

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventieth Legislature

OF THE

STATE OF MAINE.

1901.

SENATE.

Augusta, March 7th, 1901.

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

Prayer by the Rev. Mr. Newbert of Augusta.

Journal read and approved.

Papers from the House disposed of in concurrence.

READ AND ASSIGNED.

An act addition to Section 59, Chapter 3 of the Revised Statutes, relating to city ordinances.

An act to amend the charter of the Augusta Water Company.

An act to incorporate the Winthrop Electric Light and Power Company.

An act to legalize and make valid the acts of the town of Monmouth.

Resolves authorizing a temporary loan for the year 1902.

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

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

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

An act relating to the filing of papers in cases argued before the supreme judicial court when sitting as a court of law.

An act to incorporate the town of Millinocket.

Resolve in favor of the town of East Livermore.

An act additional to Chapter 49 of the Revised Statutes relating to insurance.

An act to extend the charter of the North Berwick Trust Company.

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

An act to extend the charter of the Boothbay Harbor Banking Company.

An act to incorporate the New England Trust Company.

An act to incorporate the Old Orchard Trust and Banking Company.

An act to incorporate the State Trust Company.

An act to incorporate the Granite Trust Company.

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.

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

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.

This bill was indefinitely postponed in the House, passed to be engrossed in the Senate, and sent back to the House, and the House voted to adhere.

On motion by Mr. Plummer of Penobscot, the Senate voted to insist, and a committee of conference was asked for. The President appointed as such committee of conference on the part of the Senate, Messrs. Plummer of Penobscot, Prince of Oxford and Weeks of Somerset.

The following bill was presented and referred:

JUDICIARY.

By Mr. Burleigh of Aroostook, bill, an act to provide for the transfer of patients in Insane Hospital.

INTERIOR WATERS.

By Mr. Pierce of Waldo, bill, an act to incorporate the Frankfort Power Company.

An act in relation to the salaries of the justices of the supreme judicial court. Pending assignment for its second reading, on motion by Mr. Staples of Knox, this bill was laid on the table and assigned for Tuesday, March 12.

REPORTS OF COMMITTEES.

Mr. White from the committee on the judiciary, on petition of Methodist and Congregationalist churches and others, in relation to Sunday excursion rates, that all public conveyances may be forbidden granting excursion rates on the Lord's day, reported that the petitioners have leave to withdraw.

Which report was read, and pending acceptance, on motion by Mr. White of Androscoggin, laid on the table, and Tuesday next assigned for its consideration.

Mr. Weeks from the same committee, on resolve asking for the passage of a law allowing the county commissioners of Somerset county to borrow a sum of money with which to build an extension to the court house in said county, reported that the same be referred to the Somerset county delegation.

Mr. White from the same committee, on communication from the secretary of State, relating to the industrial commission of the United States, reported that legislation is inexpedient;

The same senator from the same committee, on communications from the secretary of State concerning the concurrent resolutions of the legislatures of Oregon, Montana, Pennsylvania and Minnesota, relating to the election of United States senators by direct vote of the people, reported that legislation is inexpedient.

Mr. Staples of Knox from the committee on legal affairs on order relating to the Torrens system of land transfer reported that legislation is inexpedient;

Mr. McFadden from the committee on ways and bridges on petitions of J. F. Quimby and others that the State maintain the large bridges, reported that the petitions be referred to the next Legislature;

Mr. Burleigh from the same committee on petition of E. P. Blanchard and others for aid to rebuild bridge destroyed by fire at Blanchard, reported that the petitioners have leave to withdraw;

Mr. Buck from the committee on State prison on that portion of the Governor's message relating to establishing a reformatory prison for women, reported that the same be referred to the next Legislature;

Which several reports were read and accepted.

Mr. White from the committee on the judiciary on Bill, an act to regulate proceedings on certiorari, reported that the same ought to pass;

The same Senator from the same committee on Bill, an act to cede to the United States jurisdiction over certain land in Augusta, reported that the same ought to pass;

Mr. Weeks from the same committee on Bill, an act to incorporate the Masonic trustees of Fairfield, reported that the same ought to pass;

Mr. Plummer from the committee on legal affairs on Bill, an act to amend Section 8 of Chapter 24 of the Revised Statutes, as amended by Chapter 269 of the Public Laws of 1835, as amended by Chapters 9 and 146 of the Public Laws of 1887, as amended by Chapter 256 of the Public Laws of 1889, as amended by Chapter 60 of the Public Laws of 1891, relating to dependent soldiers and sailors and their families, submitted the same in new draft under title of an act to amend Section 8 of Chapter 24 of the Revised Statutes as amended by Chapter 269 of the Public Laws of 1885, as amended by Chapters 9 and 146 of the Public Laws of 1887, as amended by Chapter 256 of the Public Laws of 1889, as amended by Chapter 60 of the Public Laws of 1891, as amended by Chapter 326 of the Public Laws of 1897, relating to dependent soldiers and sailors and their families;

Mr. Murchie from the committee on railroads, telegraphs and expresses on Bill, an act to ratify the lease of the Patten and Sherman Railroad to the Bangor and Aroostook Railroad Company, reported that the same ought to pass;

The same Senator from the same committee on Bill, an act authorizing the Fryeburg Horse Railroad Company to maintain steamboats upon the waters of Upper Kezar pond, reported that the same ought to pass;

Mr. Morrison from the committee on military affairs on resolve in favor of William J. Maybury, surgeon general, National Guard, State of Maine, reported that the same ought to pass;

Mr. Burleigh from the committee on ways and bridges on petition of John S. Bridges and others for aid in constructing bridge in the town of Meddybemps, submitted resolve in favor of the town of Meddybemps;

Which several reports were read and accepted, and the bills and resolves laid on the table to be printed under joint rules.

Mr. Virgin from the committee on the judiciary on bill an act relating to the filing of papers in cases argued before the supreme judicial court when sitting as a court of law, (Senate Document No. 25), reported that the same ought to pass.

Which report was read and accepted, the bill read once and tomorrow assigned for its second reading.

Mr. Morrison from the committee on salaries on bill an act in relation to the salaries of the justices of the supreme judicial court, (Senate Document No. 26) reported that the same ought not to pass;

Which report was read and accepted, the bill read once, and on motion by Mr. Staples of Knox, laid on the table and Tuesday next assigned for its consideration.

PASSED TO BE ENGROSSED.

An act to incorporate the Winthrop Cold Spring Water Company.

An act to incorporate the Hillside Water Company.

On motion of Mr. Alden of Kennebec, the foregoing acts received their two several readings under suspension of the rules, and were passed to be engrossed.

An act relating to and amendatory of Chapter 88, Special Laws of 1895, entitled an act to allow the Bar Harbor Electric Light Company to issue bonds, preferred stock, and purchase property.

An act additional to an act to incorporate the Union Gas and Electric Company of Waterville and to amend Section 4 of Chapter 556 of the Private and Special Laws of 1897.

An act to amend the charter of the Northport Wesleyan Grove Campmeeting Association.

An act to extend the charter of the Kittery and Elliot Street Railway Company.

An act to further regulate the powers and privileges of street railroads.

An act to further regulate procedure in the organization of street railroad corporations.

An act relating to the organization and control of street railroads.

An act to continue in force Chapter 276 of the Private and Special Laws of 1895, entitled an act to incorporate the Van

Buren Trust and Banking Company, as amended by Chapter 131 of the Private and Special Laws of 1899.

An act additional to Chapter 287 of the Public Laws of 1893 entitled an act for the better protection of sheep.

House amendment adopted in concurrence.

An act to authorize the erection and maintenance of dams, side dams, piers and booms in Sandy stream, Gilman pond and Gilman stream in the plantations of Highland and Lexington and the town of New Portland in the county of Somerset and State of Maine, and to make improvements in said streams and ponds.

An act to incorporate the Tunk River Water Power Company.

An act to amend Chapter 22 of the Public Laws of 1899 relating to traveling libraries.

An act additional and amendatory to Chapter 242 of the Public Laws of 1893 relating to collateral inheritance tax.

An act to amend Chapter 96 of the Public Laws of 1895, relating to collateral inheritance tax.

An act establishing the salary of the county attorney for the county of Aroostook.

An act to allow open time on deer in certain towns in Cumberland county.

An act relating to prisoners in the county of Sagadahoc.

An act to incorporate the Cumberland Trust Company.

An act in relation to supplying the municipal courts of the county of York with dockets and blanks. On motion by Mr. Rankin of York this bill was amended by adding to Section 1 "at a cost not exceeding \$400 per year."

PASSED TO BE ENACTED.

An act to incorporate the Poland Telephone Company.

ORDERS OF THE DAY.

Specially assigned for today: House Document 114. An act to amend Chapter 208 of the Private and Special Laws of 1895, entitled an act to enable the proprietors of the Bangor bridge to dispose of their bridge property.

This bill was tabled by Mr. Plummer of Penobscot, who offers Senate Amendment A, as follows: "Section 7. No notes and obligations of the county shall be issued as hereinbefore provided until the ques-

tion shall have been submitted to the legal voters of the county, and a majority of those voting thereon shall have voted in favor of such issue.

Mr. JONES of Penobscot, Mr. President—I feel it my duty, in behalf of the Penobscot delegation, to say a few words in defence of this bridge matter. The delegation feel that we have been grossly misrepresented to our constituents and to this body. (I refer to letters received by several of the senators).

I hope in my feeble way to make matters so plain to you, that we shall be vindicated, at least by you. It is to be regretted that so much of our valuable time should be consumed in the discussion of a matter, which has already been decided by the proper tribunal, a tribunal to which the matter was referred by this honorable body.

This bill was put before the delegation in proper form. I am willing to admit that the original Hutchings bill (so called) differed in many respects from the bill which we now have under discussion. The first bill was not acceptable to many of us. We felt that the liability of the county should be limited. After several meetings of the delegation, the bill as presented to you, was agreed to by a vote of 13 to 2. The proposition to limit the liability of the county to twelve thousand dollars was made on motion of my colleague, Senator Plummer, and accepted by the delegation. This was made subsequent to a proposition to set a ten thousand dollar limit, which was voted down by the delegation. Upon the acceptance of the twelve thousand dollar proposition, and after the bill had been discussed in all particulars, we concluded that the matter had been finally disposed of.

My friend, Senator Plummer, then proposed to the delegation the same amendment, which he has requested the Senate to make to the bill. It was fully discussed; in fact, the matter was as fully discussed before the delegation and as clearly and as forcibly put before them, by him as it was before this body, and it was voted down 17 to 3. Please bear in mind that our delegation is composed of twenty members, a body two-thirds as large as this Senate. These men, representing the whole county of Penobscot,

are thoroughly familiar with the sentiment, as well as the resources of the county and are competent judges. The delegation felt that the proposition to submit was not a fair one, and that they were competent to decide what should be done in the matter, and that the expense incident to the amendment was entirely uncalled for, believing that if the voters of Penobscot county could have the matter presented to them fairly and without prejudice, that they would willingly vote this aid to make the Bangor and Brewer bridge a free bridge.

No notice was given us that the bill would be fought in the Senate, or that you would be asked to accept this amendment. After the amendment had been voted down by the delegation, the members began to receive anonymous communications, giving figures as to how the respective towns would be effected by the passage of this bill, notwithstanding these figures had already been fully considered by us. In the course of a week or two there began to pour into this Legislature remonstrances from a number of towns in the county against the passage of this act. There were no statements or facts accompanying these remonstrances, giving any reason for them. Feeling that they were entitled to some consideration, I requested my colleague, Senator Plummer to reassess the matter, so that we might have an opportunity to interview our constituents and obtain from them their objections to the bill, but so far no member, voting for the bill, has intimated that he desires to change his vote.

Upon my return to the town of Lincoln, I found that a letter with remonstrance had been sent to a prominent citizen of the town with request to circulate it. The remonstrance was returned to the writer with statement from this gentleman that he was heartily in favor of the bill as proposed by the Penobscot delegation, and that he could not circulate it. The remonstrance was immediately returned to Lincoln to another party with a letter from which I will quote the following: "I sent yesterday to Billy Clark a remonstrance against a bill in the Legislature, compelling the county to buy the Bangor and Brewer bridge. The taking of the bridge would cost us not less than \$125,000, because it is a part of the scheme

to put in a new steel bridge. Five-ninths of the money will come from the city of Bangor and the balance will be assessed on Lincoln and other towns in the county. Since writing Clark, it occurs to me that it would be a good thing and very gratifying, if you would get the remonstrance and go around with it among your friends, thus aiding Clark. The paper should be back in my hands not later than Wednesday. Please get it Monday early and circulate it freely. I need hardly add that Chief Justice Peters is very earnest about this."

For various reasons I withhold the name of the writer. I will add that this gentleman, while not a stockholder in the Bangor and Brewer bridge, is, as I understand, the attorney for several parties who are. Mr. President and Senate, Is there any wonder that the remonstrance was signed by the taxpayers of the town of Lincoln, after this letter, which was read to the majorities of parties signing. I would not have been surprised if the citizens of Lincoln had appeared before the Legislature to make a personal remonstrance such a monstrous proposition as was represented by this letter.

I ask you to look at the House Bill No. 114. There is nothing in that bill, compelling the county to buy the Bangor and Brewer bridge. There is nothing in the bill to indicate that the county would have to pay \$125,000 or quite one-tenth part of it. I cannot conceive why such a gross misrepresentation of facts should have been sent out to the people of Penobscot county. It is fair to presume that similar letters have been sent to every town in the county, from which we have received a remonstrance. I know that a similar letter has been sent to some of the senators, and your letters have gone even further than this. In that they reflect on the honesty and integrity of the delegation, such letters can have no effect upon you, because you have the bill before you, which speaks for itself.

The limit of the county's liability is fixed in this bill at \$12,000.00, and there is nothing in the bill which carries the liability of the county one cent beyond this amount.

Section 4 provides as follows: "If the cities of Bangor and Brewer and the

county commissioners of Penobscot county shall jointly agree with said Bridge Co. upon said value, or if said value be determined as aforesaid, the said county commissioners are hereby directed and authorized to cause forthwith to be paid to said Bridge Co. from the treasury of the county of Penobscot and of the money of said county a sum equal to one-half the value of said bridge, ascertained in either of the above named ways, provided, however, that if said one-half of said value shall exceed the sum of twelve thousand dollars said county of Penobscot shall pay said sum of twelve thousand dollars to said Bridge Co. for its portion of said value, and no more."

If you will skip to lines 24 to 28, which read as follows: "When said amounts shall be so determined, the said cities shall pay the same to the said Bridge Co., and said bridge shall be maintained by said cities in the proportions determined as aforesaid."

The bill in Section 5 especially provides as to how it shall be maintained. It reads as follows: "From and after the payment of said value to said Bridge Co., said bridge and its approaches shall be a highway and shall be maintained by said cities of Bangor and Brewer in the proportions agreed upon by said cities or determined by said county commissioners as above provided."

My friend, Senator Plummer intimates that the price to be paid for the bridge will exceed a sum larger than \$24,000. He states: "Indeed, I understand the assessed value of the old bridge is twice that figure and it is not reasonable to suppose the stockholders will permit it to be scaled down without a strenuous contest."

I claim that it makes no difference to the county of Penobscot what value may be assessed on the old bridge, whether it is \$24,000 or \$50,000, the maximum amount which the county will have to pay is fixed at \$12,000. Nor does it matter if there should be another demand for renewal of the bridge by a costly one suitable for electric car service, as stated by him. The bill provides that this bridge and its approaches shall be maintained by the cities of Bangor and Brewer in propor-

tions agreed upon or otherwise determined, and it is fair to assume that if this bridge is replaced by a costly steel bridge suitable for electric car service that the Electric Railroad Co. will be called upon to contribute towards the expense of such a structure instead of the county of Penobscot. Senator Plummer is afraid that if the county assists in making this bridge free, that some county delegation to follow us will vote county aid in replacing the old bridge, because he feels that this bill forces the county into partnership with the cities. He further very fairly admits that this bill does not reveal such proportions, and if it specifically renounced them it would make no difference. If this be true, I feel that it would be to the interest of Penobscot county to contribute the twelve thousand dollars asked for and thus end it. Our future county delegation, which he so much distrusts, could then say to Bangor and Brewer:

"We have already contributed toward this bridge all that the county should be called upon to contribute, and the act under which this contribution was made distinctly stated that the bridge should be maintained by your two cities and we should not be called upon to make any further contribution."

Nor do I believe for a moment that the county of Penobscot will ever be called upon to make contribution for the maintenance of this bridge. If it is, we shall have competent men here to guard our interests. We have a number of good men with us who have not been here yet, and only the best will be sent.

I referred a few moments ago to the remonstrances against the passage of this bill and the reasons for their appearance here. In order to convince you more fully as to the feeling of the people in the county in relation to this bridge matter, I will call your attention to the numerous petitions that have been sent in to us since the appearance of the remonstrances, and after the people of the county have fully and fairly understood the true situation and the meaning of the bill which is before us.

Feb. 23, I attended a caucus in the town of Lincoln. After the business of

the caucus had been disposed of the representative from the town of Lincoln as well as myself being present, the bridge matter was brought up and discussed with the following result. I have here an attested vote taken after the caucus had adjourned, many of the remonstrants being present, which I will read:

* * * * *

At a largely attended caucus of the voters and tax payers of the town of Lincoln, held on Saturday, Feb. 23, upon full discussion of the Bangor and Brewer bridge bill now before the Legislature, it was voted to endorse the action of the senator and representative from Lincoln, in voting in delegation meeting for the bridge bill as presented to the House and Senate for their endorsement.

FRANK R. LINTON, Sec.,
ARTEMUS WEATHERBEE,
Chairman.

Judging from the petitions that have been coming in during the past few days, the same feeling exists in nearly all the towns in the county, and all are willing to participate or to contribute their mite in ridding the county of this most prominent relic of barbarism.

I do not wish to tire the Senate but would like to give a brief history of this bridge, or such of it as is available. You will appreciate that this is a close corporation, and we have no means of obtaining statements of their financial condition beyond that published in 1874. The facts up to that time are as follows:

"The Bangor Bridge Co. was incorporated in 1828 and was divided into 300 shares. The first bridge was built and open to travel in 1832 and was carried away by a spring ice freshet in 1846. The act of incorporation was amended in 1846, containing a charter for 50 years from that date. The present bridge was built and open for travel during the year 1846.

"The first bridge built in 1832 cost, exclusive of any lands, \$137.32 per share of \$41,196, paying an average annual dividend for 13 years of 8 per cent. This bridge was carried away in the spring of 1846 and was replaced the same year by the present bridge, making the construction account, including the first bridge, amount to \$66,351, or \$221.17 per

share, paying an average annual dividend for 20 years to Jan. 1, 1866, of 7½ per cent."

From 1866 to 1874, \$75,433 were taken in tolls, \$31,050.37 were expended for repairs, making the net average annual earnings of the tolls over the expenditures for the eight years, \$5549.08, or a total of \$44,382.57. This sum paid an annual dividend to the stockholders on the cost of both bridges from 1846, on the basis of \$221.17 per share, of \$18.39 2-3 per share, or 8 35-100 per cent. per annum. The average dividend for the eight years from 1866 to 1874, arising from the tolls and all other sources amounted to 11¼ per cent. per annum. I have no figures to present since 1874, more than 27 years ago. The whole gist of the matter up to 1874 may be summed up as follows:

The entire earnings of the Bridge Co. paid the stockholders 8 per cent. for the first 13 years, 7½ per cent. for the next 20 years, 11½ per cent. for the last eight years, equal to 8 39-100 per cent., or a trifle less than 8½ per cent. per annum for the whole term of 41 years from the time the bridge was first open to travel to Jan. 1, 1873. Now it is fair to assume that the cities of Bangor and Brewer and the county of Penobscot will be called upon to pay a sum very much larger than \$24,000 for this bridge, which in 1846, 55 years ago, cost the stockholders \$25,155.

Some stress has been put upon the fact that a new steel approach has been built on the Bangor end of the bridge, which adds materially to the value of the bridge. I learn from reliable sources that this approach was built wholly at the expense of the Maine Central Railroad. As to whether the Bridge Co. is in equity entitled to this will be a matter to be decided by the proper tribunal.

I was a member of the Legislature in 1895, when an application was made to renew the bridge charter. It was the feeling of nearly a majority of the legislators that this bridge should be confiscated or made free without cost. My conscience would not allow me to vote for this proposition. It was represented that a part of the stock was held by widows and orphans and others who could ill afford to have their

property taken away from them. I could not discover anything in the charter of 1874 which provided for the bridge to be taken in this manner. I voted for the bill as passed in 1895 for the cities of Bangor and Brewer to purchase this bridge in the manner provided in the bill. So strong was the feeling in the Legislature at that time that this bridge should be made free by the Bridge Co., they received a majority of only 11 votes.

It was understood at that time that the stockholders of the Bridge Co. would not oppose its purchase as provided. The remonstrances which we have received during the past two weeks are in evidence as to how well this promise has been kept.

We should bear in mind that it is the great unorganized public that calls for the abolishing of tolls between Bangor and Brewer. Bangor and Brewer ask Penobscot county merely to pay \$12,000, one-half or more of which will be paid by the cities of Bangor and Brewer, leaving but \$6000 or less for the rest of the county. This bridge is located in the center of the most thickly populated part of the county and it is wrong to continue to levy upon the people of this section a special tax for entering and for leaving the cities of Bangor and Brewer.

Why put the county to the expense of a special vote? Why put the county to the expense and the people to the inconvenience of voting on this proposition? Judging from the letters upon which the remonstrances were obtained, a fair representation of the facts will not be made to the public. The Penobscot delegation, representing all the towns in the county, are in possession of the actual facts in connection with it, are in touch with the sentiment in the various communities and are competent to decide in the matter and I trust that the Senate will be content to allow the Penobscot delegation, or 17 out of 20 of them, to decide this matter, and not put us to the trouble and expense of a special vote.

Mr. President, the matter of a new court house referred to by my friend, Senator Plummer, is an entirely separate proposition. It is one upon which the county delegation had not

had a hearing, and on which it had not been called upon to pass judgment, and was not under discussion. I feel that they are competent to handle the matter properly and to the best interest of all concerned, when it comes before them to decide. I believe that the county is financially able to handle both propositions in such a manner as not to unnecessarily burden its taxpayers.

The building of bridges is no new enterprise for Penobscot county. During the past 10 years we have invested more than \$30,000 in bridges. We had to do something with our money, and it could not be put to a better use. Some of you may have heard about a bridge that was built at Howland. I have heard something of it myself. The State contributed \$20,000 and the county about \$23,000 for this bridge, and it has proved to be a good investment for both. The county, in addition, has invested several thousand dollars in bridges at Kingman and other points. This money was invested without a vote of the people or consent of the Legislature. Bangor and Brewer and the small towns east of Bangor paid more than one-half of this money without a murmur.

Thanks to our method of enforcing the prohibitory law in Penobscot county, we sometimes have money to burn. Do not compel us to do so. Vote down the amendment and give us an opportunity to put some of it into bridges instead. If we can be free to use this method for 10 years or more without interference from Mrs. Carrie Nation or a prohibition sheriff, we can build bridges in every town in the county when needed, build a \$125,000 court house or anything else we may want, and the farmers in northern and western Penobscot will never know anything about it, nor the dividends of our manufacturing enterprises be affected one penny. When it becomes necessary to raise this \$12,000 for the bridge, the grand jury will take care of it and the next day the treasurer of the bridge company will step up to the county treasurer's office and draw the money. We need not worry about bridge bonds. There are victims enough within one mile of this bridge to take care of it and it is my opinion that more than three-quarters of the money paid into the county treas-

ury during the past 10 years has come from within this territory. We have in nine years put into the county treasury from liquor assessments \$163,293. It might have been double this amount if we had needed it. We have dealt lightly with them. We did not want to drive them out of business.

I do not approve of this way of raising money but I am not the judge or sheriff. If the money has got to come from this source and contributed by this unfortunate class of men, it is but fair that we should provide them with free and safe transportation across our rivers to their respective homes in return for their money.

My friend, Senator Plummer, takes too serious a view of the situation. Dexter will not have to contribute \$310, nor Enfield \$117, nor Hampden \$240, nor Lincoln \$167, and so on. Nor does it matter what the valuation of Bangor and Brewer is, compared to the rest of the county. The sheriff of the county and the court will see to it that the country towns do not suffer. I hope, senators, that you will see to it that the amendment does not pass. I thank you for your attention.

Mr. STAPLES of Knox: Mr. President, ordinarily I should not feel it my duty to interfere or to say one word, but should allow the Penobscot delegation to settle its own matters in its own way, and we outsiders mind our own business. I am glad the senator from Penobscot offered the amendment, because I have been greatly edified upon the rum question of Penobscot county. I am glad that rum has done some good—if it has paid a debt of the county of Penobscot I am glad of it. I won't lift the veil to find how much misery it has caused on the other side. I believe in every delegation managing its own affairs. I have confidence in the delegation of Penobscot county. Coming, as its members do, from the various parts of the county, I think they know the wishes of their constituents better, perhaps, than I can know it. I am a little surprised that anybody should raise their voice against the abolishment of toll bridges in these enlightened days. It is as the senator has wisely, honestly and justly said, a relic of the dark ages. Beautiful Penobscot, where the Queen City of the East is situated. Upon ner

banks lie many of our distinguished sons. It is to be regretted that Penobscot county has so long allowed that relic to remain, that connects the city of Bangor with the beautiful city of Brewer. The delegation of Penobscot voted 17 to 3 for Penobscot county to pay \$12,000 only. Is it true, if you look at the bill, that Penobscot county in no way assumes jurisdiction or any liability? Read the bill and you will find that the bill says that the cities of Bangor and Brewer, if the bridge is purchased for \$24,000, will hereafter take care of that bridge. Therefore there can be no question as to the future liability of Penobscot county; and if they pay \$12,000 I apprehend and understand that the bridge company are willing to take \$24,000. The city of Bangor, I say, very generously offers to pay \$12,000 of that, right out; but if you look at the city of Bangor and the city of Brewer as compared with the valuation of Penobscot county in valuation, you will find the cities of Bangor and Brewer will pay one-half of the other half—or, in other words, three-quarters of what it agrees to pay. Bangor has done a great deal for the other towns in the county. Take the bridge at Howland, where the county of Penobscot paid \$23,000 and the cities of Bangor and Brewer had to pay one-half of that, and that accommodates the whole of the upper part of Penobscot county—45 miles above the city of Bangor. Take the bridge that connects Bangor and Brewer—66 towns lying east. They have been obliged to pay tolls for 70 years. They have paid county taxes for 70 years, and they come here and clamor for us to make that bridge free. Is there any reason why it should not be? The town of Dexter with its almost \$1,000,000 of valuation—

Mr. PLUMMER: More than that.

Mr. STAPLES: Well, more than that—I am glad of it. It would not be 12 cents to your inhabitants of the town of Dexter, if this bill passes, and they come up here and almost cry out in holy horror that we are going to do something to submerge this rich town of Dexter. I know that the people of Dexter do not use that bridge very much; but I presume there is not a month a week in the year that that bridge is not used by almost every

town in the county. It came out, the other day, in a speech of my honorable friend from Dexter that they would soon have to build a new bridge.

Let me ask him who would build it. Would it be the people of Penobscot, or these two cities, Bangor and Brewer, who very generously put their hands in their pockets and say we will pay three-quarters of the purchase of this bridge if we can have it. We will pay \$12,000, and you know and I know it is indisputable, they pay one-half of the other half. That is not all—the senator says there must soon be a new bridge between the cities of Bangor and Brewer. Does that bill in any way indicate that this would become an institution of the county? Not by any means. I apprehend such a steel bridge would be built there as proposed would cost \$60,000 to \$70,000; and the cities of Bangor and Brewer, while they cannot buy the old bridge, three-fourth of the purchase price, would have to pay that, and it would be a benefit to every town in Penobscot county. I say Bangor is generous, and when the delegation, coming from every part of the county, has voted 17 to 3 that they would have that bridge free, I, for one, although I live outside of that county, am for it, and I will vote against toll bridges if we sit here until next July.

Mr. WEEKS of Somerset: Mr. President—I am somewhat weary from the fact that, last evening, we had a long and protracted session of our committee. However, I will say a few words in relation to this subject. It is one that embarrasses me considerably; because it would appear that I am trying to interfere in the affairs of Penobscot county; but, once having entered upon this enterprise, I cannot justify myself in backing out. In the words of a distinguished statesman of Connecticut to a distinguished statesman of the State of Maine, "The Almighty hates a quitter." Now then, I had hoped that this matter would not come up in the Senate again. I had hoped that the honeyed accents that I uttered here in this beautiful chamber, last week, would bind the spell. I hoped to bring peace to the Penobscot county delegation. I entered among

them as an angel of peace, trying to calm their troubled spirits, even as the Great Master calmed the troubled waves of Gallilee; and when I look upon the futility of my efforts—when I see how ignominious has been my failure, I feel towards the Penobscot county delegation, this morning, like the old lady that "lived in the shoe, she had so many children she didn't know what to do; she gave them some broth without any bread, and spanked them all round and sent them to bed." (Laughter).

Now, Mr. President, perhaps at the outset, it may be necessary for us to look into the geography of the situation. The city of Bangor is, to my mind, perhaps all the senators will not agree with me, especially the senator from Cumberland, who resides in Portland, and the senator from Penobscot who resides in Lewiston, but, to my mind, the city of Bangor is the most beautiful and enterprising city in the State of Maine. She is a city of beautiful women and magnificent men—a city of enterprise, a city of wealth and culture, and of magnificent refinement, a city of unbounded hospitality, as many of us can testify. Separating this city from the city of Brewer on the other side, is the Penobscot river. Now the city of Brewer is not the youngest city in the State of Maine, but she has the youngest mayor, a member of the House of Representatives; and his calm, smooth and benignant face is an oasis in this Legislative desert. (Laughter).

Connecting the imperial city of Bangor with the celestial city of Brewer is a toll bridge. Now, what is a toll bridge? I have not looked up the definition in Webster's or Worcester's dictionary, but to me a toll bridge is an iniquity upon the face of the earth and an abomination unto the Lord. Incidentally it has a right to a toll from weary travellers who may pass back and forth. The right to collect toll, I presume, is based upon a franchise granted by the State of Maine which franchise is these enlightened times would probably not be granted. These tolls vary in different places, but they are practically the same, and are placed practically upon the same basis.

Now a friend of mine who dropped in upon me, the other day, to congratulate me upon my consistency in all things and my liability to be on the wrong side the most of the time, presented me with a schedule of rates of a toll bridge. He had been a weary traveller over the face of the earth, and had occasionally shaken hands with toll bridges. He, differing from me, had kept his eyes open when he crossed a toll bridge. When I cross a bridge of this character, I shut my eyes and try to think of something sweet. The schedule of rates is a graduated scale, based somewhat upon the method used for the taxation of railroad companies. Let me read to you the schedule of rates presented to me by my friend. You see this schedule at the end of every bridge. I do not know that this schedule will apply to the Bangor bridge, but I think it will apply generally to all toll bridges. In the first place, foot passengers, one cent; one-legged men, clergymen and members of the Legislature, half price; (Laughter and applause). Cows, two cents each. In other words, if a man in Bangor owns a cow which he desires to pasture upon the virgin soil of Brewer, he must pay four cents a day toll. Now, provided he has a registered guide for his cow, he will pay two cents a day extra. By the way, this registered guide business, it seems to me, is being carried a little too far. We are born into this world by the assistance of a registered physician. We are led through this vale of sorrow and trouble by a registered guide; and now, some distinguished statesman has devised the iniquitous plan of having us buried by a registered undertaker; (Laughter) and I have often wondered, in my own mind, while contemplating the vanity of all things here below, if, when we reach heaven, the people of the State of Maine will be led through the celestial abode by a registered angel. (Laughter.) This, by the way, is simply incidental.

I will say that I have been credibly informed that the last cow that crossed the Bangor bridge met with an accident. She fell through the trestle work and strained her milk. (Laughter.)

I will proceed to the next item. Belgian hares and Welsh rabbits, 20 cents a hundred. (Laughter.) Mr. President, I know nothing about Belgian hares. It is a new industry. That matter I have consigned to the senator from Oxford, who seems to be so deeply interested in it; but as to Welsh rabbits, they are getting very scarce; and, during my stay in Augusta I must confess that during this whole session, I have not seen one.

Oxen, 5 cents a yoke. Now that is prohibitive to the distinguished constituent of the senator from Androscoggin. I understand, and have been credibly informed upon this point, that Solon Chase never has driven "them steers" across that bridge, because he would not pay the toll of 5 cents.

Now, to the next item. The man with the wheelbarrow, 3 cents. Mr. President, when the zephyrs of spring have kissed the snows of winter to their death, when the bobolink, wildest of singers, flies aloft from some neighboring fence post and "shakes from his little throat such floods of delirious music that the whole air and the woods and the waves seem silent to listen," when the burnished hoe catches the sunbeam and reflects it back into the faces of the righteous, then, Mr. President, I flatter myself that I am something of an artist in the manipulation of the wheelbarrow; but I here and now avow that I never will wheel a wheelbarrow over the Bangor bridge and pay a toll of 3 cents for that privilege.

The next is the man with the baby carriage—3 cents. This is a reflection upon the coming generation; and in the name of the coming generation I denounce this iniquity—this Bangor toll bridge. Why, Mr. President, I have not wheeled a baby carriage in all the days of my life, but I have pretty much all the days of my married life; and, should occasion require, I may be able to do it again. But, sir, I say that this tax should never be assessed upon the babies of Bangor and Brewer. (Laughter.)

Now the next item. Single team, 8 cents. Well, that is all right. Covered carriages, 10 cents. Now, if you happen to have a young lady sitting by

the side of you, say a cousin or a niece, as would be the case of my friend, the senator from York, Mr. Morrison, or a wife, as would be the case of the senator from Somerset who is now addressing you, you will have to pay two cents extra. (Laughter.)

Double team, 12 cents. Now if you happen to be loaded, you will have to pay double price (laughter and applause.) When I reflect upon the affairs of human life, when I sit by my fire-side and reflect upon the vanity of all things below, I wonder and I think of what a rich harvest the Bangor Bridge Co. would have reaped if the prohibitory law had not been enforced so rigorously in that imperial city.

I have given you the general principle of the schedule of rates which apply generally to toll bridges. I do not know that this specific schedule applies to the Bangor toll bridge—perhaps it does not, but I believe a schedule of rates is provided practically no lower than this.

Now we come to the real question in this case; and I propose to discuss for a few moments the facts connected with it. In the first place here is the bill. It's simple provisions may be stated in this manner. The cities of Bangor and Brewer and the county of Penobscot are to purchase, or authorized to purchase the bridge from Bangor and Brewer, and the city of Bangor and the city of Brewer are to pay one-half, and Penobscot county is to pay the other half, but in no event is it to exceed \$12,000. Another provision of this bill is that the bridge and its approaches shall forever after be maintained by the city of Bangor and the city of Brewer. Now, we come to this question: Is it fair, is it equitable for the county of Penobscot to pay this sum, not exceeding \$12,000? Let me allude to a few statements made by the senator from Penobscot, my friend, Mr. Plummer. I desire to say, in passing right here, that while some pleasantries may have passed between the senator from Penobscot and myself, no one in the Senate respects his ability as a debater more than I do. He is a foeman we all recognize as worthy of our best steel. I recognize the fact and I acknowledge it here, that the senator

from Penobscot has presented the matter of opposition to this bill with great ability and force—a great deal of ability and a great deal of ingenuity. The senator from Penobscot started in with the statement that at the time of the nomination, the time of the political convention, when the senators and representatives in Penobscot county were nominated, this was not an issue before the county convention of the county of Penobscot. Now, Mr. President, while we are not confined in consideration of any matter before this Legislature to things in issue or not in issue at the time of the convention, we can, in our wisdom, consider many things—and we do. Perhaps it is just as well for the senator from Penobscot that this was not in issue at the time of the convention, for had it been, and his position the same as it is now, I am afraid we should have missed from this chamber his gracious presence. We are not confined to the issues that are settled in the convention at the time of our nomination.

Let me pass to another thing. It relates entirely to a legal matter. The senator from Penobscot asseverates with great force that the Penobscot county delegation in determining this matter were influenced by special pleas and by the consideration of personal friendship. Mr. President, I think the Penobscot county delegation is a delegation made up of fair, honest and conscientious men. I think they have brought their consciences here and have applied their consciences to the consideration of public questions. I believe they have acted in this matter independently, fairly and honestly; and I think it is out of place for the senator from Penobscot to stand in this Senate and reflect upon the character and proceedings of the representatives and senators from Penobscot county. The senator says that sound public policy dictates that the wealthy and populous places should be taxed for the benefit of the poorer places. I will take him right on that ground. I will agree with him, for the sake of argument. Who are the people who are benefitted by freeing this bridge? The people in the poorer sections of Penobscot coun-

ty—the people of Clifton, Eddington, Orrington and the towns and cities east of the Penobscot river. They are placed at a disadvantage on the east side of the Penobscot river, and at an unfair disadvantage. They are placed in unfair competition with the farmers of the west section; and if the farmer of Orrington, Eddington and Clifton desires to haul his products into the city of Bangor, the imperial city of Penobscot county, he must pay a tax to the toll company to go over and a tax to the toll company to get back. He pays at least 20 cents. In other words, he must sell his produce in the Bangor markets 20 cents cheaper than the farmer of Hampden, Hermon, Orono, Carmel, Exeter and those other towns surrounding Bangor.

Who is relieved by the passage of this bill? Why, sir, the people of this western and poorer towns, with a number of inhabitants aggregating 3400, and a valuation of between \$900,000 and \$1,000,000. Those are the very men that are paying tribute to the toll company, today; and those are the men for whose relief we are seeking aid; and we take the senator from Penobscot on his own ground. We will meet him there and argue this question upon that point and that point alone. It is no use for me in passing to comment upon this provision of the bill, that the city of Brewer and the city of Bangor must maintain and provide for this bridge in the future. The senator says that this is a thinly veiled scheme. I believe that this is an honest contract, entered into by the city of Bangor and the county of Penobscot. I believe that expresses fairly the contract; and I do not believe that the people of Bangor and the people of Brewer will break that contract. I believe they will keep it as sacredly as any people in the State of Maine.

Let us pass to the question of taxation; I have computed it here upon the basis of per capita. The whole county, reckoning upon the basis of \$12,000 to free this bridge, including Bangor and Brewer, to pay the sum of 15 cents and a fraction per capita. The people outside the cities of Bangor and Brewer would pay 11 cents and a fraction per capita. Now, that is a small amount,

it seems to me, a small thing over which to contend in this Senate. If there were not any principle involved here—if there were not something we were united to protest against—namely, the toll bridges, I would not occupy two minutes of your time. Now, as to this amendment; and this I will say in conclusion—as to this amendment, should it be adopted? Should we submit to the voters of the county of Penobscot this proposition? I have been informed by a gentleman upon whom I can rely that it cost the city of Waterville alone \$600 for a special election to elect a representative to this Legislature. If it cost the city of Waterville alone \$600 to hold a special election, it would cost the people of Penobscot county more than \$6000; and I submit that that is a fair estimate; and the people of Penobscot county, in order to protect what the senator calls the right of the people, would pay out more than what is required in this bill.

Now, then, what has been the policy of the county of Penobscot relative to these matters? I hold in my hand a report, an annual statement of the financial condition of Penobscot county for the year ending December 31, 1897. I will read a moment from that report. The county of Penobscot paid on account of the Howland and Enfield bridge \$10,013.69. That proposition never was submitted to the voters of the county of Penobscot. Then, again, another item: "Paid appropriation of the Kingman bridge, \$3500;" another, "Paid on account of the Mattawamkeag bridge, \$203;" making a total paid out in that year by the county of Penobscot to assist bridges, of \$13,716.69. That has been the policy of the Penobscot county delegation. That has been the policy of Penobscot county ever since I can remember. I believe that it is a good policy. I believe it should be maintained, today. Why! When the Penobscot county delegation asked for an appropriation from the State of Maine, they did not ask that it be submitted to a vote of the people. Were that same proposition before this Senate, this morning, carrying an appropriation for a Penobscot county institution out of the State treasury you would see them united in solid phalanx,

led by the senator from Penobscot who opposes this measure, making a charge upon the State treasury, even though the senator from Lincoln stood in front of the door with a drawn cudgel in his hand, backed by the sonorous platitudes and the irresponsible prattle of the senator from Knox. (Applause).

Mr. President, I believe I have covered this ground as fully as I desire. The day of toll bridges has gone. I have looked through history. I cannot find where the first one existed. I have been informed by the senator from Hancock, who is an expert upon the subject, that during the latter days of Noah, there were no toll bridges upon the face of the earth (Laughter and applause). Now, as to the last one. I hope that I shall live to see it go. I hope that I shall live to see it free; and I hope, this morning, that we shall take this matter into our own hands and free this bridge, regardless of the contention in the Penobscot county delegation.

Mr. ADAMS of Penobscot: Mr. President, this matter has been, so fully discussed that it is unnecessary for me to make any extended remarks in regard to it. I do want to say, though, to my brother senators, that I have received quite a large number of letters from tax-payers of my city, asking me to support this bridge bill. Inasmuch as nothing can be done until the tax-payers of Bangor and Brewer start the ball rolling, and inasmuch as they have the bulk of the expense to pay, it seems to me that it would be entirely proper to give them this bill without the amendment. There is nothing compulsory about it. They need not use it unless they have occasion—unless they vote to do it and the people want to do it; and certainly if they want to make a free bridge and are willing to pay the bulk of the expense themselves, I do not think we should hinder them. Therefore I hope the bill will pass without the amendment.

Mr. PLUMMER of Penobscot: Mr. President, if the Senators who favor the passage of the bill in its present shape have all unburdened themselves, I ask the indulgence of the Senate for a very few moments. I do not

propose to enter into a discussion of this question at this time to any extent. I expressed my views upon it the other day from my standpoint quite fully. I had no idea that that expression of my views would stir up such a tempest in a teapot. I had no idea that the orators of the Senate would be encouraged in the extent they have to come to the defence and the rescue of this bill. I had no idea that my friend from Somerset would feel called upon to bring into the discussion the weapons of humor, facetiousness and raillery which he has used with such effect. He began, after my feeble efforts the other day, in that line for the purpose of breaking the effect of what I might have said upon the principles involved in the case. Now, I have known my friend from Somerset for some time. It was my good fortune to serve with him in the Senate two years ago; and also upon one of the important joint standing committees of the Senate; and I thought I knew him pretty well. But that spirit of raillery, of humor, of facetiousness, of drollery which he manifests on every occasion this winter, and for which he creates occasions—and which it has been my fortune once or twice to draw out of him—that spirit did not come to his service at all in 1899. It must be accepted as an entirely new phase and type of his evolution as an orator.

Now, Mr. President, inasmuch as that sort of thing does not do any very serious harm, and inasmuch as it does not affect and influence the judgment of any candid man upon any pending question, and inasmuch as it seems to do my friend some good and amuses him—and certainly it amuses all the rest of us—and inasmuch as it does not hurt me very much, I am very glad to be able to do anything to call it out; and if there shall be any other result of the putting in of this little innocent amendment of mine to this bill, I shall be entirely satisfied; and I shall believe that the time of this Senate has been not unprofitably spent because we need amusement, as well as instruction, in this world. Furthermore I had never suspected

that the exuberance of the Senator's imagination and the fecundity of his fancy was so strong as to outreach the imagination and fancy of the poet, the gifted friend of my youth, whose exquisite poem he cited to illustrate his speech. That poet, the bard of Exeter, in speaking of the pale boatman, writes,

"Mortals you and I must go in
That same boat which he is rowing."

And in speaking of the covered bridge he says:

"Yet to reach that realm on the other
shore
We must pass through a transient gloom
And must walk unseen, unhelped and
alone

Through that covered bridge, the tomb."

But the Senator when he contemplates the dark river, in an apocalyptic vision sees the sinful denizens of Somerset county when they come to die given full grown wings in the twinkling of an eye whereby they are actually lifted bodily up out of sight of the pale boatman, out of reach of the hateful toll gatherer and made to fly "over that bold and boisterous river to the land of the Bohemah, to the land of the hereafter."

Now, I confess that style of speech is far beyond and above me, but I will not allow its brilliancy to blind my eyes to the truth of the very plain proposition that it is not right to compel by legislative enactment Penobscot county to borrow money to pay for a bridge which the municipalities in which it exists are abundantly able to pay for, and to do it without opportunity having been given the citizens of the county to be heard on the matter, and without any provision being made for them to vote their approval or disapproval of the proposition. I will say to my friend from Somerset that no man ever lived who would be less in sympathy with this attempt to make the weak and poor municipalities of Penobscot county pay for a bridge located in the strongest and richest community in the country that David Barker, whose poem he has used to give points to his contention. No man ever lived who had keener sense of justice and equity and greater indignation of the placing of unfair and inequitable burdens upon

the poor and weak by the rich and strong, than the sturdy author of "The Bevelled Grindstone" and "The Under Dog in the Fight." My friend talks about vexing the spirit of the twentieth century—indeed! I would like to know what can be more out of harmony with such spirit than the hard rule propounded in the infancy of the Christian religion and which he would follow in this case: "Unto him that hath shall be given, and from him that hath not shall be taken even that which he hath."

Now senators, I wish to say that no man in this Senate or anywhere else is more opposed to toll bridges than I am. I wish to say that if I could have my way today and it could be justly and fairly done, I would have every toll bridge in the State swept out of that category and made free; but I am not willing to see it done in violation of every principle of right and equity, and in such a way as to establish a precedent which will return to plague everybody concerned. Now, I wish to say in regard to this proposition that the legislative notice given in regard to this matter was misleading. It is the same as we have in the caption of this bill,—an act to amend chapter 208 of the Private and Special Laws of 1895, entitled an act to enable the proprietors of the Bangor bridge to dispose of their bridge property. What is there in that to indicate that the county of Penobscot was to be called upon to borrow money and issue bonds to help pay for that bridge? Nothing whatever. The people knew nothing about it; and then after the matter was taken up here, what were the circumstances and conditions? Was the bill presented,—put through the two Houses in the ordinary way,—referred to the Penobscot delegation and a hearing advertised, people given notice so that they could come up and be heard upon the proposition and influence and affect the judgment and opinion of their public servants here in this Legislature? Not at all. The bill was evolved from the inner consciousness of a number of members of the Penobscot delegation. It was put before them without notice or warning except such as had been given to them individually in the canvas made prior to the

meeting of the delegation in which the delegation had been committed upon the question, upon an ex parte statement of it; and the delegation acted upon the proposition under those circumstances in the way which has been indicated; and the vote was as has been indicated. —at was why I am opposed to the proposition. Then there seems to be another misapprehension of the effect of this amendment. My friend from Penobscot here on my left,—and no man respects him more highly than I do or has a more brotherly affection for him,—is entirely off in his discussion of the proposition covered by this amendment. He says that we won't have to borrow money at all,—that this is going to be paid for out of the liquor fines. Why, then, does he oppose this amendment? If this amendment is adopted, I withdraw my opposition to the bill, and the bill as then passed will enable the proprietors of this bridge to dispose of their bridge property, and will enable the county of Penobscot to contribute through its county commissioners, if they do not have to borrow the money. The clause which is affected by this amendment is the last clause, section 6, "the county commissioners of Penobscot county are hereby authorized and directed." They say it is a permissive bill. Why is that? Because they have been threatening, ever since 1895, these two cities, to buy the bridge but they have not done anything about it. They have not come forward under the authority given them in that act and bought the bridge as it was held out they would do when that act was passed and as was the expectation of the Legislature which passed it. This is intended to enforce action. But what action? On the line of the bill of 1895. And to bring in the county of Penobscot so as to spur up the two cities and get action on their part. "The county commissioners of Penobscot county are hereby authorized and directed to proceed forthwith as soon as said value shall be agreed upon or determined as provided by this chapter and the proportionate amount of said value to be paid by said cities shall have been agreed upon by said cities or determined according to the provisions of this chapter, to obtain loan or loans of money for said purpose of paying its portion of the value of said bridge as afore-

said and cause notes or obligations of said county with coupons for interest not exceeding six per cent to be issued upon such time as they may deem expedient." That is what this amendment proposed by me cuts off, and that is all.

Now my friend from Penobscot here six years ago, and I was in the Legislature and co-operated with him in my feeble way, gained—I was about to say notoriety—I will say distinction and reputation throughout the State as an expert bridge builder, as an expert in the art of getting the Legislature of Maine and the county of Penobscot to contribute toward the building of a bridge. I was in sympathy with him in that matter; and he did secure an appropriation of \$20,000 from the State of Maine toward a bridge known as the Howland bridge; and in order to have that bridge completed, he did secure, through the county commissioners, an appropriation from the county funds, those liquor finds which have been piled up there, money on hand, no proposition no borrow money for it, an entirely different proposition from this, he did succeed in having this appropriation of county funds to the extent of \$23,000 to help build that Howland bridge. Why? Because that community could not otherwise build; because that community were not able to build a bridge. The valuation of Enfield and Howland today, and they have gained very much as a result of that enterprise and of other enterprises since that time, but taking their valuation today of \$564,446, the valuation of Bangor and Brewer is 31 times as much, and that \$23,000 for them would have been 30 times as much as this \$24,000 would be for these rich cities of Bangor and Brewer. So you see it is not a parallel case at all. But what did the town of Howland do, and do ungrudgingly and without grumbling? There the Piscataquis river came into the Penobscot river at Howland. It was necessary in order to have that sparsely settled, undeveloped community developed to have a bridge there across the Piscataquis river to the town of Howland, with a valuation today of \$305,071, and one then very much less, about \$15,000 were needed; and that was a burden for that town

even upon its present valuation. It was 37½ times as great as it would be for the cities of Bangor and Brewer to pay the whole of this \$24,000 for the approaches of this bridge. Is that precedent to bind us in this matter? Does that have any real bearing upon the question at issue here? It must be plain to senators that it does not, and that it cannot. Here is the valuation of Newport. Bangor and Brewer 30 times as much. \$10,000 they put into bridges, 12½ times as much according to their valuation as it would be for Bangor and Brewer to pay this whole \$24,000, and yet this bill proposes to assess them to help them to make up one-half of this \$24,000 which Bangor and Brewer are so abundantly able to pay and ought to pay. Take the valuation of Bradley, \$147,203. The Bangor and Brewer valuation is 120 times as much. That little town has put \$5,000 into bridges in the past two years, spending 25 times as much, according to its valuation, as it would be for Bangor and Brewer to pay this whole \$24,000 themselves, yet you propose that that little town shall help make up half of this payment for the Bangor and Brewer bridge and that is one of the five small towns to which I alluded the other day east of the Penobscot which have to drive across that bridge to go to market; and yet a leading man in that town, an ex-member of the Legislature, wrote to me the other day that he approved of the position I took in this matter and that he and his people thought it was an outrage to make the towns and municipalities of the county, who have to support of their own bridges in this way contribute the freeing of this bridge in this rich community; and I chanced to meet a leading man of another little town to which my friend from Somerset has alluded over east there that has to use this bridge to come to Bangor. I was prepared to have him turn the cold shoulder upon me a little as not approving of what I had been doing. He greeted me cordially and said: I guess you are doing about right over there. And he said he was willing to pay his little toll rather than to have his town brought into this thing to help contribute toward the freeing of this

bridge. It was a matter of principle with him as it is a matter of principle with me.

Now, Mr. President, as to the precedent—eight members of the Penobscot delegation out of twenty within four miles of this bridge and this center of wealth and population, and nine members live within five or six miles. If you adopt the principle that a majority of the delegation from any county in this Legislature, of their own motion and volition, without any instruction before they are elected or at the time of their election—without any discussion of the proposition in advance, and without any hearing,—if you please, or with any hearing—if a mere majority of the delegation can report a bill imposing upon a county a large debt, compelling county commissioners to issue bonds for a large amount for any purpose whatever, without the matter being referred to the people, without the people being given any opportunity to be heard upon it in any way whatever, you have established a dangerous precedent. Take that county of Penobscot, with eight members elected as they are, they would only have to secure three more to give them a majority of that delegation in favor of any proposition; and, under such a precedent as this, no matter what the proposition was, it might be to pave with granite blocks one of the streets from Veazie line to Embden line, or from Eddington to Orrington on the other side of the river, if they united upon it, and secured a majority of the delegation, under this policy, the Legislature would have nothing to do but to say, let that settle it, and vote the authority to have this debt of burden and obligation put upon the county, and the people have nothing to say about it whatever. This is the principle I am contending for; and I stand upon it here, believing I am right, and knowing in my heart and soul that I am right—and if it is to be dissociated from everything else—if my friend from up river does not receive this \$23,000 towards this bridge who felt it would be no fair test for him to oppose the appropriation for any bridge under any circumstances,

perhaps the delegation would have stood upon it.

Then, there is the matter of these petitions and remonstrances. The people up there in his town remonstrated. We all know the position of my friend up there in Northern Penobscot—we know he is the Satrap of that whole community. We know his influence. He employs men and he treats them well. We know he is public spirited in the community. We know he is popular there. We know they will stand by him for anything right or wrong; and when it became a question whether my friend was to be sustained in the position which he had taken of course that community up there stood by him, no matter how embarrassing it might be to him individually. Of course they took back water. Of course they signed a petition for what they had already remonstrated against. That proves nothing. That should not influence this Senate. I do not think this matter of petition and remonstrances should have very great influence in any way upon this question, but this principle is involved in it.

I am aware that I am wearying the Senate. I thank you very much for your attention to my dull, matter of fact remarks. If I had the ability to illumine and illustrate them as my friend from Somerset has—if I knew how to make you laugh, to make you smile, as he does, I might presume upon holding you a little longer; but as it is, I feel my duty is done. I have no personal feeling about this. I have not canvassed this Senate on this question. I have not gone round to your Senators—and you will bear me witness—to ask you to vote for this amendment as a personal favor to me. I have not gone round and told you I would favor something you wanted, if you would only unite with me. My duty is done when I make this public statement of my position upon this matter of principle involved in this case. It makes no difference to me, but very little personally how you vote. I can pay my taxes. The bagatelle involved is of no consequence so far as I am concerned and I believe it is not so far as my town is

concerned. We can pay it, but if 12 or 15 cents per head is involved in this thing, and if there is an attempt wrongfully and unjustly through the action of this Legislature, to take 15 cents per head out of the people of Penobscot county it is a matter of importance; and that is why I am pleading with you today upon this question, that is the sole reason. Let every Senator vote according to the dictates of his conscience. Let him vote on this matter as he thinks is right—not to please me, not to please my friends here, not to please the sponsors of this bill, not hoping for any help or advantage to come to him, not fearing any injury or detriment would come to him, however he may vote. Let each Senator vote as he thinks right, and I for one will be satisfied. (Applause).

The question being put on the acceptance of the report of the committee in concurrence with the House, the report was accepted in concurrence.

The bill, House bill No. 114, then took its first reading.

The question was then put upon the adoption of the amendment, Senate amendment A, and a division being called for and ordered, the Chair announced that four had voted in favor of the adoption of the amendment and 21 had voted in the negative; and the amendment was lost.

The bill was assigned for its second reading, tomorrow morning at 10 o'clock.

On motion by Mr. McFadden of Lincoln, the Senate adjourned.

HOUSE.

Thursday, March 7.

Prayer by the Rev. Mr. Dunnack of Augusta.

Papers from the Senate disposed of in concurrence.

Bill an act to incorporate the Cumberland Lodge comes from the Senate, passed to be engrossed under a suspension of the rules. In the House the rules were suspended and the bill was passed to be engrossed in concurrence.

The following Senate bills were read and assigned:

An act to establish a municipal court in the town of Pittsfield.

An act to establish a municipal court in the town of Fairfield.

An act to amend and extend the charter of the Buckfield Water Company.

An act to amend Chapter 495 of the Private and Special Laws of 1893, entitled, an act to prevent the destruction of fish in the Eastern Penobscot river in the town of Orland.

Bill an act to provide for a board of Pan-American managers of the Pan-American Exposition of 1901 and to defray the expenses thereof, which was passed to be engrossed in the House, comes from the Senate indefinitely postponed. The House reconsidered the vote whereby this bill was passed to be engrossed and receded and concurred with the Senate in indefinitely postponing the bill.

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

JUDICIARY.

By Mr. Pratt of Veazie—Bill an act relating to fire escapes in hotels.

LEGAL AFFAIRS.

By Mr. Fellows of Bucksport—Bill an act to authorize Parker Spofford to construct a wharf into the tide waters of Penobscot river. (Received under a suspension of the rules).

By Mr. Deering of Saco—Bill an act relating to the taxing of costs in municipal and police courts.

EDUCATION.

By Mr. Allan of Portland—Bill an act to authorize cities and towns to establish manual training schools.