to pass in new draft under same title" on Bill, "An Act additional to Chapter 49 of the Revised Statutes, relating to insurance and insurance companies."

Mr. Flaherty from the committee on banks and banking reported "ought to pass" on Bill, "An Act to incorporate the Sandy River Trust Co."

Mr. Coleord from same committee reported same on Bill, "An Act to extend the charter of the Wilton Trust Co."

Mr. Baldwin from same committee reported same on Bill "An Act to extend the charter of the Clinton Trust Co."

Mr. Barrows from the committee on Claims reported "ought to pass" on resolve in favor of the town of Hodgdon.

Same gentleman from same committee reported same on resolve in favor of the town of Baring, on account of State road constructed in the year 1906.

Same gentleman from same committee reported same on resolve in favor of Barrett Potter.

Mr. Folsom from the committee on pensions reported "ought to pass" on resolve in favor of Betsey Stover.

Same gentleman from same committee reported "ought to pass in new draft under same title" on resolve in

favor of Benjamin Wentworth of Morrill, late private of Capt. George F. Lippin's 5th Co., Mounted Artillery.

Same gentleman from same committee reported same on resolve in favor of John S. Stokes of Sanford, Me.

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

First Reading of Printed Bills and Resolves.

An Act to set off a portion of the town of Starks and annex the same to the town of Norridgewock.

An Act to incorporate the town of Bow-erbank.

An Act to amend and extend the charter of the Carratunk Power Company.

Resolve in favor of the St. Elizabeth Roman Catholic Orphan Asylum of Portland.

Passed to Be Engrossed.

An Act to provide for the ownership and maintenance of highway bridges by the State in the several counties.

Mr. TOLMAN of Portland—Mr. Speaker, pending the passage of this bill to be engrossed I wish to offer an amendment. I do not wish to reconsider this bill, but I do ask that the members of this House—some 40 members were absent yesterday—I do ask that they may have some consideration and some way of knowing what this bill means; and I have a few figures here to which I would like to call attention. By the amendment offered to this bill by the gentleman from Old Town (Mr. Weld), one-half of a mill on the State tax, we would have about \$200,000 with which to pay the expenses of the building of these bridges that are now under construction. That amount, as I stated, yesterday, would be nearly \$1,000,000 that it would cost, and I don't think I am far out of the way; for I think I can show that we have a bridge which is now under construction in the city of Portland on which we have already spent \$206,000, and \$225,000 more must be expended on that bridge to have it so it can be called a bridge. As I understand it, a bridge is not a bridge until it can be passed over. Now, we have other bridges. We have one bridge that is to be rebuilt there that will cost \$100,000; and I find that the air is full of bridges here in the House. I think I can account for

the million dollars which I stated in the first place this bill would cost this State. We are having bridges that are being maintained in Portland that cost for the tenders \$54 a month for each tender and two tenders for each bridge. When this other bridge is completed it will make three bridges of that kind. That is \$108 a month that each bridge would cost for tenders outside of damages and repairs and so forth. We have vessels passing those draws which carry from 4000 to 5000 tons of coal, and damages are continually piling up for the city and county on account of those bridges. We have 65 bridges that are 50 feet and more in length in the county. I don't know how many we have that are less than 50 feet in length. I understand in this State there are something like 900; and 900 more in the air. Now these three principle bridges in Portland when completed will cost nearly \$1,000,000. And I ask if it is not fair, when Portland is paying one-sixth of the tax of this State, that she should have a fair hearing on this matter? And I move that the bill lie on the table, pending its passage to be engrossed.

Mr. WELD of Old Town—Mr. Speaker, I object to laying this bill on the table.

Mr. MCKINNEY of Bridgton—Mr. Speaker, I don't know whether I shall vote for or against this bill, but there are some questions I would like to have answered before I take action in the way of voting upon it; and I would like to ask some gentleman who favors this bill, what a highway is? The first section says: "The selectmen of the several towns of the different counties in the State shall make an inspection and list of all the highway bridges that are 40 feet or more in length prior to the first day of June, A. D. 1907." I want a definition of what a highway bridge is.

In the Maine Reports, volume 59, on page 452, you will find these words: "Highways or county ways lead from one town to another. Town ways are within the territorial limits of a particular town. The officers of the town have original jurisdiction over town ways. The jurisdiction of the county commissioners is appellate," and so forth. Now, if a highway or a county way leads from one town to another, I want to know what it includes in the meaning of the bill. If that

decision of the court stands, any road within a town or a city that doesn't lead directly to another town would not be included in this bill. I find also in a Maine Report, Volume 34, on the 5th page, in the syllabus of the case: "In common acceptation the term highway means public way," that is, in the common acceptation, "but when used in a statute its import is restricted to county roads or county ways unless its connection should require some different construction." Now, this bill says that they shall make an inspection and list of the highway bridges that are 40 feet or more in length. I think it is very essential that this House should know what a highway is, whether these bridges that are to be built by the State, taken out of the hands of the town, are only bridges that run from one town to another, or only on county highways according to the definition of the courts of the State, or whether it means more. I think it is a very important matter. We have a few highways in our town. We have a great many roadways that do not lead from one town to another, and a great many places where bridges are built. I think we ought to decide what this bill means before we pass it.

Now, I simply wanted to say this: That I think this Legislature, by the bills which have been presented to it, is taking a long step towards centralization and taking away from the people the right to attend to their own affairs. If there is any one thing which has made our government strong it is the fact that we have kept close to the people. Now, every town in the State of Maine as a republic in itself, and has taken care of its own interests and of its own affairs. And the bills that are in this Legislature, several of them, are calculated to take out of the hands of these little republics their rights to control their own interests and place them in a central power, in the State, to do that which the towns heretofore have done and which in the future they ought to be able to attend to themselves.

This is all that I have to say on this matter. I am an old-fashioned fellow in this regard and I believe in the rights of the people and that the closer you keep to them the better; and I would still like

to have my question answered, what this bill means by a highway.

The SPEAKER—The question before the House is to lay the bill upon the table pending its passage to be engrossed. That question is not debatable.

Mr. Tolman of Portland called for the yeas and nays.

The motion was agreed to.

The SPEAKER—All those in favor of laying the bill on the table pending its passage to be engrossed will say yes, as their names are called; all those opposed will say no. The clerk will call the roll.

YEA:—Allen of Mt. Vernon, Allen of Richmond, Barker, Charles, Chase, Clark, Colcord, Davies, Davis, Dondero, Duncan, Dyer, Edwards, Farnham, Farrar, Flaherty, Frost, Gallagher, Giddings, Goodwin, Gordon, Grinnell, Hadlock, Haskell, Hathorn of Detroit, Hawkes, Herrick, Horigan, Jordan, Joy, Kendall, LaBree, Langley, Leighton, Loring, McClutchy, McKinney, Merriman, Merrill, Merry, Minahane, Montgomery, Newton, Oram, Perkins of Alfred, Perkins of Kennebunkport, Perry of Fort Fairfield, Putnam, Reynolds, Scates, Skidmore, Skillin, Smith of Lisbon, Stearns, Stover, Strickland, Tarbox, Thomas of Harpswell, Tolman of Portland, Truc, Waldron of Portland, Walker, Wardwell, Whitehouse, Wood, Young—66.

NAY:—Alan of Dennyville, Allen of Columbia Falls, Baldwin, Barrows, Blanchard, Brackett, Brawn, Brown, Cobb, Copeland, Crosby, Cyr, Danforth, Davidson, Decker, Donigan, Dow, Dunton, Emerson, Emery, Folsom, Fulton, Hall of Caribou, Hall of Dover, Harriman, Harris, Harthorn of Milford, Harvey, Hibbard, Hill of Machias, Hill of Monticello, Irving, Johnson of Calais, Johnson of Waterville, Kelley, Knowlton, Lane, Libby, Lord, Lovejoy, Lowe, Lynch, Martin of Rumford, Mayo, Michaud, Miliken, Mullen, Newbert, Newcomb, Noyes, Peacock, Perry of Randolph, Pike, Pinkham, Pooler, Preston, Safford, Smith of Patten, Sprague, Stevens of Jonesport, Stevens of Portage Lake, Stuart, Stubbs, Theriault, Thomas of Howland, Titcomb, Tucker, Waldron of Dexter, Weeks, Weld, Wight—71.

ABSENT:—Gleason, Higgins, Jacobs, Leader, Martin of Bangor, Moore, Morneau, Murphy, Randall, Snow, Spear, Tolman of Glenburn, Witham—13.

So the motion was lost. (Applause.)

Mr. TOLMAN—I would like to offer an amendment to the bill by adding after the word "length" in the fourth line of Section 4 the words "constructed or in the process of construction including those in bridge districts."

I would say in explanation of bridge district, that we have a bridge in Portland built by the city of South Portland

and the city of Portland. Both cities contributed to the building of that bridge, and they had to organize a bridge district in order to raise the funds to build the bridge. That is the only bridge that is in the bridge district, and is the bridge which I have said cost \$200,000 and \$225,000 more to be expended on it.

Mr. McCLUTCHY of Portland—In justice to all, Mr. Speaker, I hope this amendment will prevail.

The question being put on the adoption of the amendment, a division was had and the motion was lost by a vote of 47 to 78.

The bill was then passed to be engrossed.

An Act to create a lien on manufactured staves and laths. (Passed to be engrossed).

An Act to fix the compensation of the clerk of the municipal court for the city of Lewiston.

Mr. Blanchard of Auburn offered an amendment to section one, line two, by striking out the word "eighteen" and substituting in its place the word "twelve."

On motion of Mr. Smith of Patten, the bill and amendment were tabled, pending the passage of the bill to be engrossed.

Passed to Be Enacted.

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.

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 8th, 1839, and providing for the adjustment and payment of its indebtedness.

An Act authorizing the erection of a bridge or roadway across tidewater between Mackey's or Mackworth Island in the town of Falmouth and the mainland of said town.

An Act to amend Section 1 of Chapter

128 of the Revised Statutes, relating to domestic animals.

An Act in relation to the Hill Manufacturing Company.

An Act to incorporate the town of East Millinocket.

An Act to incorporate the Somerville Water Company.

Finally Passed.

Resolve in aid of the temporary home for women and children at Portland.

Orders of the Day.

Special Assignment: Majority and minority reports of committee on elections, reporting on remonstrance of Winfield S. Brown, contesting seat of Lafayette B. Waldron.

On motion of Mr. Hadlock of Cranberry Isles, the majority report was accepted.

On motion of Mr. Johnson of Waterville, the vote was reconsidered whereby the House accepted the majority report.

Mr. Johnson moved to amend the motion by substituting the word "minority" for the word "majority" in the report, and further moved that the House adjourn.

The question being on the motion to adjourn,

The motion was agreed to.