

MAINE STATE LEGISLATURE

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Legislative Record

of the

Seventy-Third Legislature

of the

State of Maine.

1907.

Resolve for the purpose of erecting a fish hatchery in Somerset county.

Resolve in favor of the Castine Normal School.

On motion of Mr. Hastings of Oxford the following bill was tabled "An Act to prohibit the throwing of sawdust and other mill waste into Bear river or any of its tributaries, lying within the towns of Newry and Grafton, in the county of Oxford."

Orders of the Day.

On motion of Mr. Merrill of Cumberland, Senate Document No. 241, "Act relating to time of service of members of the fire department of the city of Portland," was taken from the table. On further motion by the same senator Senate amendment A was adopted; and on his further motion, under suspension of the rules, the bill took its second reading, as amended, and was passed to be engrossed.

On motion by Mr. Merrill of Cumberland the report of the judiciary committee "ought not to pass" on bill relating to the appointment of chief engineer of the Portland fire department was taken from the table. On further motion by the same senator the report was accepted.

On motion by the same senator the report "ought not to pass" of the same committee on bill regulating the Portland chief of police, was taken from the table and on his further motion the report was accepted.

On motion by Mr. Libby of Waldo the Senate adjourned.

HOUSE.

Friday, March 15, 1907.

Prayer by Rev. Mr. Doherty of Gardiner.

Papers from the Senate disposed of in concurrence.

Senate Bills on First Reading.

An Act amendatory of Chapter 164 of the Private and Special Laws of 1903, entitled "An Act to enable the Presque Isle Water Company to issue bonds to pay, retire and cancel its outstanding bonds.

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

An Act to enable the town of Presque Isle to purchase the stock or franchise of the Presque Isle Water Company or any part thereof.

An Act to regulate white perch fishing in Lake Sebasticook and its tributaries in the county of Penobscot.

Resolve in favor of Freedom Academy. (Tabled pending first reading on motion of Mr. Dow of Brooks.)

Resolve in favor of building a fish screen at the outlet of Snow pond in the town of Oakland.

Majority and minority reports of committee on salaries and fees on expediency of increasing pay of members of the Legislature, came from the Senate with the majority report accepted.

Mr. Milliken of Island Falls, moved that the majority report be accepted in concurrence.

On motion of Mr. Danforth of Skowhegan, the reports were tabled and Tuesday next assigned for their consideration.

From the Senate—An Act additional to and amendatory of Chapter 48 of the Revised Statutes as amended, relating to the organization and management of trust companies. (Tabled pending first reading on motion of Mr. Hall of Dover.)

Resolve to provide for the maintenance of the University of Maine, having been passed to be engrossed in the House with amendments "A" and "E," came from the Senate with Sen-

ate amendment "A," discontinuing the Liberal Arts courses.

On motion of Mr. Davies of Yarmouth, the House voted to insist and ask for the appointment of a committee of conference.

The Speaker appointed on the part of the House Messrs. Davies of Yarmouth, Gleason of Mexico and Danforth of Skowhegan.

Report of the committee on judiciary "ought not to pass" on bill to incorporate the Maine Title and Guaranty Company, having been accepted in the House, came from the Senate recommitted in non-concurrence to the committee on judiciary.

The House reconsidered the vote whereby the report was accepted and recommitted the same in concurrence.

An Act additional to and amendatory of Chapter 9 of the Revised Statutes, relating to the better assessing and collection of poll taxes, referred in the House to the committee on labor, came from the Senate referred to the committee on judiciary in non-concurrence.

The House reconsidered the vote whereby the bill was referred to the committee on labor and referred it to the committee on judiciary in concurrence.

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

Legal Affairs.

By Mr. Theriault of Fort Kent—Bill, An Act to amend Section 2 of the Private and Special Laws of the year 1907, entitled "An Act to amend the third paragraph of Section 51 of Chapter 79 of the Revised States, relating to supreme judicial courts."

Appropriations and Financial Affairs.

By Mr. Baldwin of Boothbay Harbor—Resolve in favor of C. Bradstreet, clerk to the committee on banks and banking.

Inland Fisheries and Game.

By Mr. Decker of Weld—Resolve relating to the disposal of the insurance due on the Moosehead lake hatchery, recently burned; Bill, An Act to provide for the State of Maine to take land for the purpose of building and operating fish hatcheries.

Taxation.

By Mr. Lowe of Turner—Bill, An Act to provide for the equalization of taxes in towns.

Forests and Water Supply.

By Mr. Havey of Sullivan—Bill, An Act to amend Section 44 of Chapter 9 of the Revised Statutes, relating to the assessment of taxes on lands in places not incorporated. (Tabled for printing pending reference, on motion of Mr. Havey.)

Placed on File.

By Mr. Danforth of Skowhegan—Protest of 471 members of Skowhegan Grange against removal of State capital.

By Mr. Skidmore of Liberty—Protest of 138 members of Freedom Grange against same.

By Mr. Blanchard of Auburn—Protest of 273 members of Lewiston Grange against same.

By Mr. Skidmore of Liberty—Protest of I. N. Quigg and five others of Palermo against same.

Reports of Committees.

Mr. Smith from the committee on the judiciary on resolve in favor of Herbert L. Kimball, reported that the same be referred to the next Legislature.

Mr. Montgomery from same committee reported "ought not to pass" on Bill, "An Act to amend the Revised Statutes, relating to holidays."

Mr. Hadlock from the committee on legal affairs reported "ought not to pass" on Bill, "An Act relating to the inspection of meat and meat products."

Mr. Knowlton from the committee on education on Bill, "An Act to create a State Board of Education," reported that the same be referred to the next Legislature.

Mr. Gleason from the committee on education on Resolve in favor of W. S. Knowlton to pay expenses of investigation into the office of State superintendent of schools, reported that the same be referred to the committee on appropriations and financial affairs.

Same gentleman from same committee reported "ought not to pass" on Bill, "An Act to amend Section 19 of Chapter 15 of the Revised Statutes, re-

lating to display of the United States flag on all public school buildings or grounds."

Same gentleman from same committee reported same on Bill, "An Act to provide schools with flags."

Mr. Lord from same committee on petition of E. W. Wallace and 52 others of Milbridge praying for the passage of an act whereby the supervisor of schools shall be elected in the same manner as the selectmen, reported that the petitioners have leave to withdraw.

Same gentleman from same committee on petition of George M. Rogers and 106 others of Litchfield for the passage of an act providing for the election of superintendents of town schools by the people of their respective towns, reported that the petitioners have leave to withdraw.

Same gentleman from same committee reported "ought not to pass" on Bill, "An Act to amend Section 63 of Chapter 15 of the Revised Statutes, relating to payment by towns, having no High schools, of tuition of scholars of such towns attending such school in other towns."

Mr. Crosby from the committee on agriculture on order of the Legislature relating to investigation by said committee in relation to the extermination of the weed called Crimson Hawk reported "legislation thereon inexpedient."

Mr. Titcomb from same committee reported "ought not to pass" on Bill, "An Act to amend Chapter 19, Section 2 of the Revised Statutes, relating to prevention of contagious diseases among animals."

Same gentleman from same committee reported same on Resolve in favor of the North Waldo Agricultural Society.

Mr. Hall from the committee on military affairs reported "ought not to pass" on Bill, "An Act to amend Chapter 97 of the Public Laws of 1903."

Mr. Stearns from same committee reported same on Resolve in favor of Bernard Griffin, father of Walter T. Griffin, late quartermaster sergeant of Company L.

Mr. Cobb from the committee on ways and bridges reported "ought not

to pass" on Bill, "An Act to provide for the improvement of public highways."

Mr. Lane from same committee reported "ought not to pass" on Bill, "An Act to provide for ownership and maintenance of highway bridges by the State and the several counties."

Mr. Sprague from same committee on Resolve in favor of a highway bridge across the Kennebec river between the towns of Fairfield and Clinton, at or near Pishon's Ferry, so-called, to connect the counties of Somerset and Kennebec, reported that the same be referred to the next Legislature.

Same gentleman from same committee on order of the Legislature relating to Hancock and Sullivan Bridge Company, reported "legislation thereon inexpedient."

Same gentleman from same committee reported "ought not to pass" on Resolve in aid of building a bridge on St. John river at Van Buren.

Mr. Hibbard from the committee on towns reported "ought not to pass" on Bill, "An Act to amend Chapter 8, Private and Special Laws of 1887, relative to incorporation of Madison Village Corporation."

Mr. Allen from the committee on State prison, on report of the inspectors, warden and subordinate officers of Maine State prison for the year 1906, reported that the same be placed on file.

Mr. Irving from the committee on temperance on order of the Legislature relating to the seizure of vehicles and animals used for the transportation of intoxicating liquors intended for illegal sale, reported "legislation thereon inexpedient."

Same gentleman from same committee on Resolve for an amendment to the Constitution by abrogating and annulling Amendment 5, adopted on the 8th day of September in the year of our Lord one thousand eight hundred and eighty-four, relating to the sale and manufacture of intoxicating liquors, reported that the same ought not to pass as the subject matter had been previously reported.

The reports were accepted and sent to the Senate.

Mr. Smith from the committee on the judiciary on Resolve in favor of DeFor-

rest Keyes, reported that the same be referred to the next Legislature.

The report was tabled, pending acceptance, on motion of Mr. Murphy of Portland.

Mr. Lord from the committee on education reported "ought not to pass" on Bill "An Act to amend Section 63 of Chapter 15 of the Revised Statutes, relating to free High schools."

The report was tabled, pending acceptance, on motion of Mr. Skidmore of Liberty.

Mr. Davies from the committee on the judiciary reported "ought to pass in new draft under same title" on Bill "An Act to grant additional powers to the Sebasticook Power Company."

Mr. Goodwin from same committee reported same on Bill "An Act to incorporate the Municipal Light and Power Company."

Mr. Johnson from same committee reported "ought to pass" on Bill "An Act to amend Section 43 of Chapter 79 of the Revised Statutes, relating to the sessions of the law court."

Same gentleman from same committee reported same on Bill "An Act to limit the time for bringing action for the recovery of uncultivated land in incorporated places."

Mr. Theriault from the committee on legal affairs reported "ought to pass" on Bill "An Act to amend Section 54 of Chapter 49 of the Revised Statutes, providing a lien for a mortgage of any mortgage of personal property upon any policy of insurance on such property."

Mr. Dyer from same committee reported same on Bill "An Act in regard to the peremptory challenge of jurors."

Mr. Gleason from the committee on education reported "ought to pass in new draft under same title" on Bill "An Act to establish a board of education in the city of Augusta and to provide for a uniform system of schools therein."

Mr. Charles from the committee on banks and banking reported "ought to pass" on 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 instalment plan by foreign corporations."

Mr. Allen from same committee reported same on Bill "An Act additional to

Chapter 48 of the Revised Statutes, relating to savings banks."

Mr. Hall from the committee on railroads and expresses reported "ought to pass in new draft under same title" on Bill "An Act relating to locations of street railroads."

Mr. Skillin from the committee on agriculture reported "ought to pass" on Bill "An Act to protect milk dealers and consumers against the unlawful use and destruction of milk cans and other receptacles."

Mr. Flaherty from the committee on military affairs reported "ought to pass in new draft under same title" on Bill "An Act to provide for the pay and care of the members of the National Guard for disability while in the service."

Mr. Safford from same committee reported "ought to pass" on Resolve in relation to Fort William Henry in the town of Bristol, under title of Resolve in relation to Fort William Henry.

Mr. Edwards from same committee reported "ought to pass in new draft under same title" on Resolve in favor of Edward Fahey of Lewiston.

Mr. Sprague from the committee on ways and bridges reported "ought to pass" on Bill "An Act to amend Chapter 333 of the Private and Special Laws of 1891, concerning the reversion of the Old Town bridge to the State of Maine."

Same gentleman from same committee reported same on Resolve in favor of the town of Union.

Same gentleman from same committee reported same on Resolve in favor of the town of Bucksport to aid in the repair and rebuilding of Verona bridge.

Same gentleman from same committee reported same on Resolve providing for the repair of bridges in Macwahoc plantation.

Same gentleman from same committee reported same on resolve in favor of the town of Verona.

Same gentleman from same committee reported "ought to pass in new draft under same title" on Bill, "An Act to provide a way to free toll bridges."

Same gentleman from same committee reported same on resolve in favor of aiding the building of a bridge

between Machiasport and East Machias.

Mr. Decker from the committee on inland fish and game on petition of J. P. Sawsey and others for a law to regulate trout fishing in the tributaries to Swift river in the county of Oxford, also to prevent the putting of sawdust and other refuse matter into Swift river, reported Bill, entitled "An Act to regulate fishing in Swift river and its tributaries in the counties of Oxford and Franklin and to prohibit the throwing of sawdust and other mill refuse into said waters."

Mr. Merrill from same committee on petition of E. L. Cook and others asking that the law on muskrats be changed so that they can be hunted from Dec. 1 to May 1, reported Bill, entitled "An Act to amend the first sentence of Section 11 of Chapter 32 of the Revised Statutes, relating to the close time on muskrats."

Same gentleman from same committee reported "ought to pass in new draft" on Bill, "An Act to regulate ice fishing in certain lakes, ponds and streams in Aroostook county," under title of "An Act to regulate ice fishing in certain lakes, ponds and streams in Aroostook, Penobscot and Piscataquis counties."

Mr. Oram from the committee on shore fisheries on petition of the selectmen and others of Jefferson and Newcastle praying that the existing statutes be amended so as to allow the taking of alewives in Dyer's river, reported Bill, entitled "An Act to amend Chapter 130 of the Special Laws of 1822, as amended by Chapter 550 of the Special Laws of 1828, relating to taking fish in Dyer's river."

Mr. Witham from the Cumberland county delegation reported "ought to pass" on Bill, "An Act for the protection of female deer in Cumberland county."

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

Mr. Baldwin from the committee on banks and banking reported "ought to pass in new draft under same title" on Bill, "An Act to incorporate the

People's Trust Company of Houlton."

The report was accepted and bill ordered printed under joint rules.

Subsequently, on motion of Mr. Charles of Mechanic Falls, the vote was reconsidered whereby the bill was ordered printed under joint rules, and, on further motion of same gentleman, rules were suspended, the bill received its three several readings and was passed to be engrossed and sent to the Senate.

Mr. Sprague from the committee on ways and bridges reported "ought to pass in new draft under same title" on resolve in favor of the town of Deer Isle, in the county of Hancock, in aid of building a bridge across Robbins' Bar, so called, between Deer Isle and Stinson's Neck in said town.

The report was accepted, and, on motion of Mr. Joy of Eden, rules were suspended, the resolve received its two readings, was passed to be engrossed and sent to the Senate.

Majority report of the committee on railroads and expresses reporting "ought not to pass" on Bill "An Act in relation to fares upon the Washington County Railway."

(Signed) MESSRS. IRVING,
TARTRE,
MERRILL,
SPEAR,
HALL,
EMERY,
MULLEN,
YOUNG.

Minority report of same committee reporting "ought to pass" on same bill.

(Signed) MESSRS. JOHNSON,
MOORE.

On motion of Mr. Pike of Eastport, both reports were tabled, pending acceptance of either, and bill ordered printed.

Mr. Smith from the committee appointed to consider and report the order of proceedings to be observed upon the hearing proposed by the resolve of the two branches upon the alleged causes of removal in the case of Harry J. Chapman, judge of the municipal court of the city of Bangor, submitted the following rules:

First. For the purpose of granting

a joint hearing, agreeably to a vote of the two branches of the Legislature; they will meet in convention in the hall of the House of Representatives on Wednesday, March 20, at 2 o'clock in the afternoon.

Second. The President of the Senate shall preside in convention, and in the absence of the President of the Senate, the Speaker of the House shall preside.

Third. The petitioners may be heard by counsel and witnesses, and the respondent by himself and by counsel and witnesses.

Fourth. The same rules of evidence shall govern as in the trial of civil actions in the supreme judicial court. All depositions shall be taken forthwith but no deposition shall be admitted unless it is shown that the deponent is unable to be present. The presiding officer shall decide all questions of the admissibility of evidence, procedure, practice and pleading, and from his decision there shall be no appeal.

Fifth. No debate whatever shall be admitted in the convention.

Sixth. No motion shall be submitted or entertained except to take a recess to a time certain or to dissolve the convention and such motion shall be decided without debate.

Seventh. No person shall be admitted to the floor of the House except members of the convention, counsel, witnesses, reporters for the press and the officers of both branches, except by order of the President of the Senate or the Speaker of the House.

First Reading of Printed Bills and Resolves.

An Act to amend Section 6 of Chapter 113 of the Revised Statutes, to provide for the recording of assignments of wages.

An Act to amend Section 40 of Chapter 41 of the Revised Statutes, relating to seines.

An Act to confirm the incorporation of the Maine Children's Home Society.

An Act to amend Section 1, Chapter 129 of the Revised Statutes relating to pollution of water.

An Act amending Section 24 of Chap-

ter 144 of the Revised Statutes, relating to the Insane hospitals.

Resolve to appropriate \$100 to screen Lake Webb in the county of Franklin.

An Act to legalize the acts of Pleasant Ridge plantation in the county of Somerset.

An Act to regulate fishing in Jimmy, Buker, Sand, Long or Purgatory, and Little Purgatory ponds in the county of Kennebec.

An Act to regulate fishing in Meadow brook, so called, and its tributaries in the county of Oxford.

An Act to regulate fishing in Bonneg Beg pond in Sanford and North Berwick, in the county of York.

An Act to regulate fishing in Spear stream in the county of Oxford, also its tributaries.

An Act to legalize the doings of the Free Will Baptist parish of Limerick.

An Act for the protection of deer in York county.

An Act to incorporate the Central Maine Insurance Co.

An Act prohibiting publications relating to patent or other medicines in language of immoral tendency, or of ambiguous character, and protecting the public against the dangers from the indiscriminate distribution of samples of medicine.

An Act to extend the open season on duck in Lincoln county.

An Act to regulate fishing in Loon lake and in Cow pond, so-called, in the county of Franklin.

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.

An Act to incorporate the Danforth Trust Co.

An Act to amend Chapter 352 of the Laws of 1905 relating to the Caribou municipal court.

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 town of Lubec and Trescott."

An Act to amend Section 41 of Chapter 23 of the Revised Statutes relating

to the powers, liabilities and penalties of plantations.

An Act to amend Section 14 of Chapter 142 of the Revised Statutes, relating to earnings of prisoners, committed to houses of correction.

An Act to incorporate the Monson Light & Power Co. (Tabled pending first reading on motion of Mr. Cobb of Gardiner.)

An Act to regulate fishing in Collins pond, so-called, in the town of Windham.

An Act to regulate fishing in Wesserunsett stream and tributaries, in the county of Somerset.

An Act to repeal Chapter 582 of the Special Laws of 1868, and Chapter 191 of the Special Laws of 1903, relating to the taking of codfish, pollock, hake and haddock in the waters of Frenchmen's Bay.

An Act to regulate ice fishing in Cochnewagon, Dexter, Berry and Wilson ponds in the county of Kennebec. (Read three times and passed to be engrossed under a suspension of the rules, on motion of Mr. Merrill of Monmouth.)

Resolve in favor of screening Kingsbury pond in the county of Piscataquis. (Tabled pending second reading on motion of Mr. Jacobs of Athens.)

An Act relating to the Old Town municipal court in the county of Penobscot.

An Act to secure the preservation of, and to make public the early records of towns and plantations.

An Act to amend Section 1 of Chapter 495 of the Private and Special Laws of 1901, relating to the taking of herring.

An Act relating to corporations.

An Act to amend Sections 13 and 124 of Chapter 15 of the Revised Statutes, relating to the mill fund and school tax.

Resolve in favor of building a breakwater in Moosehead lake near Kineo.

Resolve in favor of the town of New Portland.

Resolve in favor of Harry A. Furbish.

Resolve in favor of the town of Meddybemps.

Resolve in favor of the Maine Insane hospital.

Resolve in favor of the town of Barling in Washington county.

Resolve in favor of L. C. Morse.

Resolve authorizing the State land agent to sell certain lots in the towns of Saint Agatha and Madawaska in Aroostook county.

Resolve that the land grant agent be authorized to convey to Lemuel H. Stover of Brunswick, Maine, certain ledges in Casco bay known as "Irony Island."

Passed to Be Engrossed.

An Act to amend Sections 3, 4, 5 and 9 of Chapter 17 of the Public Laws of 1905, relating to veterinary surgeons.

An Act to extend the charter of the Island Falls Water Company.

An Act to regulate fishing in the tributaries of Mount Blue pond, in Avon, in the county of Franklin.

An Act to regulate fishing in Pocasset lake and Pickerel pond, in the town of Wayne, in the county of Kennebec.

An Act to prohibit the throwing of sawdust and other refuse into Olamon stream, so called, in the county of Penobscot.

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

An Act to extend the charter of the Old Town Water District.

An Act additional to Chapter 27 of the Revised Statutes, relating to paupers.

Resolve in favor of A. F. Arbo of T. 5, R. 9, county of Piscataquis.

Resolve in favor of the town of Monson.

Passed to Be Enacted.

An Act to amend Chapter 48 of the Revised Statutes, relating to savings banks.

An Act for the better protection of shell fish within the town of Yarmouth in the county of Cumberland.

An Act to regulate fishing in Allen brook, so called, and its tributaries, in the town of Exeter, county of Penobscot.

An Act granting Charles H. Scott the right to maintain a ferry across Eggenoggin Reach in Hancock county.

An Act to set off a part of the town of Steuben in the county of Washington, and annex it to the town of Milbridge in said county.

An Act authorizing the Island Ferry Company to construct a wharf and ferry slip into the waters of Casco bay.

An Act amending Chapter 164 of the Public Laws of 1905, relating to location and assessment of damages for property taken for public uses.

An Act to amend Section 2 of Chapter 40 of the Revised Statutes, relating to lime casks.

An Act authorizing the Bodwell Water Power Company to generate, use, transmit and sell electricity.

An Act to authorize the town of Van Buren to issue bonds.

An Act to amend Section 1 of Chapter 143 of the Private and Special Laws of 1905, entitled "An Act to amend Section 1 of Chapter 89 of the Private and Special Laws of 1903, entitled 'An Act to authorize the Penobscot Chemical Fibre Company to make, generate, use, transmit and sell electricity.'"

An Act additional to and amendatory of Chapter 336 of the Private and Special Laws of 1905, entitled "An Act to incorporate the Central Safe Deposit Company," and to change the name of said company.

An Act to extend the charter of the Bluehill Trust and Banking Company.

An Act to change the names of the Boothbay Harbor Banking Company to the Boothbay Harbor Trust Company and to ratify certain doings in relation thereto.

An Act to amend the charter of the Portland and Cape Elizabeth Ferry Company.

An Act to incorporate the Mount Abram Telephone and Telegraph Company.

An Act to extend the open season for hunting the game bird known as golden eye or whistler, in the county of Hancock.

An Act to extend the charter of the Cumberland Trust Company.

An Act to confer additional power and privileges upon the People's Ferry Company.

Finally Passed.

Resolve in favor of Juno F. Curtis of Bingham.

Resolve in aid of erecting a building at Van Buren College for college purposes.

Orders of the Day.

On motion of Mr. Flaherty of Port-

land, the rules were suspended and that gentleman introduced Bill, An Act relative to the payment of deposits in the name of two persons.

Mr. Flaherty then moved a suspension of the rules that the bill might take its three several readings and be passed to be engrossed.

Objection was made by Mr. Pike of Eastport.

On motion of Mr. Baldwin of Boothbay Harbor, the bill was tabled for printing.

On motion of Mr. Dow of Brooks, resolve in favor of Freedom Academy was taken from the table.

The resolve was then read once and assigned for tomorrow morning.

On motion of Mr. Milliken of Island Falls, the majority and minority reports of the committee on salaries and fees on free transportation bill were taken from the table and on further motion by Mr. Milliken they were assigned for Tuesday of next week.

On motion by Mr. Milliken, the report of the committee on railroads and expresses on bill relating to two-cent mileage on Bangor & Aroostook Railroad, was taken from the table.

Mr. Milliken moved that the bill be substituted for the report, and pending the consideration of the motion he moved that the bill be printed and that the bill and report be tabled and assigned for Tuesday of next week.

The motion was agreed to.

On motion of Mr. Milliken, resolve in favor of the Penobscot tribe of Indians was taken from the table.

Mr. Milliken offered a statement of facts to accompany the resolve.

Senate Amendment "A" was then adopted in concurrence and the resolve was then passed to be engrossed as amended.

On motion of Mr. Milliken resolve in favor of Hugh Monahan was taken from the table.

Mr. Milliken offered a statement of facts to accompany the resolve.

The resolve was then passed to be engrossed.

On motion of Mr. Murphy of Portland, resolve in favor of A. D. Dow was taken from the table.

On motion of Mr. Kendall of Bow-

doinham, the resolve was then recom-
mitted to the committee on claims.

On motion of Mr. Stearns of Norway,
bill relating to the better protection of
sheep was taken from the table.

Mr. Stearns offered House Amend-
ment 'A.'

Mr. McKinney of Bridgton opposed
the adoption of the amendment.

On motion of Mr. Newbert of Augusta,
the bill and amendment were tabled
and the amendment ordered printed.

On motion of Mr. Waldron of Dexter,
the report of the committee on rail-
roads and expresses, reporting "ought
not to pass on bill to regulate mileage
rates on railroads, was taken from the
table. Mr. Waldron moved that the bill
be substituted for the report and that
the bill be printed and assigned for
consideration the first thing Wednesday
morning of next week. The motion was
agreed to.

State Liquor Agency.

Special Assignment: Majority and mi-
nority reports of committee on temper-
ance, reporting on Bill for repeal of State
liquor agency law "ought to pass" and
ought not to pass.

Mr. DOW of Brooks—Mr. Speaker, I
move the substitution of the minority for
the majority report. The majority report
was that the bill ought not to pass. I
would say that rather a peculiar condi-
tion of affairs confronts us in regard to
this subject. We find the gentleman from
Augusta (Mr. Newbert) today in a differ-
ent position from what he was when re-
submission was being discussed; we find
he is going to shut the lid right down so
that we cannot get any liquor for any
purpose in the State. This is rather a
singular condition of affairs after the
gentleman's address of a few days ago.

I wish in brief to state my position
on this question. In common with a
great many of the representatives of the
leading temperance organizations of this
State I have tried to be consistent upon
this question. We deny the right of
men to sell liquors for beverage pur-
poses to make men drunken and destroy
the character and the integrity of people
and bring crime and pauperism into our
State; but while we deny the right to sell
liquors as a beverage we do say that to

be really consistent we should permit li-
quors to be obtained for proper pur-
poses in a proper manner; while we
claim the use of liquors as a beverage is
in jurious we admit that for medicinal
and mechanical purposes there may be
a call for them. Therefore the temper-
ance people of the State today say that
there should be some method by which
these liquors can be lawfully obtained,
and the only legitimate means at pres-
ent is through the liquor agencies. I am
not prepared to say at this time that it
may be all the way, but it seems to be
the best way before us at the present
time; and I think I represent a large ma-
jority of the temperance people of this
State on this very question and of the
people at large in saying this. It does
not interest me particularly from my lo-
cation in the State. My own county of
Waldo has not a liquor agency in it. I
think the people ask for the right to
purchase liquors for medicinal and me-
chanical purposes and that there may
be some place where they can be obtain-
ed for these legitimate uses.

Now, I have looked over the law very
carefully in regard to this liquor agency
business and I must submit that that
law reads just as plain and as fair as
any law can. The ten commandments are
not any more explicit in every line and
detail than is the statute law of this
State upon the question of the agency
system. The only thing that is needed
as far as I can see is that we have hon-
est officials to enforce the law as we
must have to enforce any law if it is to
be made a success. I have been inform-
ed this morning that an amendment is
being prepared in the Senate to do away
with the objectionable features of the
system which exists today. I take the
position that the bill to abolish the
agency system should not pass. I be-
lieve the amendment I have spoken of
will do away with the objectionable fea-
tures and will reach the wants, the re-
quests, the desires of a large portion of
the temperance people of our State. I
move the substitution of the minority for
the majority report that we may con-
tinue our agency system.

Mr. FLAHERTY of Portland—Mr.
Speaker, the gentleman from Brooks (Mr.
Dow) says he is a consistent temperance

worker, but I must disagree with him on account of his hypocritical position which he took in the temperance committee on the cider bill, which I introduced, when he reported "ought not to pass" on that bill. I say he is not consistent when he allows the people of his county to use cider as a beverage and to get drunk on it and yet says to the cities of the State that they shall not use beer or ale, which I consider less injurious than cider. As a member of that committee he reported that that bill ought not to pass. I will say that that bill did not interfere with the manufacture of cider. Everybody could manufacture cider at will. And yet he couldn't see his position clear to make this law against intoxicating liquors more stringent, but he would come in here for the sake of political prestige—and I say it with all seriousness that he has played politics with this question—he would come in here and favor the licensing of city and town rum shops.

Mr. DOW—I do not understand that the cider bill is under consideration at this time.

Mr. BROWN of Auburn—Mr. Speaker, I am glad today that for once I am on the side of the majority of the committee. I am proud to stand here for once and say that I am here to represent the common people. I am not here for your colleges or your law offices, but I come from the good little city of Auburn, a clean, respectable city of laboring men who never since Auburn has been a city, for 43 years, have had to my knowledge a man here who dared to stand up and claim to be a laboring man; but you well know that I come from that class. Then I thank the Speaker that he did not see fit to give me any place on the committees. It gave me time to run around and gather up facts and information, and I have found that things were carried on here kind of under cover. I have heard things, I have seen things, that I do not care to make public on the floor of this House today. I have heard how some of these committee have been influenced. I have heard of messengers that have been sent to the chairmen of the committees and I have listened attentively and I am here today not to bring any disgrace or any slur upon

anybody. We have been here 11 weeks and we are getting pretty well to the close of the session. In regard to the question before the House I will take a subject and a text. My subject will be "Good Rum and Have It Cheap." My text will be found in the Bible, in James, the 5th chapter and the 4th verse: "Behold the hire of the laborers who have reaped down your fields, which is of you kept back by fraud; crieth: and the cries of them which have reaped are entered into the ears of the Lord of the Sabaoth."

I am speaking for the common people who have reaped down your fields, who last fall went to the polls and cast their ballots and made it possible for you to occupy these seats in this House. I picked up here this morning the tabulation of the money which has been expended here, and to a poor man who is working for \$1.50 to \$2 a day it is enough to frighten him out of his wits; and when has there been in the history of Maine such extravagance? When have such revenues been raised as have been raised in this 73d Legislature? And yet with one exception no man has raised his voice against them. The gentleman from Bridgton (Mr. McKinney) did defeat an appropriation of \$25,000 which was intended to enrich somebody. Objection may have been raised to some of these appropriations in the committees possibly, but not on the floor of this House. It seems to me that it is time we began to remember those early days of our campaigning last fall when we got so close to the laboring man and said: "I am your friend, if you will give me your ballot I will see that you are cared for this winter." Has the laboring man had any show in these halls this winter? The corporations, the lawyers, the doctors, the professional men, can get a hearing at any time, but the laboring man, the poor man who does the work and who feeds you and who has made it possible for you to wear your tall hat and silk gloves, he is crowded to the ground. Let me state that when they rise, some of you people will be in the same predicament in which the Speaker told you the other day the old deacon was when he had the bull by the nose. I want to

warn you that the laboring men are not all dead yet in this little State of Maine, and you will hear from them.

Two years ago you passed a bill taking away from the poor man the right of his drink in the city. You did allow the farmer to have his cider, but the man who works in the city if he wanted a glass of beer he must be deprived of it. We ask now the same rights that you have. You may have the money and you can send to Boston and you can fill your cellars with all manner of liquors; and undoubtedly the more money you have the more wine will be found in your cellar. It is told to me by the men who clean out your cellars that they are filled with the best and the choicest that there is. (Laughter.) We have here now pending before the committees \$942,131. We have pending before the Senate and House \$500,723. We have passed and there has been approved by the Governor \$2,459,419. Making the little round sum that the people are asking for of \$3,902,273—almost four millions of dollars; and we turn on the other page and we see it is estimated that our assets will be \$2,608,000. Where is this deficiency to come from? There is no other way but to increase our taxes.

Now, in regard to this rum question. I went to the agency in the city of Auburn for some whiskey for my father, who was sick. The agent sold me what is called a long-necker for \$1.68. I am complaining because men who send to Boston and get their liquors direct tell me that they get as good for \$3 a gallon delivered to their door as I paid there, \$1.68 a bottle, which would make \$6.72 a gallon. I want to say that you will find that the laboring men are getting their eyes opened and unless there is something done to bring relief to them it seems to me they will take the reins in their own hands. I am asking that they shall have their liquors as cheap as you men have them who have got money. You ask me how I propose to bring this about, and I say I propose to stop the sale of rum to make a profit on it. We claim that we will allow a little liquor to be sold for medicinal and mechanical purposes, but we are going to have a revenue out of our liquor. We find in

this great State of Maine that there are only 16 agencies. Do you suppose that the other cities and towns are dry? Do you suppose that it is impossible for you to get a bottle of whiskey in the city of Augusta if you wanted it? We find that these 15 or 16 places known as agencies bought last year \$132,000 worth. The commission to the State of Maine was \$13,000. The expense to the State to buy those liquors and sell them to these 16 places was \$4600 to run the business. I think, gentlemen, we could get better liquors and at half the cost if the agency was abolished. I went to our agent at Auburn for information and asked him what our liquors were costing us there and he said \$4.50 a gallon for whiskey. It seems to me that our own municipal officers are capable of buying our liquors, and I ask you in the name of the laboring men of the State of Maine to give them a chance to get their liquors as cheaply as you get yours. It is time we cut loose from party ties and it is time we began to look after the interests of the common people, for they are the people who make us what we are. Where do you get your money for your schools and for your institutions of learning? It is getting so that boys cannot educate themselves. The time was when a boy could get his own education; but nowadays the State wants to educate everybody. What are you coming to? Somebody has got to run your wheelbarrows and build your railroads—and you are getting about sick of Italians. You had better give the common laboring man his rights and you will find that he will stay with you summer and winter. The time was when the laboring man had all confidence in the grand old Republican party, in its former days, and it was almost a disgrace for a man to claim that he was a Democrat. It looks to me as though they were beginning to lose that confidence. It looks to me, from the complexion of this House, that you are fast losing their respect. Now, if you want to cap the climax, go ahead and force liquors onto them at the cost of \$6 a gallon and you drink yours at \$3 a gallon, and perhaps in two years you will find more common people in the halls of

this House than you find today. (Applause.)

Mr. PERKINS of Alfred: Mr. Speaker, the gentleman from Auburn is correct in regard to the price charged for whiskey at the Auburn agency. But if you will consult the law you will find that the people of Auburn through their officers, have a right to fix the profit that these liquors shall be sold for. If he has been oppressed by the price affixed he has been oppressed by the men that the people of Auburn have elected to office. They can fix the amount of profit just as they please on those liquors.

The reason why I signed the minority report was that I believed in the people having a chance to regulate their own affairs. We believe if any community wants liquor sold in that community for legitimate purposes that there shall be a lawful way for them to get it. The State liquor agency system perhaps is not the very best thing, but it is the best thing we have got. We three men signed that minority report, in order to give the laboring man and every other man a chance to get in a lawful and honorable way liquor for medicinal and mechanical purposes. That is all there is in the minority report.

Mr. NEWBERT of Augusta: Mr. Speaker, I drew the bill which is under consideration to abolish the agency system, and I am a member of the temperance committee of this House and signed the majority report. The majority report is signed by Senator Brown and Representatives Waldron, Irving, Pooler and myself. Senator Mills signed neither report. I don't think I misquote him when I say that on general principles he is opposed to the agency system.

The statutes creating this agency system are as fine as anything that could be written, nothing better. Recently a judge of the supreme court told me that the statutes are as good as can be drawn, but the town and city have departed from the statute in spirit and in letter and we can never get back again. If we had agencies all over the State in something like a general way, and if more than 16 towns of the State availed

themselves of the privilege under this law, I think I might then have remained silent, but the best argument I have for the abolishment of this system is that of all of our municipalities in the State only 16 scattered throughout nine of the counties call for this agency system. There are seven counties in the State that will not permit an agency within their borders. The counties of Aroostook, Penobscot, Piscataquis, Hancock, Somerset, Waldo and York, get along without one agency, and they contain some cities and towns of considerable importance. They contain 320,000 of population and those counties do not have an agency within their limits. Talk about a chance to get liquors legally—I wonder where my friend from Alfred gets his liquor. Or where does the gentleman from Aroostook county get his liquors, where does my friend from Brooks go to get his whiskey when he uses any? Does any man suffer in Maine today for liquors? Your Maine law has made a private bar room of practically every home in Maine. If you get out of liquors yourself, go into your neighbor's house, that is all.

The temperance committee did a good deal of work in connection with this matter. This House was willing to investigate this matter but there was a combination in the Senate which exists today having for its motto "You skin my dog and I will skin your cat." I know why the honorable senators from Cumberland and York counties were opposed to this investigation. I say that on general principles I am in favor of abolishing State office when by its lobby and its paid attorneys it defeats the will of this House. I am in favor of abolishing it on other grounds also. I believe the system is rotten and full of dishonesty and graft and I am satisfied if this Legislature had appointed the committee asked for that by this time we should have known this to be true. We had before our committee no man against this bill. We had before the committee the manager of the great Home at Togus, General Richards, who told us—and the gentleman from Brooks heard it and I cannot understand how a man

who champions temperance in the State of Maine and who listened to that story of General Richards could ever go on record in this House against a bill like this—General Richards told us about the agency at Chelsea which was created there for the single purpose of selling rum to these poor old soldiers in order that the taxpayers of Chelsea might not have to go so deeply into their pockets. That agency is not in the village of Chelsea, it is away out on the border line of the town in sight of the Home, and one deserted house only in sight. The patrons of this agency there are the old soldiers who are in the Home, and the only favor that the agent will grant to the officers of this Home is that for 10 days after the pensions are paid he will be a little careful. This is the only thing he will grant. He told us as much about Randolph, and Randolph is the worst sinner in all this company of 16 wretched sinners. The agency at Randolph sends runners on the streets and on the roads, and the old soldier going to the town of Randolph is met by a runner from the agency who sells him a pint of poor whiskey for a dollar; and General Richards says that a quarter goes into the pocket of the runner and 75 cents is turned back to the agency of the town of Randolph. Our government has seen fit under the stimulus of petitions from the W. C. T. U., and because of the action of the Congressmen from Maine to commit a great wrong against this Home at Togus, in taking away the canteen. It is the greatest economic and temperance blunder that this country ever made. I was chaplain 10 years out there and I know something about its condition. I mention this matter simply because those old men who cannot get their beer as formerly will go outside and will find something else, and they are finding something else now. These agencies at Chelsea and at Randolph will reap an increased harvest. The manager of the bleachery at Lewiston told me that the most corrupting influence in Lewiston upon his men was the agency in Lewiston; and I have had letters from various parts of the State of Maine, letters from the city of Auburn, telling me a

pitiful tale about the legalized rum-shop in the gentleman's (Mr. Brown's) own city.

I ask, gentlemen, that this whole system be abolished. I simply ask for consistency. I claim that we have no place for this system in our State. Uncle Sam schedules us here as a wholesale liquor dealer and we pay a special license tax to Uncle Sam of \$500 as a wholesale liquor dealer. I say that when this great State of Maine will not permit an individual to handle this thing it has no right to maintain it under the guise of an agency law. I only ask you in behalf of decency, integrity, virtue and temperance, in the name of good citizenship, that when you vote here on the motion of the gentleman from Brooks to substitute the minority report, that you vote no. (Applause.)

Mr. MILLIKEN of Island Falls—Mr. Speaker, I wish to say in regard to the suggestion that it is made impossible to investigate the State liquor commissioner or any other department, that I think that statement is hardly within the fact. Under the general order passed by this House sometime ago a special committee has full authority and is perfectly willing and ready and has been to give a full and complete and thorough, public investigation of any State official on the suggestion or criticism of any member of this House or any other citizen of the State that the official acts of that gentleman should be called in question.

Now, as to the main proposition I confess that I am not entirely clear as to what I as a temperance man ought to do. I represent a section of the State which is as strong, and I believe stronger in its temperance sentiment, than any other section of this State. We have no liquor agencies in that section. I desire to do in this matter whatever is really for the best interests of the temperance cause in this State. I am so far unable to bring myself to the position of the majority of the members of this committee. I am slow to take a position alongside the gentleman from Auburn for more rum and at a cheaper price. If that is what this proposition means then I do not

favor it. I am slow to believe that in order to get rid of the troubles in connection with the administration of the liquor agencies of the State we ought as temperance men to abolish this whole agency system. I condemn as strongly as any man could possibly condemn the evils which have been suggested in connection with this system. It may be that the only remedy is to abolish the whole thing, but I am not yet ready to believe that it is in the interests of temperance because I find that many of the friends of this proposition are also among those who believe, no doubt sincerely and honestly, that the prohibitory law should not remain upon our statute books. I believe that the present law is needed to provide a proper and a lawful means of securing liquor for legitimate purposes. I cannot resist the impression that this important question ought not to be voted upon at this time and finally decided at this time when there are so few members present; and I would suggest to those in charge of the measure whether it would not be advisable to leave the matter until a full attendance can be had.

Mr. LIBBY of Amity—Mr. Speaker, I am a member of the temperance committee of this House and signed the minority report. I wish to say that I am a temperance man and I believe in the enforcement of the temperance law. The gentleman from Augusta asks where the people of Aroostook get their liquors. I wish to say to the gentleman that I have lived in the county of Aroostook since I was 10 years old and I never got any liquor. (Applause) I have raised a family of six children and never has one of those children ever received from his father one drop of intoxicating liquor. They do not use them in any way. But I do believe that there are people, when it is needful perhaps, that should have some place in this State where liquors can be procured in a legal manner; and that is the reason why I signed the minority report. I do not believe in the liquor agencies in the way they are carried on at the present time; but I do believe, and as bad as they are, that they are

a thousand times better than the condition which the gentleman from Augusta would have prevail in this State, that there should be free rum in every town in our county in the place of these liquor agencies.

Mr. NEWBERT—My record is pretty bad on the rum question, but I think I never said that.

Mr. LIBBY—I have been on the committee with the gentleman and his whole talk and conversation has been to do away with the prohibitory law and have free rum. That is the object of it.

Mr. NEWBERT—I assume the right to protest against such a statement.

Mr. LIBBY—What I have said I propose to stick to. All we have heard from the other side of this House in the temperance committee is that the whole liquor agency was rotten and that it ought to be done away with, and that prohibition ought to be done away with; and I consider that the inevitable result would be free rum. And now I ask that the minority report of the committee be accepted.

Mr. WALDRON of Dexter—Mr. Speaker, I am a member of the temperance committee and I have tried to do what I thought was right and best as a member of that committee. In this instance I find myself in line with the gentleman from Augusta. I believe that this question should not be decided in this House without a fuller representation than we have here today. The question of the liquor agencies is a serious question to consider. The law was incorporated as a part of the temperance law of this State which on the whole I think are the best laws for conservative and good government that we have on our books today. And I believe that the liquor agencies as they are run and managed in this State today are little less, if anything, than a disgrace to the temperance cause of the State. The evidence produced before the committee showed this. Therefore I am in favor of abolishing them unless they can be amended. It has been suggested, if this matter can go over for a day or two, that some amendments may be offered that will do away with the objectionable features of the system. Otherwise I am decidedly in favor of abolishing it. On the

assumption that there may be something arranged by which this system can be carried on decently and honestly, I ask this House to suspend further consideration of this measure at this time.

Mr. BROWN—I would like to correct the gentleman from Island Falls. I don't think I said it was more rum I was clamoring for but that it was for better rum. I did not understand that this resolve was to do away with the city and town agencies, nothing more than the State agency. That is the way I understood it. If this is to do away with the whole thing, then I think we had better adjourn until another time for further consideration. (Laughter)

Mr. MILLIKEN—May I ask the gentleman whether he was in favor of the majority report or the minority report?

Mr. BROWN—The majority.

Mr. DOW—I wish to say that the three men who signed the minority report of the committee live in counties where there are no agencies. Neither of those men have used liquors as a beverage. Neither of them keeps liquors in his hom. It is simply to assist the poor man or any man who might need those things for medicinal or mechanical purposes that they have signed this minority report. I wish to say that I, too, desire that this matter may be deferred to some further date.

Mr. DUNTON of Belfast—I would like to ask the gentleman from Brooks a question. He has stated that there is no agency in the county of Waldo, which is a fact. I will state that there has not been to my knowledge for 27 or 28 years, when the liquor agency in Belfast was closed and when it was the worst rum shop in the county of Waldo. The gentleman stated the other day that our sheriff has enforced the liquor law in Waldo county for the last two years and that practically no liquors are sold there. I would like to ask the gentleman if he knows of a single person in his county and mine who wants a liquor agency in that county?

Mr. DOW—No, sir, I do not. The longer you get along without liquor the less you need it.

Mr. FLAHERTY—I would like to ask the gentleman from Brooks why he

wants to give Cumberland county a liquor agency?

Mr. DOW—We want to give the people of Cumberland county, if they desire, a chance to get liquors for medicinal and mechanical purposes. We don't want it. But if they want it we think they should have it.

Mr. NEWBERT—I have stated the fact that I am a temperance man. There are temperance men and temperance ramrods, and the latter will strain at a gnat and swallow a camel though he be dead and stinking; and because a man takes a rational and a cosmopolitan attitude towards this rum question, good men like my friend from Amity (Mr. Libby) will think at once that he is a rummie. Had I the power I would wipe out all the rum on earth. I simply stand against the illegal sale of liquor in Maine, whether by an individual or by the State, or whether by a town or city, and I take the ground that all these agencies make illegal sales every hour in the day while they are open.

Your next Governor of Maine—it is a question whether he will get there—I understand there are two candidates, one is to run on rum and the other on cold water—but a gentleman who is willing to be Governor of the State has said this: "We have a system in the town agency in which is more dishonesty, graft and rottenness, as admitted by all, than in any other department in the government. The only way to handle the agency properly seems to abolish it. Certainly nothing can be worse than the agency system. It is absolutely a mockery in the name and cause of temperance." And I add it is a fraud on temperance and a financial fraud as well. (Appluse).

Mr. PERKINS—We had, I think, as full an investigation of this matter in the committee as was obtainable under the circumstances. I personally had arranged with the State liquor agent to come in and be subjected to questions. The Almighty stepped in and put the man in a hospital and he was operated on for appendicitis. He is there now. The next best thing that occurred to us was to examine the two men who had audited accounts of this liquor agency. These two men volunteered to come and be examined and they told us that the

papers were on file in the council chamber and could be seen by any of us; and that is the way the matter stood. So there was no disposition to choke off any investigation as far as we know.

Mr. THOMAS of Howland—Mr. Speaker, I find that there are a great many members here who are laboring men. It would seem from the remarks of the gentleman from Auburn (Mr. Brown) that all the laboring men elected here by the people have gone astray; and I am very sorry for it. As regards the high price of liquor which the gentleman speaks of, I wish to say that if the price of liquor will prevent any man from drinking it I wish we had to pay \$15 a gallon for it.

Mr. Waldron of Dexter moved that the bill be tabled and its further consideration be assigned for Tuesday of next week.

The motion was agreed to.

On motion of Mr. Hall of Dever, bill, relating to the organization and management of trust companies was taken from the table.

On further motion by the same gentleman the rules were suspended, the bill received its three readings and was passed to be engrossed.

On motion of Mr. Charles of Mechanic Falls, bill, to incorporate the People's Trust and Banking Company of Houlton was taken from the table, and on further motion by the same gentleman the rules were suspended, the bill received its three readings and was passed to be engrossed.

On motion of Mr. Jacobs of Athens,
Adjourned.