

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventieth Legislature

OF THE

STATE OF MAINE.

1901.

SENATE.

Augusta, February 15th, 1901.

Senate met according to adjournment, and was called to order by the President.

Prayer by the Rev. Mr. Struthers of Gardiner.

Journal read and approved.

Papers from the House disposed of in concurrence.

Bill, an act to amend and extend the charter of the Bangor Gas-light Company, came from the House, reported, ought to pass. The President informed the Senate that the bill had come from the House without having been printed.

On motion by Mr. Plummer of Penobscot the bill was laid on the table to be printed. On motion by the same senator the bill was subsequently taken from the table; and on his further motion the joint rule whereby it was required to be laid on the table to be printed was suspended. On further motion of the same senator the bill took its two several readings and was passed to be engrossed.

READ AND ASSIGNED.

Resolve in favor of the Maine State Library.

Resolve in favor of Benjamin Smith of Appleton in the county of Knox.

Resolve granting a pension to Nellie Flanders of Liberty.

At this point Senator Virgin of Cumberland took the chair at the request of the President.

On motion by Mr. Weeks of Somerset, it was Ordered, that, the House concurring, when the Senate and House adjourn, they adjourn to meet on Tuesday, February 19th, 1901, at 10.30 o'clock in the forenoon.

The President subsequently announced that the foregoing order had been concurred in by the House.

REPORTS OF COMMITTEES.

Mr. Vickery for the committee on inland fisheries and game, on remonstrance of L. R. Smith and others against the prevention of the shooting of geese, coot, Megansers, whistlers and old squaws, at any time, reported that no bill or petition has been presented to the committee upon the subject matter of the remonstrance.

Mr. Vickery for the same committee, on petition of A. W. Mitchell and others of Freeport,

Petition of L. D. Snow and others of Brunswick, and

Petition of H. A. Fletcher and others of Portland, severally, for close time on black duck, teal, wood duck, mallard and gray duck from December 1st to September 1st, annually, reported that the petitioners have leave to withdraw.

Mr. Vickery, for the same committee, on Petition of Joseph N. Martin and others to permit shooting of woodcock September 1st, reported that petitioners have leave to withdraw.

Mr. Burns, for the committee on mercantile affairs and insurance, on Bill, an act to repeal chapter 267 of the laws of 1897 being an act for investigating fires, reported same ought not to pass.

On motion by Mr. Staples of Knox, the foregoing report, pending its acceptance was laid on the table.

PASSED TO BE ENGROSSED.

An act to amend and extend the charter of the Bangor Gaslight Company.

An act to ratify the purchase by the Sagadahoc Light and Power Company of the property, rights and franchises of the Bath Electric Light and Power Company, Bath Gas and Electric Company and the Bath Gas Light Company, and to give further rights to the said Sagadahoc Light and Power Company.

Resolve in favor of the Bangor Children's Home.

Resolve in favor of the Children's Aid Society of Maine.

An act to authorize the Androscoggin Railroad Company to convey its interest in the Androscoggin Railroad to the Maine Central Railroad Company.

An act to extend the charter of the Ellsworth Street Railway Company.

An act to authorize the Skowhegan and Norridgewock Railway and Power Company to extend its line to and into the town of Smithfield.

An act to extend the rights, powers and privileges of the Eastport Street Railway Company.

An act to merge the Knox and Lincoln Railway in the Maine Central Railroad Company.

An act to incorporate the Lincoln Electric Railway Company.

An act granting Alexis Momeault the right to erect and maintain piers and booms on the St. John river in the town of Grand Isle.

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

An act relating to fishing for togue through the ice.

An act to regulate fishing in Grand Lake stream and at the outlet of Grand lake, Washington county.

Resolve for an appropriation for the use of the commissioner of sea and shore fisheries.

Resolve in favor of Joseph Sepsis, representative of the Passamaquoddy tribe of Indians.

Resolve in favor of Thomas Dana, representative of the Penobscot tribe of Indians.

Resolve making appropriations for the Penobscot tribe of Indians.

Resolve making appropriations for the Passamaquoddy tribe of Indians.

Resolve in favor of Maine school for the deaf.

Resolve in favor of the Central Maine General Hospital.

An act to amend section 42 of chapter 6 of the Revised Statutes as amended by chapter 166 of the Public Laws of 1893, relating to taxation of steam railroads.

PASSED TO BE ENACTED.

An act fixing the salary of the sheriff of Piscataquis county.

An act to authorize the city of Rockland to control the brooks and streams therein, to prevent pollution of same and to better protect public health.

An act to amend the charter of the Rockland Trust Company.

An act to incorporate the Searsport Water Company.

An act to amend an act entitled, An act to incorporate St. Albans Academy.

An act to amend chapter 207 of the Private and Special Laws of the State of Maine for the year 1895, as heretofore amended, relating to the Eastern Telephone Company.

FINALLY PASSED.

Resolve for the purpose of operating fish hatcheries and feeding stations for

fish and for the proper enforcement of the inland fish and game laws.

Resolve in favor of Women's Christian Temperance Union.

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

ORDERS OF THE DAY.

On motion by Mr. McFadden of Lincoln, Bill, an act to amend section forty-two of chapter six of the Revised Statutes as amended by chapter 166 of the Public Laws of 1893, relating to taxation of steam railroads, was taken from the table.

Mr. McFADDEN of Lincoln: Mr. President, When a man is about to support a measure or a policy which he has preached against for years he naturally wants to say a word in explanation of his apparent inconsistency, and in deference to the thousands in this State, whose views upon taxation coincide with my own, I crave the indulgence of the Senate for a few minutes. For two years I have preached, in season and out of season, too, perhaps, that all tangible forms of property should be taxed "equally according to the just value thereof." And among the hills and valleys of Maine, ninety-nine hundredths of the farmers, the mechanics and the laboring men of all vocations are grounded and settled in the conviction that taxation should be by one and the same rule for the farmer and for the railroad king, for the humble individual and the wealthy corporation.

Two years ago when the bill now pending was introduced, I supported it as the best thing then in sight, and as a measure tending in some degree to correct the inequalities of our tax laws. But at that time the railroad powers resisted this measure, and asked us to wait until the whole system of taxation in Maine could be taken in hand, and readjusted equitably and fairly; and, sir, the common people of Maine have waited patiently and hopefully, and through all that time wherever their views have found expression they have been in concurrence with the principles and theories of the bill which I introduced, senate bill No. 4.

In his last annual address before the State Grange, State Master Gardner expressed his convictions as follows:

"It seems to me the same general plan might be adopted for getting at the just value of property alike. We never considered it fair or equal, to assess one class of property upon its earning power, and another upon an arbitrary valuation, in many instances far above its selling value. No one can complain when the provisions of the constitution are carried out and all property is assessed according to the just value thereof."

At the National Farmers' Congress, held at Faneuil Hall, in the fall of 1899, Gov. Hoard in his annual address said:

"Property is property. Taxation should be based on the dollar's worth of property no matter how it is invested. That which the law recognizes as property and defends as property should be taxed as property according to its value. A general violation of this principle is producing widespread demoralization and discontent in society."

If, from all the men in this broad country, I could have selected two in whom the yeomanry of Maine would have confidence, I could not, sir, have selected two more to my liking than those from whom I have quoted; and if I could have dictated the language in which they should express their approval of the principles of Senate bill No. 4, I could not have made it stronger or better than it is.

I have one more quotation to make, it is as follows:

"We favor the readjustment of the system of taxation prevailing in the State, and the enactment of measures which will lead to a more just and equitable valuation and assessment of all forms of property of every kind and description."

That, sir, is from the platform of the great Republican party adopted at Bangor last June. Will this bill, now before us, lead to a more just and equitable valuation? Why, sir, it totally ignores valuation! If the Republican party had gone before the people of Maine with a plank in its platform in favor of taxing corpor-

ations upon their gross receipts, do you think we should have had more than 30,000 plurality? Do you think we should have had any?

It was to be expected, Mr. President, that the great railroad interests of this State would resist any change in the methods of taxation. Eternal vigilance is the price of privilege as well as the price of freedom, and I looked for nothing else than that they should vigilantly maintain all the privileges that they have so long enjoyed, but, sir, I did not expect that that great organization from whose great leaders I have quoted, and whose heart is right today in spite of the false position into which it has been so adroitly wheeled would be found backing up and supporting the railroad interest and the railroad privilege! By what hypnotic influence, by what psychological mystery this change of front in the great Grange brotherhood of Maine has been effected I would not here and now explain to you if I could. It is enough to say that it has been accomplished and it seems to me the part of wisdom to accept the paltry hundred thousand dollars which this bill will probably give us, though it is in no sense an equalization of taxation, rather than to spend the time of the Legislature in a hopeless contention for right and justice.

The people of Maine, the grangers of Maine will sooner or later wake from their mesmeric condition and demand equalization of taxation along the lines of the rule laid down in our State constitution. But for two years more, at least, the people will sigh: "Oh, that I might be taxed on my gross receipts!"

An adjustment which is unjust, an equalization which is unequal will not stand! It will never satisfy the people of this State. And they ought not to be satisfied. The real, genuine reform must come though it may be long delayed.

Now, sir, in consideration of the situation, though my mind has not changed at all in relation to what we ought to do, I recognize that the bill before us is the best that we can get at this session; and I move that it

have its several readings and pass to be engrossed.

Mr. HODSDON of Cumberland—Mr. President, I wish to say just one word in regard to this bill. The committee have done a great deal of hard work, both in general committee and in sub-committee; and they feel that they should have the full support of the Senate in the passage of this bill.

The bill then had its first reading.

On motion by Mr. Fernald of Androscoggin, the bill then took its second reading under suspension of the rules, and was passed to be engrossed.

Mr. WEEKS of Somerset—Mr. President, I rise to a question of privilege. Yesterday morning, when the Senate had under consideration, the bill to amend the charter of the Eastern Telephone Company, the Senator from Cumberland who is now presiding over this body, offered an amendment. During the consideration of that amendment, I had occasion to exploit my views upon the repeal of the law of 1895, so-called. I notice by the Kennebec Journal, this morning, in the official report, that those remarks were attributed to the Senator from Androscoggin, Mr. White. Now, I think the Senator from Androscoggin feels badly enough over this question without having to assume any remarks that I make. I do not know where this error occurred; but, if the official reporter is responsible for it, if he will correct it, and apologize to the Senator from Androscoggin, I will call it square.

The President—Does the Senator wish to make any motion that the Journal be corrected in that particular?

Mr. WEEKS—I would like to have the unanimous consent of the Senate that the Journal be corrected in that particular.

On motion by Mr. Staples of Knox, the Senate adjourned.

HOUSE.

Friday, Feb. 15.

Prayer by Rev. Mr. Struthers of Gardiner.

Papers from the Senate disposed of in concurrence.

Resolve providing for an epidemic emergency fund, came from the Senate amended by Senate amendment A.

In the House the vote was reconsidered whereby this resolve was passed to be engrossed, Senate amendment A was adopted and the resolve was passed to be engrossed as amended.

On motion of Mr. Hix of Rockland the rules were suspended and bill relating to the Eastern Telephone Company was passed to be enacted.

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

JUDICIARY.

By Mr. Pike of Lubec—Petition of Justin E. Gove and 20 others of Perry in favor of abolishing the January term of the S. J. C. in the county of Washington; remonstrance of Justin E. Gove and 20 others of Perry against change of place of holding the April term of S. J. court in Washington county.

By Mr. Bradford of Eastport—Remonstrance of O. B. Lawson and 62 others of Eastport against same; of Alex Stevenson and 62 others of Eastport against same.

By Mr. Maddocks of Boothbay Harbor—Remonstrance of Boothbay Savings Bank, owner of bonds of Camden & Rockland Water Company, against proposed bill contemplating the establishment of municipal water works in Camden.

By Mr. Foster of Oakland—Petition of Baptist and Congregational churches relating to the better observance of the Lord's day; of Methodist church of North Buxton for same; of Congregational church of Fryeburg for same. (These petitions received under suspension of the rules).

By Mr. Pettingill of Rumford—Resolve in relation to the early York deeds. (Received under a suspension of the rules).

COMMERCE.

By Mr. Webb of Portland—Remonstrance of J. S. Winslow & Co. and 46