

MAINE STATE LEGISLATURE

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



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

8102
Personal



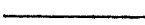
LEGISLATIVE RECORD

OF THE

Seventieth Legislature

OF THE

STATE OF MAINE.



1901.

HOUSE.

Wednesday, March 6.

Prayer by Rev. Mr. Farnsworth of the House.

Papers from the Senate disposed of in concurrence.

The following Senate bills were read and assigned:

An act to authorize the Great Northern Paper Co to increase its capital stock.

An act in relation to the probate court in Androscoggin county.

An act relating to and amendatory of Chapter 254, Special Laws of 1891, entitled an act to incorporate the Mousam Water Co.

An act to amend Chapter 186 of the Public Laws of the year 1897, relating to railroads.

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

An act imposing a franchise tax upon sleeping and palace cars.

This bill comes from the Senate amended by Senate amendment A. The House reconsidered the vote whereby the bill was passed to be engrossed. Senate amendment A was adopted and the bill was passed to be engrossed as amended in concurrence.

An act to amend Paragraph 8 of Section 6 of Chapter 6 of the Revised Statutes, as amended by the Public Laws of 1895, relating to poll taxes.

In the House this bill was indefinitely postponed. It comes from the Senate passed to be engrossed.

On motion of Mr. Carleton of Winthrop, the House adhered to its former decision.

An act to provide in part for the expenditures of government for the year 1901.

In the House this bill was passed to be engrossed as amended. It comes from the Senate with the amendments stricken out and passed to be engrossed.

On motion of Mr. Beal of Bangor, the House reconsidered the vote whereby the bill was passed to be engrossed and the votes whereby amendments A, B and C were adopted, and

the bill was then passed to be engrossed in concurrence.

An act relating to Sheridan plantation.

This bill comes from the Senate re-committed to the committee on towns.

The House reconsidered the vote whereby the bill was passed to be engrossed, and re-committed the bill in concurrence.

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

JUDICIARY.

Mr. Powers of Fort Fairfield: Bill an act to create a lien for hauling bark. (Received under suspension of the rules.)

By Mr. Page of Skowhegan—Bill, an act to authorize the Skowhegan Hall Association to issue bonds to pay outstanding indebtedness.

LEGAL AFFAIRS.

By Mr. Ballard of Fryeburg—Remonstrance of Seth W. Fife and 33 others of Fryeburg, against the enactment of a law giving to the Cumberland municipal court jurisdiction over any portion of western Oxford county; of L. R. Giles and 40 others of Brownfield; of Almon Young and 68 others of Hiram; of E. L. Bell and 31 others of Lovell; of George W. Gray and 21 others of Denmark; of Francis A. Fox and 34 others of Porter; of B. P. Charles and 18 others of Stowe, all against same.

MILITARY AFFAIRS.

By Mr. Walls of Vinalhaven—Bill, an act to establish a State flag.

INLAND FISHERIES AND GAME.

By Mr. Kneeland of Searsport—Petition of A. E. Nickerson and 16 others of Swanville, asking for extension of open time on deer in Waldo county.

TAXATION.

By Mr. Farnsworth of Pembroke—Petition of Edward W. Hinckley and 60 others of Penobscot in favor of an increased tax on corporations of the State; of J. B. Nutt and 15 others of Perry; of Charles E. Jordan and 33 others of Cape Elizabeth; of W. H. Perkins and 511 others of Turner; of Hollis F. Newcomb and 22 others of Penobscot county, all for same.

TOWNS.

By Mr. Farnsworth of Pembroke—Petition of H. T. Williams and others of Independent Grange for a law compelling residents moving from town to town to notify town clerk of same.

Also petition of members of Charleston Grange for same.

MAINE STATE YEAR BOOK.

By Mr. Smith of Waterboro—Resolve for the purchase of the Maine State Year Book and Legislative Manual for the years 1901 and 1902.

APPORTIONMENT.

By Mr. Webb of Portland—Petition of the town of Scarborough, praying that it may be authorized to elect a representative for such portion of time and such periods as shall be equal to its portion of representation instead of being classed with any other town.

ORDERS.

On motion of Mr. Hurd of North Berwick,

Ordered, That the committee on judiciary inquire as to the necessity and advisability of a change in the constitution of the State which shall provide for annual sessions of the Legislature, and with the continuation of biennial elections, and report by bill or otherwise on or before Wednesday, March 13, 1901.

On motion of Mr. Powers of Fort Fairfield,

Ordered, That Representative W. C. Farrell of Van Buren, be excused from further attendance on the sessions of this Legislature and that the clerk be instructed to make up his pay to the end of the session.

On motion of Mr. Beal of Bangor,

Ordered, That the committee on financial affairs be tendered the use of this hall this afternoon at 2 P. M., for a committee hearing.

REPORTS OF COMMITTEES.

Mr. Webb from the committee on the judiciary, on a general act relating to negotiable instruments, reported that same be referred to the next Legislature.

Mr. Carleton, from same committee, on bill an act to regulate the practice of embalming and the transportation

of dead bodies of persons who have died of infectious diseases, reported that same be referred to the next Legislature.

Mr. Webb, from same committee, reported ought not to pass on an enabling act for the annexation of South Portland to Portland.

Mr. Libby, from the committee on legal affairs, reported ought not to pass on bill an act to amend Chapter 197 of the Public Laws of 1893 relating to burying grounds.

Mr. Fellows, from same committee, reported same on bill an act to incorporate the Smith Cemetery Association of Palermo, Waldo county, Me.

Mr. Allan, from same committee, reported same on bill an act to amend Chapter 6 of the Revised Statutes as amended by Chapter 274 of the Public Laws of 1889, relative to benevolent institutions.

Same gentleman, from same committee, reported same on bill an act to amend Section 2 of Chapter 91 of the Revised Statutes relating to fees of town and city clerks for recording mortgages.

Mr. Allen, from same committee, reported same on bill an act to amend Chapter 142 of the Revised Statutes relating to the sentencing of boys to the Reform School.

Same gentleman, from same committee, reported same on bill an act defining the qualification of judges of municipal and police courts.

Mr. Walker, from the committee on education, on petition of E. E. Hastings and others that the State aid to academies be continued, reported further legislation inexpedient, as the academies are provided for in Chapter 148 of the Public Laws of 1901.

Same gentleman, from same committee, reported ought not to pass on bill an act to define the limits of the jurisdiction of Paris Hill Academy.

Mr. Hammond, from the committee on agriculture, reported ought not to pass on resolve in favor of the North Berwick Agricultural Association.

Mr. Brackett, from the committee on inland fisheries and game, on bill an act to close Misery stream in Somerset county, reported that the subject matter of the above act has been incorpo-

rated in an act to be reported by this committee to the House of Representatives of this Legislature entitled "An act to regulate winter fishing and to close the tributaries to certain lakes and ponds in Somerset, Penobscot and Washington counties."

Mr. Hill, from the committee on claims, reported ought not to pass on resolve in favor of Charles E. Hamlen.

Mr. Kelley, from the Androscoggin county delegation, reported ought not to pass on bill an act granting an allowance for clerk hire to the register of probate of Androscoggin county.

The report was accepted.

Mr. Chase, from the committee on the judiciary, reported ought to pass in new draft under same title bill an act to incorporate the Scarborough Water Company.

Mr. Webb, from same committee, on bill an act to amend Chapter 3, Section 55 of the Revised Statutes, relating to the taking of lands for parks and squares, reported ought to pass in new draft bill an act to amend Section 55 of Chapter 3 of the Revised Statutes, relating to the taking of lands for public parks and squares.

Mr. Harris, from same committee, reported ought to pass on bill an act to amend Chapter 296 of the Public Laws of 1885, relating to evidence of witness at coroner's inquest.

Mr. Carleton, from same committee, reported same on bill an act to amend an act to incorporate the city of Augusta.

Same gentleman, from same committee, reported ought to pass in new draft under same title, bill an act to establish a municipal court in the town of Winthrop.

Mr. Libby, from the committee on legal affairs, reported ought to pass on bill an act to amend Chapter 168 of the Private and Special Laws of Maine for the year 1875, entitled an act for supplying the city of Bangor with pure water.

Same gentleman, from same committee, reported same on bill an act to legalize the doings of the town of Leeds.

Mr. Allen, from same committee, reported ought to pass in new draft under same title, bill an act additional to

Chapter 29 of the Revised Statutes, relating to bowling alleys.

Mr. Fellows, from same committee, reported ought to pass in new draft under same title, bill an act to amend Section 29 of Chapter 92 of the Revised Statutes in relation to mills and mill dams.

Same gentleman, from same committee, reported ought to pass in new draft under same title, bill an act to incorporate the Sanford Trust Company.

Mr. Walker, from the committee on education, reported ought to pass on bill an act to amend Section 3 of Chapter 216 of the Public Laws of 1893, relating to conveyance of scholars.

Same gentleman, from same committee, reported same on bill an act to legalize certain days as school holidays.

Mr. Walls, from same committee, reported same on bill an act to amend Sections 28 and 35 of Chapter 11 of the Revised Statutes relating to the Free High school year.

Mr. Gilmore, from same committee, reported same on resolve in favor of summer training schools for teachers and the distribution of educational documents.

Mr. Peabody, from the committee on interior waters, reported ought to pass in new draft under same title, bill an act to extend the charter of the Maine Water and Electric Power Company.

Mr. Lawrence, from same committee, reported ought to pass on bill an act to incorporate the Crystal Stream Dam Company.

Mr. Shaw, from same committee, reported same on bill an act to create a lien for driving logs or lumber under contract with the owner or any other person.

Same gentleman, from same committee, reported same on bill an act to authorize the Machias Lumber Company to acquire by purchase all the rights and property of the proprietors of Machias boom, and to confirm all purchases of said rights and property already acquired by said Machias Lumber Company.

Mr. Brackett from the committee on inland fisheries and game, on petition reported bill, an act to regulate winter fishing and to close the tributaries to cer-

tain lakes and ponds in Somerset, Penobscot and Washington counties.

Mr. Hill from the committee on claims, on petition reported resolve in favor of the town of Brooklin.

Mr. Vogell from same committee, reported ought to pass on resolve in favor of Sigmund Newhouse.

Same gentleman from same committee, reported ought to pass in new draft under same title resolve in favor of the town of Ashland.

Mr. Allen from the committee on taxation, reported ought to pass in new draft under same title bill, an act relating to the taxation of telegraph and telephone companies.

Mr. Knowlton from the Franklin county delegation, on bill, an act relating to the salary of the county commissioners of Franklin county, reported ought to pass in new draft bill, an act relating to compensation to county commissioners of Franklin county.

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

Majority report of the committee on temperance, reporting ought to pass on resolve for an amendment of the Constitution by abrogating and annulling amendment 5, adopted on the eighth of September, in the year of our Lord 1884, relating to the manufacture and sale of intoxicating liquors.

(Signed), Messrs. Stearns, Dudley, Titcomb, C. W. Sprague, Orren Tufts, Sidney T. Fuller, W. I. Cain.

Minority report of same committee, reporting ought to pass on same resolve.

(Signed), Messrs. Stephen J. Kelley, Nathan D. Ross.

Pending acceptance of either report, Mr. Kelley from Lewiston, moved that the minority report be substituted for that of the majority, and pending action on this motion, same gentleman moved that the motion be tabled and both reports with resolve accompanying be printed and Wednesday of next week assigned for its consideration.

Mr. Carleton from the committee on the judiciary, reported ought to pass in new draft under same title bill, an act to incorporate the Hillside Water Company.

Same gentleman from same committee, reported ought to pass in new draft under same title bill, an act to incorporate the Winthrop Cold Spring Water Company.

The reports were accepted. On motion of Mr. Carleton, rules were suspended, bills severally read three times, passed to be engrossed and sent to the Senate.

READ AND ASSIGNED.

Bill, an act to incorporate the Friendship Water Company.

Bill, an act to regulate the salary of clerk of courts of Franklin county.

Resolve in favor of the town of Madawaska.

Bill, an act establishing a salary for the sheriff of Kennebec county.

Was read once and tabled on motion of Mr. Cook of Vassalboro, and Wednesday of next week assigned for its consideration.

PASSED TO BE ENGROSSED.

Bill, an act to close the tributaries of Upper and Lower Stone pond in the town of Stoneham.

Bill, an act additional to Section 59, Chapter 3 of the Revised Statutes, relating to city ordinances.

Bill, an act to amend the charter of the Augusta Water Company.

Bill, an act to incorporate the Winthrop Electric Light and Power Company.

Bill, an act to extend the charter of the North Berwick Trust Company.

Bill, an act to legalize and make valid the acts of the town of Monmouth.

Bill, an act to extend the charter of the Bluehill Trust and Banking Company.

Bill, an act additional to Chapter 49 of the Revised Statutes, relating to insurance.

Bill an act to amend Sections 1 and 4 of Chapter 80 of the Public Laws of 1899 relating to truants.

Bill an act to amend Section 4 of Chapter 16 of the Public Laws of the year 1895, entitled "an act to regulate the alewife fishery in Pemaquid river."

Bill an act to renew and extend the charter of the Boothbay Harbor Banking Company.

Bill an act to extend the charter of the Bath Trust Company.

Bill an act to amend and extend the charter of the Mechanic Falls Banking and Trust Company.

Bill an act to incorporate the New England Trust Company.

Bill an act to incorporate the Old Orchard Trust and Banking Company.

Bill an act to incorporate the State Trust Company.

Bill an act to incorporate the Granite Trust Company.

Were reported from same committee, severally read the third time, passed to be engrossed and were sent to the Senate.

Bill an act to amend Section 77 of Chapter 49 of the Revised Statutes relating to insurance.

Was reported from same committee, and pending third reading, tabled, on motion of Mr. Sutherland of Biddeford.

Resolve providing for the payment to the town of Kingfield the amount due said town on account of an error in the return of scholars for that town.

Resolves authorizing a temporary loan for the year 1902.

Resolves authorizing a temporary loan for war purposes for the year 1901.

PASSED TO BE ENACTED.

An act to incorporate the Poland Telephone Company.

Mr. LIBBY of Poland: I move that the matter be laid on the table and that Thursday of next week be assigned for its consideration.

Mr. DEERING of Saco: I know a motion to lay upon the table is not debatable, but I hope the motion will not prevail.

Mr. FULLER of Auburn: I hope at this time that there will be no unnecessary delays in regards to any matters. I know of no reason why this bill should not pass to be enacted, and I know of no reason why there should be any delay, and I hope and trust that all matters coming before this House at this late day will be proceeded with as rapidly as is consistent with prudence.

Mr. DAVIS of Waterville: I feel that matters of this sort which concern the public good should not be delayed, especially where they have been taken up and considered as this matter has; and I certainly hope that the motion will not prevail.

Mr. LIBBY of Poland: I do not understand that it is out of the usual course or in any way out of order to have a date assigned for the consideration of this matter. It is what we have been doing all the morning, assigning subjects for discussion for a future day, and in order to give everybody interested an opportunity to be heard, I made that motion, and I hope that the same courtesy that other gentlemen ask for themselves in having a matter considered will be extended in this matter and that it will not be hurried along without the consideration that I desire it to have.

The question being on the motion to lay the bill on the table and assign it for Thursday of next week,

The motion was lost.

The bill was then passed to be enacted.

ORDERS OF THE DAY.

Bill an act to amend Section 29 of Chapter 30 of the Revised Statutes, as amended by Chapter 42 of the Public Laws of 1899, known as the fish and game laws.

Came up as a special assignment, and was read a second time. On motion of Mr. Libby of Poland, rules were suspended, bill read the third time, passed to be engrossed and was sent to the Senate.

Resolve in favor of the State Reform School.

Came up as a special assignment. On motion of Mr. Bennett of Hollis, the resolve was re-tabled and Wednesday of next week assigned for its consideration.

Resolve in favor of the University of Maine for a central steam heating and power plant.

Came up as a special assignment.

Mr. CHASE of Portland: Mr. Speaker and gentlemen of the House—Before speaking to the special merits of this resolve, I beg the indulgence of the House for a few moments while I call your attention to certain matters of general importance which bear on this measure. It must be apparent to every member of the House that it is high time that we paused and took an account of where we stand; it is high time that we took an account of stock,

as merchants say, with reference to these matters of appropriation. Now I think that you gentlemen will all bear me out in the statement that I have never been an alarmist, that I have never posed as an economist, and I certainly have never posed as a watch dog of the treasury, neither do I intend to do so at the present time; but, gentlemen, we are confronted with a condition and not a theory. It seems to me that it is extremely important that this Legislature should at the present time consult figures. We have been passing appropriation bills to quite a large extent during this session, and so far as facts have been given upon the floor of this House, we have not stopped to count the cost or to see what means we have to do with. Now gentlemen, it is a business proposition that every business man before he starts to expend money for any purpose, whether regular or extraordinary, investigates to ascertain what the proposed cost is and what means he has to meet the expenditure proposed. Now, gentlemen of the House, I know of no other method by which we can fairly or justly or honorably appropriate the State's money.

Sometime ago, we called upon the State treasurer for an estimate of the receipts of the revenues of the State for the next two years. His estimate is on your tables and is known as House document No. 54, and I desire to call the attention of the House to that document. Later, in response to an order passed by both branches of this Legislature, the State treasurer furnished us a detailed statement of the appropriations which we had already passed and of those which are now pending. This you have on your tables and it is House document No. 234. From these two documents, gentlemen, some very important compilations can be made. We have in them an estimate of the receipts for the next two years and of the expenditures which we are in a fair way to make. Now I wish to call your attention to some of these figures. It appears from House document No. 234 that we have already appropriated, at the top of page 2, \$3,917,503.71.

Now this includes, as you will observe, regular appropriations to be added, and which must be made, including the pay roll and expenses of the Legislature, \$122,000, and the regular appropriations for 1902, which have not yet been made, but which must be made. It also includes the resolves approved up to February 25, and includes, the first item, the appropriation bill which we have just passed to be engrossed, this morning. Now the sum total of those items, every dollar of which we must appropriate, is \$3,917,000. Following we find an itemized statement of appropriations which are pending. Adding them, we find \$791,000 more pending, nearly \$800,000. Now I am not able to state accurately how many of those pending appropriations are absolutely necessary. I have gone over them hastily, and my best judgment is that about \$400,000 of these pending appropriations are those which we must make. There can be no question but that the regular appropriation for carrying on the machinery of the State we are obliged to make. We know that in this appropriation bill which we passed, this morning, the Senate have been for a week with that bill, and have failed to find a spot where they could cut it down one dollar. We have not found a place, evidently.

Most of those appropriations are made in accordance with existing laws to pay the expenses necessary under existing law, and if those appropriations are to be cut down our laws must be changed. It seems to have been settled by the action of the Senate, yesterday, and by the action of the House, this morning, that those appropriations cannot be reduced. Upon the same ground we may assume that the appropriations for 1902, a regular appropriation which is referred to as one of these items reckoned into the \$3,900,000 cannot be reduced. Then, gentlemen, we have these figures, and I beg to call your careful attention to them.

Adding to the \$3,917,503 which we have passed and which we must pass, \$400,000 which I think it probable will be necessary for these pending appropriations, and you have a total of \$4,317,503.71 which is the total amount of what this Legis-

lature is going to be obliged to appropriate if we cut off at the present moment every dollar which is not absolutely necessary.

Now, gentlemen, I wish to call your attention to the sources from which we are to obtain the revenue to meet these appropriations. We are face to face with a problem and we cannot avoid the responsibility. I say to you, and every man of you knows it, the eyes of the people of this State throughout its length and breadth are upon us at the present time to see what solution we are going to make of this problem. Let us do it honestly and fairly and faithfully under our oaths as we would do it if it were a matter of business in which we were personally interested.

Now the treasury estimate, as you see from Senate document No. 54, of the revenue of the next two years based upon existing law, is \$3,481,548. We must add to that, and it is necessarily an estimate, the amount which is to be received by the treasury from the increase in taxes under laws we have passed and shall pass at this session. It has been stated to me by a member of the taxation committee that the committee estimates that the net increase in revenue to be received from these laws will be \$225,000 each year for the two years, or a total of \$450,000. Now add the \$450,000 to the treasurer's estimate of \$3,481,000 and we have a total estimated income of \$3,931,548. We have that estimated income to meet a total expenditure, on the basis which we have reckoned before, of \$4,317,503. There, gentlemen, is a deficit already of \$385,950. If we stop now and appropriate only for those things which we are absolutely obliged to appropriate we have now a deficit of \$385,000. Now how are we going to meet that deficit? There is only one way, and that is by a temporary loan. Now the present temporary loan is \$350,000. If we make an additional temporary loan to take care of that without increasing the indebtedness of the State, we have then \$350,000 with which to meet this deficit of \$385,000, which will still leave a deficit of \$35,000.

It is perfectly apparent that in order to meet the appropriations which we have already made and those which must be made that our temporary loan must be

increased. We must now add to the indebtedness of the State, and you have observed this morning that we have already proceeded to do it. We have taken steps toward doing it, we have authorized the State treasurer to make temporary loans amounting to \$450,000, an increase of \$100,000. Now supposing he does make those temporary loans to that full amount, \$450,000 instead of the present loan of \$350,000. Then we have only a margin of \$65,000. Now I ask you, how many of these special extraordinary appropriations have we any right to make at the present time? We came here, every man of us, whether a Republican or Democrat—this is not a political question—both parties through the campaigns in which we were elected to this Legislature were pledged to the strictest economy in expenditures of the State's money. We all know that for the past two years tax revision has been the theme from one end of the State to the other and it has been generally understood that this Legislature was to revise and make important changes in our tax system.

Now, gentlemen, I ask you in all fairness what benefit will it be to the tax payers of this State, to your constituents or mine, if we go back to them and have to admit that while we have increased the tax rate on a few corporations, railroads, telephone and express companies, we have spent every dollar of the additional revenue which has been raised in appropriation, and that the tax rate has not only not been decreased but has been increased? I say to you that under these figures it is a fair proposition that unless we call a halt we shall have to do one of three things—leave a deficit at the end of two years as there has been one for the past six, or plunge the State into debt beyond its constitutional limit or increase the tax rate. Now, there is the whole thing in a nutshell and one or the other of those things must happen unless we put an end to appropriating money for all these special matters. I doubt not that they are meritorious, I am in favor of appropriations by the State for meritorious matters, but how can we do it if we have not the money? I look upon it purely as a question of ways and means, and I believe that the members of this House are in accord with me on that

proposition. (Applause).

If you will turn to your treasurer's report you will find this statement, that the actual net disbursements for the years 1899 and 1900 were \$3,748,000, and the receipts were \$3,592,000, which shows that the expenditures exceeded the receipts for the past two years by \$153,000. For your information I present here a table showing amounts of receipts and expenditures of this department, the amount one exceeds the other for each year since 1894 to the present time. If you will read it you will see that there has been a deficit during every year for the past six years, except for the year 1898, and the total amount which our expenditures have exceeded the receipts in the past six years is \$609,000, as shown by this report.

So much for the general situation. Now, we are asked in this bill to appropriate the sum of \$25,000 to build a central steam heating plant at the University of Maine. I submit, Mr. Speaker and gentlemen of the House, that this is not a necessary appropriation, that the State cannot afford to appropriate the money at the present time. It appears in the statement of facts annexed to this resolve that the University of Maine has now six large buildings, each heated by steam from a steam boiler in the basement of each building, which boilers are old and must be replaced with new ones in the near future—not now—and that great economy can be accomplished by a central steam heating plant from which all the university buildings can be heated.

Now, as to whether or not those things can be done more economically from a central steam plant, I do not know, and I do not propose to discuss that question, but it certainly appears from the statement of facts that they have now a steam plant in each building which sometime in the near future must be replaced or some of them must be replaced. When the time comes that they must be replaced, then let them replace them, but not ask the State of Maine to borrow money to go beyond its debt limit in order to furnish it at the present time.

I do not know how familiar this House is with the history of this university. In 1895 an order was passed through the Legislature that the Governor and Coun-

cil should appoint a commission of the council to go there and examine into and make a report to the next Legislature of the history and wants and needs of this university, and this was done; and I hold in my hand the report which that committee, constituted of Councillors Freeman, Clason and Holman, made. They go very fully into the history of this institution. I will not take time to go into this thoroughly. I will merely outline it. I presume you know that in 1862 there was a law passed by Congress giving a land grant to each State with as many times 30,000 acres of public lands as it had representatives in both in 1860; and I will read briefly to show the object of that:

"The interest of the entire remaining gross proceeds of the grant shall be used for the endowment, support, and maintenance of at least one college where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanical arts in such manner as the Legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life.

"The State Legislature must formally accept the grant within three years, establish at least one school of the character set forth above within five years, must replace all losses to the fund, must invest the entire gross proceeds, after a permitted expenditure of not more than 10 per cent. thereof for sites or experimental farms, in safe stocks yielding not less than five per cent. on their par value and must use the interest wholly—excluding the purchase, erection, preservation or repair of any building or buildings—in support of the school or schools established by this act."

Now, under this act the State of Maine accepted this endowment and performed the conditions, it established this school, built this building.

"The message of Governor Coburn to the Legislature of 1863 alludes to the subject in the following words:

"It is earnestly hoped that the Legislature of Maine will not prove backward in accepting the offer which Con-

gress, with far reaching sagacity, has tendered to us, and will establish a school where the sons of farmers may freely obtain all the necessary facilities to fit them to become ornaments to their profession, and when themselves established on their farms to become so many centres of light, radiating knowledge to all within the scope of their influence, both by precept and example."

It is apparent from these quotations and from the whole scope of this report, and it is a matter of common knowledge that it was the expectation when the school was established that it should be distinctly a school for education along the lines of agriculture.

The committee goes on to say:

"That this expectation has not been realized is a matter of common knowledge, but it is not a part of our argument to show what influences are responsible for the growth of the college wholly along the line of instruction in the 'mechanic arts' and in those branches of study not 'especially related to agriculture.'"

They give here the employment of the graduates of that college up to 1892. "In 1892 the 348 graduates then living were employed as follows: Farmers, 17." I won't take your time to read the employment of the rest. They go on to say:

"The college of today in its practical workings, is a school of science and technology and is so advertised. We do not question, but have every reason to believe, that as such it is an institution of high rank, and that its graduates are well equipped for professional or business life. At least two-thirds of its students we should say, are following technical courses, civil, mechanical and electrical engineering. Nine distinct courses of study are now open to all, without regard to residence, free of tuition, each requiring four years for completion. One of these is an 'agricultural course,' which is treated, according to the last catalogue, 'as a branch of technology.'

"For those who wish practical rather than scientific training in agricultural shorter courses are provided. The phar-

macy and preparatory medical courses have recently been added.

"By accepting the national grant and deciding to establish an independent college, the State assumed to supply suitable buildings and appliances. It was not expected that the State would be called upon for large or continuous appropriation, but that the buildings being provided, the income from the donation of public lands with some little outside aid would provide for the annual current expense. The intention to commit the State to a large annual outlay was distinctly disclaimed by those most urgent for the acceptance of the grant.

"The 'Commission on the Proposed Agricultural College' reported as follows:

"We believe that the proposed institution should be sustained by the donation from government, and we are unwilling as individuals to become party to or endorse by our recommendation any arrangement which by any possibility can subject the State to loss, or impose on it any burden of responsibility beyond that which it has voluntarily imposed by accepting the donation."

"The question presents itself, shall we reject the donation because instead of yielding an annual income of twenty-five or fifty thousand dollars, it will yield ten thousand only for the education of our industrial classes. This question we answer in the negative, because the expenditure of even that sum only for the proposed object cannot fail to be productive of good results; not to so great extent as the expenditure of a larger sum, but yet to some extent. We should answer the question in the affirmative, if by the acceptance of the donation the State was to be committed directly or indirectly to the expenditure of its own moneys in furtherance of the object."

Now the State of Maine has appropriated for this college since 1867, \$433,000. I will read one further extract:

"If the college can fairly enlarge its plant, extend its courses of study, and increase its corps of instructors with no limitation save the needs of the rapidly growing number of students from within and without the State which

free tuition may attract, and if the State is bound to make annual appropriations commensurate with such expansion, then one might almost be inclined to ask whether the college exists for the State or the State for the college."

Now, I wish to call attention for a moment longer to the financial condition of this institution to which we are asked to give \$25,000 for this purpose, and I wish you to note how it has grown from an institution in 1884 with an approximate income including State appropriations of \$16,000 to an institution which at present has an income of \$88,000, a gradual, steady increase. I will not go through the figures year by year. This is not a poor institution which we are asked to endow, but a rich institution which is able to do something for itself. I hold here the last annual report of the treasurer of the University of Maine. This shows the receipts of the university from July 1, 1899, to June 30, 1900, receipts and expenditures. They started the year with a cash balance of \$12,000. They received during the year in cash \$88,194. So that this institution for the last current fiscal year had an available cash revenue of \$100,000. Now have they expended it all? Not by any means. We find at the bottom of this item, in order to balance the debit side of this account, cash balance June 30, 1900, \$22,000. Now this is the poor institution which is asking you to give them \$25,000 for a central steam plant. If they need a central steam plant, let them build it themselves. (Applause).

Four years ago you all know what happened with regard to this same institution. They had been coming here year after year for appropriations for running expenses and all sorts of extraordinary expenses. In 1897 they evolved a new scheme which was to get an appropriation of \$20,000 a year for 10 years. And I say here upon the floor of this House that one of the reasons which was given at that time for asking a 10 year appropriation was that they did not want to be coming down here every year and asking for appropriations. And it was understood that if they were granted that appropriation we were to be let alone and they were not to be coming down here year after year and every year for

some appropriation. Now I ask you, gentlemen, if the institution has kept faith with the Legislature in this matter? Two years ago they were down here just the same and they wanted an appropriation of \$30,000 to build a drill hall, and they said if they could not have the drill hall the institution was going to the bad, it was absolutely necessary. They did not get their appropriation, but they have got their drill hall since, and the institution is still alive, still on earth, and is here with us once again. (Laughter and applause).

Now I do not propose to attack in any manner or form this annual appropriation promised them in 1897. Legally this Legislature is not bound to appropriate that \$20,000, but, gentlemen, I say morally it is, and we have got to do it. Now I thank you, gentlemen, for your attention. I wish to submit these facts and ask you fairly what is your judgment as to the necessity of appropriating this \$25,000, and if it is not absolutely necessary, have we the money with which to do it? (Applause).

Mr. DAVIS of Waterville: Mr. Speaker, is there any motion before the House?

The SPEAKER: The pending question is the second reading of the resolve.

Mr. DAVIS: Is a motion now in order?

The SPEAKER: The gentleman can submit his motion.

Mr. DAVIS: I then move, Mr. Speaker, that this resolve be indefinitely postponed.

The SPEAKER: That motion is in order.

Mr. DAVIS of Waterville: On the motion to indefinitely postpone I would like to say a few words. I have been much interested in watching the career of this professional, perennial beggar that is now before us. When the \$200,000 appropriation was made I telephoned from my office to the then member from Waterville asking him what the proposition was, and if the \$200,000 asked for was likely to become a law, and he replied that it was either \$200,000 or \$300,000. At the same time I telephoned to the State treasurer and I ascertained that we had on hand in the State treasury at the time barely enough to meet the outstanding temporary indebtedness and bills. I protested as a citizen and tax payer against this ap-

propriation, to our representative; and I believe that today this House is made up of men who are conscious of the fact that they are here in the interest of the tax payers, in the interest of the State and of everything that is worthy of support and of nothing else, and I want to say briefly that I believe article 8 of the Constitution is violated in the spirit and letter when we attempt to appropriate anything like what is asked for at the present time. It reads: "It shall be the duty of the Legislature to encourage and suitably endow from time to time and as the circumstances of the people may authorize all colleges and seminaries of learning in the State."

Now, I submit that the influences which have been brought to bear, which have been felt here from Legislature to Legislature, have been influential in obtaining for this institution a share of the money for educational purposes that rightfully should have been divided among the other higher institutions of learning in this State. How much have you given Colby? How much have you given Bowdoin? How much have you given Bates? Gentlemen, I think we should consider this matter a little in the light of duty. I do not believe that this institution is deserving, and for the reasons given by the gentleman from Portland (Mr. Chase). An institution with \$22,554.66 on hand should not come here when it has available each year the land grant fund, the Coburn fund, the Morrill fund and the \$20,000 from the State, for I read in this same report by the treasurer that but \$8600 was expended for mechanic arts and \$6750 for the department of agriculture. I know it has been the custom to present here various reasons why this matter should go, why we should support this thing and keep it up indefinitely year by year, and I just want to call your attention to one thing in particular, and that is to the claim that the State, if it should give \$20,000 a year for the next 50 years, could not give back much more than the interest on the grant money that was stolen when these lands were sold. Now, gentlemen, I wish to state here, and I want it thoroughly understood that as I read this matter in House document No. 157, 1867, the Legislature of the State authorized the sale of those lands because

the report was made to them by the trustees of the college that the land should be sold forthwith to the highest bidder, and on March 15, 1866, we learn from this same document that Preston & Company, St. Louis, who made the first purchase, duplicated the purchase, and on March 26th triplicated the purchase, and got in all 96,000 acres of land that were thus bought. Now this was by the consent and advice of this very institution, and I contend, Mr. Speaker, and gentlemen, that they have no fault to find on that score.

There is another point which I wish to make, and with this I will close. Every institution endowed as this one is should begin to become self-supporting. It should do so, as some of the other institutions of learning throughout the country are doing. It should build up among its alumni a sentiment that should push the boundaries of the institution, that will enable its friends to rally, and in some systematic manner do something year by year for its support instead of coming here to the Legislature of the State and asking for funds which we are not able constitutionally or otherwise to give them. (Applause).

Mr. PATTANGALL of Machias: Mr. Speaker, I hesitate to weary the House with any remarks on this subject after they have listened so long to the gentlemen who have preceded me, and I should, I think, say nothing if the statement of the financial condition of the State upon which, as I understand it, all opposition to this resolve is based, had been a true one; but so absurd are the statements and estimates that have been made, and so much of a panic have they apparently aroused, not only in this Legislature, but throughout the State, that had this resolve been in favor of any other State institution I should have felt that it was the duty of somebody to say something to check the idea that is going all over the State of Maine that the State government is going into bankruptcy. Take the estimates presented to this House by your treasurer, the estimate of the income for the next two years, estimated at \$1,730,000. Add to it the \$225,000 which the new taxes, the increase in business in the State necessarily make, and it gives you \$1,955,000

yearly income for the next two years. And in the treasurer's estimate of the income the estimate of the tax upon savings banks is put at \$30,000 less than last year. For what reason? I think no man can tell. Keep your savings bank tax where it is and you get \$1,985,000 if you allow for no increase in valuation in the State, when the whole State is crying for an increase in the valuation of timber lands of the State as a whole, and with the \$15,000 from that source the State of Maine would have an income of \$2,000,000 a year for the next two years. And there is no excuse for any man who knows anything of the finances of this State for estimating it at one dollar less if he attempts to make a fair estimate. There is no reason for this cry of bankruptcy that has gone out.

Now, again, take the treasurer's estimate of the expenses for the next two years, and the gentleman from Portland (Mr. Chase) when he read them, read as an estimate of expenses for 1902, \$1,817,000 as including only those items which the law compels us to expend. Why, the gross expenditures of the State, compelled by law or otherwise, only reached \$1,800,000, last year, and what law has come in which makes three or four hundred thousand dollars difference? That estimate of \$1,817,000 for 1902 includes \$350,000 of the temporary loan. The estimate for 1901 includes \$350,000 for the temporary loan. I went to the treasurer's office myself and ascertained that, because I knew that in no other way could those figures be swelled to that point. But now, notwithstanding the assertion that has been made in both ends of this capital that the State of Maine owed seven or eight hundred thousand dollars, the State treasurer reports a floating loan of \$350,000, and nothing but the vivid imagination of the men who have addressed the Senate and House on that subject have swelled that thing to \$700,000, for as a matter of fact, it does not exist. The State is carrying a temporary loan of \$350,000 and it has been carrying within about \$100,000 of that from time to time right along, year after year, and nobody got frightened at it before.

Now, in order to show that the State is bankrupt, the payment of that temporary loan is figured as one of the cash payments for 1901. Then, after figuring that loan for 1901, it is figured out again for 1902, and that statement is the one which all this talk of the bankruptcy of the State has been based and the talk to the effect that we could not take care of our State institutions properly, is all based on a misconception which started from figuring in the temporary loan as a bookkeeper would, and as he has to, but as a matter of taxes, or finance, of what you have got to raise, it is not common sense to say that you have got to raise \$700,000 to pay a debt of \$350,000. It seems to me that this Legislature has been imposed upon long enough by such misleading statements. The State of Maine, with the income that will be provided, is better able than it ever was before to take care of its State institutions and State interests. (Applause).

There is something more that the people of Maine want of us than to reduce the State tax. Nobody expects us to do it. As for me, and representing a rural community and a poor community, I should object to a reduction of the State tax. Better far for the State to keep its State tax at 2¼ mills, so that some little revenue at least may come from the princely domains of land upon which no other tax can be constitutionally levied, and then that money spent for the good of the people of the State, in the rural towns and in the cities for schools, for colleges, roads, bridges, for what the people need, rather than to cut it down a quarter of a mill, and by so doing cripple some worthy State institution.

Aside from that, if such a financial situation as the gentleman attempted to depict did really face us, for heaven's sake why did not somebody say something about it before? Twenty thousand dollars with which to pay \$700,000! The claim is made here that a deficit, a debt of \$700,000 is going to exist when we get through. That is an absolutely false claim. Gentlemen have sat in their seats and thousands upon thousands have been appropriated by this Legislature and

no man has raised his voice against it, except on one appropriation of \$1000, and this one of \$20,000—no word has been said against anything else.

My friend from Waterville (Mr. Davis) outlines the future policy of the State to be that the State College, one of the State institutions and one of the institutions of which this state has as much right to be proud as any other institution within her borders, is a beggar that has come here, year after year. Of course it is a beggar in a sense, and so are the hospitals, so is every institution that comes here for public aid, so are the common schools which take from the State half a million dollars a year and use it for a good purpose, so are the academies which get \$23,000 and use it for a good purpose. That word may be applied in that sense to any institution, but to suppose that any one of the State institutions, that any of the schools of the State, are ever going to be able to do without the aid of the State at all, is absolutely absurd.

Now, again, as an instance of the insincerity of the argument you have listened to—the gentleman from Portland (Mr. Chase) who is a good lawyer and capable of adding figures together pretty well, gave as the income of the State College last year, \$88,000. He had in the treasurer's report the receipts of the State College for last year, \$88,000, and a mere cursory glance at it must have shown him that the State appropriation reckoned in there was reckoned in at \$30,000, when he knew, and we all know that by law it is \$20,000 because one half-yearly payment was made just before the treasurer's statement was made up. The income of the State College last year was \$78,000. Now, why state it as \$88,000 if you are going to have a fair discussion? Why, after having had this bill on the table a week, was it necessary for anybody to include \$30,000 as the State moneys for one year's income when it has been talked all over the State and everybody knows that it is only \$20,000? Then again, in the figuring of cash balances on hand, every man who conducts business knows that the cash balance absolutely depends on the day that you take

your balance from your books. You may take the State treasury. One day you may balance your cash, and the next day balance your cash and have a material difference, possibly a hundred thousand dollars, and still the department would be no worse or better off—simply so much cash had come in; and as a matter of fact on the day when the treasurer's report of the State College was made up from which the gentleman from Portland quotes, the payment to the college of the yearly stipend from the State had just been made, and of course it was on hand, and of course it was all to be used for some useful purpose. A balance of cash from day to day does not show a rich institution. That institution is backed well by the United States government for certain purposes but not one dollar of the fund of the government can be spent for a building of any kind. Not one dollar that comes from any fund except the \$24,000 that it has, could possibly be expended in that way, and every dollar of that is used in running expenses, and all of you know that that college is carried on well, is carried on by business men, its board of trustees composed of men like Mr. Winslow, Mr. Haines and Mr. Roberts, and those men have not come here to the Legislature asking for this thing unless the college needs it. It is an absurd reflection upon them that the gentleman from Portland (Mr. Chase) who knows absolutely nothing of the needs of the institution should say that they do not need this heating plant when that board of trustees say that they do. We have in this House and Senate a committee to look after appropriations so far as the college is concerned, and this matter went before them, and I know that they hesitated to recommend any appropriation, and I know that they studied the matter carefully and called before that committee—I was present although I took no part in the proceedings—one man from Waterville, an absolute stranger to the college and a practical man in matters of this kind and consulted with him as to the comparative expense of building different kinds of plants, and so forth. That college has today six large buildings

and quite a number of small ones. It has a plant there as good in many respects as any of the smaller colleges. It has 400 students. There has been one magnificent building added there for which the alumni and friends of the college have paid because they did not want to call on the State for it. That building is not heated at all yet. The other buildings are heated imperfectly, and I cannot quite get through my head the system on which you could run an institution with 400 people and six or eight buildings and not have any heating apparatus. It seems to me that it is necessary. The trustees of that college as business men looked that thing over, and Mr. Winslow said to me that he would have to lay out \$10,000 in temporary repairs to carry the present heating arrangement along for two years, and then we would have nothing to show for it. It is a question for the State because it is a State institution, and the State has bound itself to support it. No friend of the college ever said in my hearing that the State stole the funds that were designed for the aid of the college. I never heard that statement made before but I have heard it said, and the figures in the case bear it out, that poor business management on the part of the State at that time made quite a difference in the income of the State college, that the lands that the United States government gave that college sold on an average of 55 cents an acre, and some of the other colleges got \$6 an acre for theirs.

If we have suffered through poor business management on the part of the State it is not necessary to call anybody a thief, but nevertheless it prevents us from having the income, and the State realizing that year after year has given the college some money, in all about \$450,000.

Now four years ago the State changed its plan of appropriation. I was here and I advocated it—\$20,000 a year for ten years. The Legislature changed that old plan of appropriation and made a ten-year appropriation after careful deliberation. The whole matter was discussed by that Legislature in 1897. The report which the gentleman from Portland read from this morn-

ing, was before us. That matter was all adjudicated then, and the State decided that that was a better way to support the State institution on this ground, and this ground alone, that a growing institution must know somewhere near year by year what income they have for current expenses, that when the trustees did not know from one year to another whether they were to have \$4000 or \$10,000 or \$20,000 they could not run the college properly, and no man hinted at any part of that \$20,000 a year should be used for building purposes. It was stated distinctly on the floor of this House that the friends of the college felt that that would conclude them from asking anything more for current expenses, that the college must be kept down within that limit for current expenses, and that within 10 years if the growth of the college was to be fairly considered a hundred thousand dollars must be expended in buildings by someone. Now, that institution, worthy of your support and the support of the people of this State, and getting it, that institution reaching in an educational way more young men than any other college in Maine, needs this appropriation. They have asked for \$10,000 next year and \$15,000 for the following year. You know that you do not intend and cannot intend to cut off every institution in the State. If there is going to be any scaling down in appropriations, be reasonable about it, be fair about it, scale them all down pro rata. Do you think that would do? I have not heard any suggestion from the gentlemen who have spoken this morning about cutting down the appropriations that have been going through here right along. If it is necessary, recommit every appropriation bill to the finance committee and let them, if it is a matter of ways and means and nothing else, let them cut the appropriations that this House recommends pro rata, cut them fairly, if the State college is to be cut, and let somebody else suffer. It is not a fair proposition to indefinitely postpone this resolve. It is not made in fairness. It is not made in sincerity. It is not a measure of economy at all when the gentleman who makes it calls the institution a beggar and says that from this out the college should be, as no college now is or ever has been, self-supporting. (Applause).

Mr. BEAL of Bangor: Mr. Speaker, I move to adjourn.

The motion was lost.

Mr. WALKER of Starks: Mr. Speaker, how much some folks want. How much the needs of some institutions are. It is passing strange. Two years ago it was my pleasure to serve on the committee on the University of Maine in the Legislature. Being a member of that committee I took considerable pains to ascertain in regard to the promises that were made to the Legislature of 1897 in regard to what they would do if an appropriation of \$20,000 a year for 10 years was granted them, and it was stated to me by many

of the members of that Legislature that, if we would grant them \$20,000 a year for a period of 10 years they would let that suffice for the next 10 years. Did they do it? In the early stages of the Legislature of 1899 the management of that institution was on the ground asking for an appropriation of \$35,000 for a drill hall. This resolve was referred to the military affairs committee. They reported unfavorably on that resolve. Today they are here asking for an appropriation during the next two years of \$25,000 for a central steam heating plant. Knowing the condition of the treasury of the State, knowing that the treasury is almost bankrupt, knowing what the Governor of the State desires, knowing what the people of our State demand, knowing what many of the members of the Legislature wish, yet they are here asking for \$25,000 more during the next two years, while under existing laws they would receive \$40,000 in that length of time.

I sincerely hope, Mr. Speaker and gentlemen, that the motion of the gentleman from Waterville for the indefinite postponement of the resolve, will prevail.

Mr. DAVIS of Waterville: Mr. Speaker, I want to reply briefly to the gentleman from Machias (Mr. Pattangall). I deny his assertion that I am not sincere in any move or any motion that I make in this House. I deny that I am not interested to the same extent that he or any other member is interested in the welfare of this State; and, Mr. Speaker, I will read, with your permission, from the House record of February 27th. I said at the time, quoting from previous figures, "In 1895 we had a surplus in our treasury of \$458,195.85." I take the treasurer's report just issued and I find that our expenditures from 1895 to 1900 inclusive were \$661,690.35 in excess of our receipts, and that only in one year, 1898, was there an excess of receipts over expenditures, and that year it was \$52,373.51. I submit, Mr. Speaker and gentlemen, that if we are ever to call a halt in our expenditures it is time to do so. I am not unreasonable in asking that this matter be indefinitely postponed. This college in good faith has had enough and you are all well aware that if the friends of this institution make of it what is made of colleges in other States, large colleges, like Harvard, it would bankrupt this State treasury over and over again. We know furthermore, and it certainly seems to me that the friends of the institution must know, that you cannot make a university in real fact unless you have the lecture platforms and unless you have the laboratories of the great cities, and that you do not have here; and I submit that I am a friend of education in Maine and that we are doing enough for this institution, and that it is time to call a halt and divide this fund up among other institutions as worthy and which are doing as much in the higher education as it can possibly do. (Applause).

Mr. DUNN of Orono: Mr. Speaker, I sincerely hope that the motion of the

gentleman from Waterville will not prevail. A plan has been prepared and brought here which a little later I desire to explain showing exactly what this resolve calls for and what is needed under it. I appreciate the fact that it will take some little time to get the plan ready; I appreciate the fact that the hour is getting late; and I therefore move that this House do now adjourn.

The question being on the motion to adjourn, a division was had and the motion was agreed to by a vote of 65 to 61.