

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

**Seventy-First Legislature**

OF THE

STATE OF MAINE.

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1903.

**SENATE.**

Thursday, March 26, 1903.

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

Prayer by the Rev. Mr. Struthers of Gardiner.

Journal of the previous session read and approved.

Papers from the House disposed of in concurrence.

On motion by Mr. Goodwin of Somerset, the following orders were laid on the table.

Ordered, that the sum of \$50 be appropriated and paid to William B. Wentworth in payment for extra services rendered, and cash paid out as secretary of the committee on federal relations and secretary of the committee on Reform school.

Ordered, the Senate concurring, that the State treasurer be authorized to pay William J. Mayberry \$50 for services as secretary of the committee on banks and banking during this session.

The Chair appointed as a joint committee on rules, Messrs. Manley of Kennebec, Stetson of Penobscot, and Goodwin of Somerset; and, on motion by Mr. Manley of Kennebec, the President, ex-officio, was appointed a member of said committee.

On motion by Mr. Manley of Kennebec, the majority report, ought not to pass, on bill, An Act to abolish the office of inspector of workshops and mining quarries, was adopted.

On motion by Mr. Wing of Auburn, it was ordered that the House be requested to return Senate No. 237, which was yesterday passed to be engrossed.

On motion by Mr. Guernsey of Piscataquis, the Senate non-concurred with the House in the acceptance of the report of the committee on claims, ought not to pass on resolve in favor of the town of Hartland, 11 voting in favor of the motion and eight against the same. On further motion by the same senator, the resolve was substituted for the report.

On motion by Mr. Wing of Androscoggin, resolve in favor of R. E. Randall, secretary of the committee on education, which was passed in the House under suspension of the rules,

without reference and without printing, was laid on the table.

On motion by the same senator, resolve in favor of I. Calvin Knapp, received under suspension of the rules, and in the House passed to be engrossed, without reference and without printing, was laid on the table.

On motion by Mr. Staples of Knox, resolve in favor of A. W. Butler, secretary of the committee on county estimates, and bills in third reading, was indefinitely postponed.

On motion by the same senator, bill, An Act in relation to fees of sheriffs and their deputies, was indefinitely postponed.

On motion by Mr. Wing of Androscoggin, bill, An Act relating to corporations, was indefinitely postponed.

On motion by Mr. Staples of Knox, bill, An Act to amend the charter of the city of Rockland, was laid on the table.

On motion by Mr. Goodwin of Somerset, bill, An Act amendatory to Section 8 of Chapter 78 of the Revised Statutes, relating to recording of deeds, was laid on the table.

**Passed to be Engrossed.**

An Act authorizing the acceptance of the conveyance of Woods' Island to the State of Maine.

An Act authorizing the town of Caribou to hold stock to the extent of \$4000 in a company formed for the purpose of erecting public building and town hall.

An Act relating to collector and treasurer of the city of Bangor.

An Act to regulate the offices of treasurer and collector in the city of Waterville.

An Act relative to the office of treasurer and collector of taxes in the town of Brownfield.

An Act in relation to the treasurer and collector of taxes in the town of Oakfield, in Aroostook county.

An Act relating to the filing of affidavits and the appointment of executors and administrators.

An Act relating to limitation of actions against executors and administrators.

Resolve in aid of repairing the bridge across the Narragaugus river in the town of Milbridge.

Resolve in favor of repairing Mattawkeag bridge.

Resolve in favor of rebuilding the bridge across the West branch of the St. Croix river, connecting the town of Princeton with Indian township.

Resolve in favor of the town of Edmunds.

Resolve in favor of the city of Rockland, on account of money paid to the Hallowell Industrial school for the care of Mary Newell, a minor and member of the Passamaquoddy tribe of Indians, accompanied by statement of facts.

An Act to regulate the sale and analysis of concentrated commercial stuffs. (Tabled to be printed pending its second reading).

An Act establishing the salary of the county attorney of the county of Washington.

An Act to increase the salary of the county attorney of Sagadahoc county.

An Act to increase the salary of the justice of the superior court of the county of Cumberland.

Bill, An Act to provide for the representation of the State of Maine at the Louisiana Purchase Exposition at St. Louis, Mo., and making an appropriation therefor. The bill came from the House accompanied by a majority report ought to pass, and a minority report ought not to pass, from the committee on appropriations and financial affairs.

Mr. STAPLES of Knox: Mr. President, I move to accept the minority report, ought not to pass. I did not expect, at this time, to make any remarks upon this bill, but I apprehend that I am as ready now as I ever shall be. This bill calls for an appropriation of \$40,000 for the Louisiana Purchase Exposition. I suppose it was the intention that Maine should exhibit whatever she has to exhibit there; but, in view of the financial situation of the State at the present time, as I read from the report of the financial affairs committee, we are in debt, today, if all the appropriations go through, between \$500,000 and \$600,000. I appreciate and I think the tax payers of the State feel grateful to the finance committee for the pruning they have done with this most extravagant and unwarranted appropriation. I al-

low no man to be more patriotic than I am. There is no man in the State of Maine that feels prouder of the good old State of Maine than I do, but I must recollect that St. Louis is a good way from Maine.

I would like to know, gentlemen of the Senate, what Maine has to exhibit there which will be of benefit there which will be of benefit to the State of Maine? As I look over this Senate I say that if it were the good-looking women of Maine, I certainly would be in favor of it. If the fish and game commission want to exhibit the square tailed trout, the perch or salmon that we have in the State of Maine, why, then, let them do it, and I believe they should do it at their own expense. I know it would be a grand good thing for the fish and game commission to go out there. I haven't any doubt they would take a moose out there and parade him through the boulevards of St. Louis with the chairman of the fish and game commission on his back. That would be about as reasonable as anything contained in this bill. We have a lime industry in my county, a wealthy syndicate. If they want to exhibit, we are perfectly willing they should do it. If the cotton manufacturers of the State of Maine want to exhibit their fabrics, they are perfectly able to pay for it, much more than the tax payers of Maine are able to pay their expenses there with an appropriation of \$40,000. Does any senator believe any benefit will be derived to the State of Maine by it? We are having these exposition almost every two years in the United States. Two years ago we had a call for an appropriation of \$30,000 for the Buffalo Exposition, which was killed in this Senate. Now, in view of the financial condition in which we find ourselves placed, as we have stood here and refused to raise any revenue by equal taxation in any other way, it seems to me that this Legislature has gone wild upon the matter of appropriations and in increasing salaries. The salaries all over the State of Maine have been increased. Are you willing to put the extra burden of this appropriation upon the tax payers of the State? I do not believe you are, while the Democratic party of

the State of Maine has between 40,000 and 50,000 voters, a representation of considerable importance, and while five commissioners are appointed, and I am a little sensitive when I find the minority political party in this State has no representative upon that commission. I hope the Senate will vote down this appropriation, and with these remarks, I insist upon my motion.

Mr. GUERNSEY of Piscataquis: Mr. President: I hope the motion of the senator from Knox, will not prevail. The Governor appointed on the board four or five broad minded, capable, competent business men, as commissioners. They examined into the conditions existing there; and learned that other states were to aid by being represented at that Exposition. Those gentlemen appeared before the committee on federal relations and stated their intentions regarding the Exposition, and what the State should do. They believed \$100,000 was needed, but believed they might do something with \$50,000. Their recommendations as presented were adopted by the committee. Their report passed through the hands of one of the most conservative committees this Legislature has appointed and which has been condemned for its action on almost everything else, and this committee on appropriations and financial affairs did not cut down the appropriation, but a comparatively small amount and made a majority report ought to pass on an appropriation of \$40,000. That has received its passage through the House, a body which is supposed to be nearer to the people of the State than the Senate. I believe we would be ashamed, after this Legislature is adjourned, and our constituents would be ashamed that the State of Maine was not to be represented at one of the greatest international Expositions ever held in this country. We can make as good an exhibit there commercially and otherwise as any State. I hope the Senate will concur with the House in passing this \$40,000, for the purpose proposed and I hope the motion of the senator from Knox, to accept the minority report will not prevail.

Mr. STAPLES of Knox: I would like to ask the senator from Piscataquis, what Maine proposes to exhibit at the Exposition?

Mr. GARDNER of Penobscot: Mr. President. If the senators from Knox and Piscataquis, will permit me, I will answer that question. As I see it, the State in appropriating the \$40,000 to be represented at the Exposition will merely accept one of the common amenities of life between the different states in this Union. The senator from Knox makes reference to the Democratic party, and brings this matter up as a political issue. I am proud to belong to a party that preserved this Union, while the gentleman from Knox belongs to a party which brought about the breach. In this matter I am willing to vote the appropriation of \$40,000, and would vote for an appropriation of \$100,000 to have this State there represented as it should be. I desire that the senator recollect that it is almost the duty of this State to respond in this matter, and to go there and take part in the Exposition.

Mr. STAPLES of Knox: Mr. President, the senator from Penobscot has abrogated to himself all the patriotism of this Senate, I apprehend. He says that he belongs to the party that is in preservation of the union—

Mr. GARDNER: I do.

Mr. STAPLES: And that I belong to the party that was in favor of a breach of the union. That is wicked and false, as he knows, if he knows anything about history. It is wicked and false, if he knows anything about the condition of the parties in this country in 1861. It is wicked and false and a libel upon those men, who, in 1861, belonged, and until they died, belonged, to the Democratic party. It is a libel upon the party that sent more men to the front than the party that the senator from Penobscot misrepresents upon the floor of the State. I am just as patriotic as the senator from Penobscot, and let me say to him in reply to his statement that he is in favor of the union, and that the Democratic party was in favor of the breach—let me say to you, if you know the history of this country, that if there had never been a Republican party

there never would have been any Civil War.

Now, Mr. President—"Amenities!" I thought that was about all there was to it. You would be ashamed, would you, if the State of Maine didn't raise this \$40,000 to send these men out there simply that the \$40,000 may be expended without any benefit to the State of Maine. Won't you be more ashamed when you go home to your constituents and say to them that you were in favor of every extravagant appropriation that this Legislature asked for? If you had told your constituents, last fall, that you were in favor of every appropriation you have voted for, you would have been up in your county attending to your business, and not down here misrepresenting your constituency. It is the first time since I have been in this Senate that a man has so far forgot himself as to undertake to say that the party to which I belong was a treacherous party. It is an insult that I do not brook, because I belong to a party that cradled this country in its infancy, brought it up to manhood, and made it possible that you might be in your seat, today; and still you stand there—"Shoo fly, don't bother me."

I resent the insult, not only for myself, but for that grand general, Grant, who was a Democrat when he went into the war, and for Hancock and McLellan, and a thousand men who fought that you might have liberty to do just as patriotically as you are, abrogating all the glory and all the patriotism. Why, I haven't any doubt you are the whole country by the manner in which you have undertaken to vote appropriations upon this floor.

Mr. GARDNER of Penobscot: Mr. President, under the hypnotic influence of the gentleman's eloquence, I am almost inclined to think that the Republican party is to blame for the breach which occurred in this country; and I am almost ready to say that the Democratic party to which the senator belongs did preserve the Union and save the country; and I sincerely hope that when the hypnotic influence which I am under, ceases, I may still believe that the Republican party did preserve the Union.

Mr. BRYANT of Somerset: Mr. President, I signed the minority report, and I wish briefly to state my reasons for so doing. I never imagined, until the present moment there was any politics in this measure, whatever; and it seems to me a very sad thing in some ways that it should be dragged in here. As a member of the committee on appropriations and financial affairs, I have voted many times the present winter against appropriations for internal improvements, against appropriations for our charities and schools; and I cannot consistently turn round and vote to appropriate \$40,000 for the Exposition in St. Louis. I know there are some arguments for it; but I could not, with my feeling, vote that way. I feel that I would much rather that the money carried by this appropriation, should be devoted to our bridges, our charities and our schools, to our hydrographic survey, or most anything else; and I move, Mr. President, that when the vote is taken, it be by the yeas and nays.

The question being put upon the motion to adopt the minority report "ought not to pass," the vote resulted as follows: Those voting yes, were Messrs. Alden, Bryant, Burleigh, Clark, Goodwin, Libby, Maddocks, Morse, Pierce, Pike Staples of Knox--11. Those voting nay were Messrs. Buck, Burns, Currier, Dudley, Gardner, Guernsey, Knowlton, Manley, Morrison, Philbrook, Plummer, Rankin, Staples of Cumberland, Stetson, Titcomb, Wilson, Wing--17. So the motion was declared lost. On motion by Mr. Rankin of York, the majority report, "ought to pass" was accepted; and on further motion by the same senator the resolve took its several readings under suspension of the rules, and was passed to be engrossed.

The following order was received from the House: Ordered, that the Senate be respectfully requested to return to the House House Document No. 504.

On motion by Mr. Wing of Androscoggin, the Senate reconsidered the action whereby the bill was indefinitely postponed, and the Senate voted to grant the request contained in the foregoing order.

Certain bills carrying appropriations for the construction of bridges with accompanying reports from the committee on appropriations and financial affairs were received from the House, said accompanying reports having been amended by action of the House, the pending question being upon the acceptance of the reports as amended, in concurrence, the Chair ruled: A report of that nature being merely a recommendation, it is not in order to amend such report, as it is equivalent to putting into the mouth of the committee words which they did not use in their report. Final action on the said bills appear later in the report.

On motion by Mr. Goodwin of Somerset, bill, An Act in relation to agricultural society was laid on the table.

#### Passed to Be Engrossed.

Joint resolution for establishment of forest reservation in the White Mountains, took its two several readings under suspension of the rules, and was passed to be engrossed.

An Act to incorporate the Kittery and York Telephone Company. On motion by Mr. Morrison of York, laid on the table.

An Act in relation to railroad service.

An Act to incorporate the Wilton & Danforth Electric Railroad Company.

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

An Act to incorporate the Lumbermen's Electric Railway Company.

An Act to authorize the town of Naples to maintain a draw bridge at the foot of Long lake in the town of Naples.

An Act relating to the salaries of the Recorder of the municipal court of the city of Biddeford. On motion by Mr. Morrison of York, laid on the table.

On bill, An Act to incorporate the Messalonskee Company, the Senate voted to adhere to its former action.

The House having complied with the request of the Senate for the return of Senate No. 237, bill An Act to amend Section 3 of Chapter 258 of the Public Laws of 1898, relating to school funds, derived from Savings bank tax, on motion by Mr. Pierce of Aroostook, the

motion whereby the same was passed to be engrossed, was reconsidered, and on further motion by the same senator, the bill was laid on the table.

On Senate Document 265, An Act to prevent the throwing of sawdust into the tributaries of Seven Tree pond and Crawford pond in the towns of Union and Warren, the committee of conference, having reported thereon, on motion by Mr. Stetson of Penobscot, the report of the committee of conference was accepted.

On motion by the same senator, the vote whereby Senate Document No. 265 was passed to be engrossed, was reconsidered. Senate Amendment A was adopted, and the bill as amended, was passed to be engrossed.

Bill, An Act relating to treasurers and collectors of taxes of cities and towns, presented by Mr. Clark of Hancock, under suspension of the rules, on motion by that senator took its several readings under suspension of the rules, without printing and without reference, and was passed to be engrossed.

#### Orders.

On motion by Mr. Manley of Kennebec, it was Ordered, that the State treasurer be directed to pay to James F. Ashford, assistant messenger, the sum of \$50 for extra services during the present session of 1903. (Order passed without reference to a committee).

On motion by Mr. Stetson of Penobscot, bill An Act to license foreign executors, administrators, guardians and trustees to receive and dispose of personal property, took its two several readings under suspension of the rules, and was passed to be engrossed.

On motion by the same senator, the rules were suspended, and bills on their passage to be enacted, and resolves on their final passage were taken up.

#### Passed to be Enacted.

An Act to establish the salary of the judge of probate for the county of Washington.

On motion of Mr. Pike of Lubec, the vote was reconsidered whereby this bill was passed to be enacted.

Mr. Pike offered House Amendment A. to amend by striking out in line two of Section 1 the word "ten," and in-

serting the word "eight" so as to read "salary of \$800 a year."

The amendment was adopted, and the bill was passed to be engrossed as amended.

An Act in relation to the salary of the register of probate of Sagadahoc county.

An Act in relation to the salary of the county attorney of the county of Hancock.

An Act to amend Chapter 429 of the Private and Special Laws of 1901, entitled "An Act to establish a municipal court in the town of Winthrop.

An Act to amend the charter of the Penobscot Lumbering Association.

An Act to incorporate the Fraternity Temple Company.

An Act to amend Sections 32, 33, 34 and 35 of Chapter 18 of the Revised Statutes, relating to the assessment of damages upon abbuttors on city streets.

An Act to amend Chapter 100 of the Public Laws of 1901, entitled "An Act to create a forest commission and for the protection of forests."

An Act to exempt religious institutions from the collateral inheritance tax.

An Act to regulate the police force of the city of Portland.

An Act to amend Section 6 of Chapter 11 of the Revised Statutes of Maine, relating to the raising and expending of the common school fund.

An Act to authorize the Lewiston Trust and Safe Deposit Company to establish a branch at Freeport.

An Act fixing the beginning of the open season for fishing in Little Sebago pond in the towns of Gray and Windham in Cumberland county.

An Act to repeal so much of Chapter 30 of the Revised Statutes as amended by Section 5 of Chapter 42 of the Public Laws of 1899, and as amended by Chapter 379 of the Private and Special Laws of 1901, as prohibits fishing through the ice in Big Carry pond or West Carry pond, so called, in Somerset county.

An Act to prohibit fishing in Morrill pond in the county of Somerset.

An Act to repeal so much of Chapter 30 of the Revised Statutes as amended by Section 5 of Chapter 42 of the Public Laws of 1899 and as amended by

Chapter 329 of the Private and Special Laws of 1901, as prohibits ice fishing in Black, Whittier and Perry ponds in the towns of Vienna and Chesterville in Kennebec and Franklin counties.

An Act to limit the number of fish that may be taken from Spring lake in Somerset county in one day.

An Act to amend Section 6 of Chapter 267 of the Public Laws of 1893, entitled "An Act to provide for the printing and distributing of ballots at the public expense, and to regulate voting for city and States election."

An Act to amend Section 33, Chapter 27 of the Revised Statutes, and Section 40 of Chapter 27 of the Revised Statutes, as amended by Chapter 140 of the Public Laws of 1887, and Chapter 132 of the Public Laws of 1891, relating to intoxicating liquors.

An Act to amend Section 15, Chapter 132 of the Revised Statutes, relating to appeals from magistrates in criminal cases.

An Act to amend Section 44 of Chapter 2 of the Revised Statutes, relating to the publication of the public laws.

An Act to change the time of holding sessions of the county commissioners of Aroostook county.

An Act relating to trespassers.

An Act to ratify the lease of the Sangerville Improvement Company to the Dover and Foxcroft Light and Heat Company.

An Act to amend the charter of the Maine Investment and Guarantee Company.

An Act to repeal Sections 1 to 47 inclusive and Sections 49 to 82 inclusive, of Chapter 47 of the Revised Statutes, relating to banks of discount.

An Act amendatory to Section 1 of Chapter 221 of the Public Laws of 1897, relating to waiving the provisions of a will by the widow or widower, and the interest which the widow or widower shall have in the personal estate of the testator of testatrix in such cases.

An Act to amend Section 1 of Chapter 516 of the Private and Special Laws of 1897, entitled "An Act additional relating to the appointment of a recorder for the Bath municipal court."

An Act relating to bonds to be given by treasurers of towns and plantations.



An Act additional to the Act creating the Rumford Falls municipal court.

An Act to amend Section 16, Chapter 51 of the Revised Statutes, relating to railroads.

An Act to incorporate the Patten Telegraph and Telephone Company.

An Act to incorporate the Merchants Trust Company.

An Act to incorporate the Phillips Trust Company.

An Act to incorporate the Medunkenk Dam and Improvement Company.

An Act to incorporate the Duck Lake Dam Company.

An Act to extend the time during which the tolls granted to the Bangor Bridge Company shall continue.

An Act to increase and fix the salary of the assistant librarian.

An Act relating to the compensation of the county commissioners of Hancock county.

An Act to repeal so much of Chapter 30 of the Revised Statutes, as amended by Section 5 of Chapter 42 of the Public Laws of 1899, as amended by Chapter 230 of the Private and Special Laws of 1901, as prohibits fishing through the ice in Large Greenwood pond in Elliottsville and Willimantic, in Piscataquis county.

An Act to repeal so much of Chapter 30 of the Revised Statutes, as amended by Chapter 42, Section 5 of the Public Laws of 1899, as prohibits fishing in Parlin stream, in Somerset county, from the mouth of Bean brook to Long pond.

An Act to prohibit the sale of any kind of fish except eels taken from certain ponds in Kennebec and Somerset counties.

An Act to regulate the taking of black bass in Upper Kezar pond, Oxford county, and also to prohibit the taking of smelts in any tributary of said pond.

An Act to prevent the destruction of smelts, or tomcods, so called, in Steuben bay.

An Act to prohibit the digging of clams in the shores or flats within the town of Scarborough.

#### Finally Passed.

Resolve in favor of the Maine State prison.

On motion by Mr. Buck of Hancock, resolve in favor of Maine State prison was laid on the table.

Resolve in favor of the town of Anson.

Resolve in favor of the University of Maine.

Resolve in favor of the town of East Livermore.

Resolve in favor of Colby College.

On motion by Mr. Manley of Kennebec, the Senate here took a recess until 3 o'clock P. M.

Afternoon, March 26, 1903.

The session was called to order at 3 P. M., by the president.

Mr. Burns of Cumberland, presented Resolve to provide for an Auditing Clerk to the Governor and Council, under suspension of the rules and moved that it take its two several readings under suspension of the rules, and pass to be engrossed. On motion by Mr. Goodwin of Somerset, the Resolve was laid on the table.

Mr. Clark of Hancock presented bill, An Act in regard to the use of the roads of the town of Eden, under suspension of the rules, and on further motion by the same Senator, the bill took its several readings, under suspension of the rules, and was passed to be engrossed.

#### Reports of Committees.

Mr. Manley, for the committee on Judiciary, on bill, An Act to authorize the town of Foxcroft to appropriate money for the purpose of fencing and keeping in repair certain private cemeteries therein, reported ought not to pass. Report accepted.

Mr. Rankin, for the committee on appropriations and financial affairs on Resolve in favor of clerks in the office of the Secretary of State, reported same ought not to pass. Report accepted.

Mr. Bryant, for the same committee, on Resolve in favor of Maine State Library, reported same ought not to pass. Report accepted.

Mr. Burns, for the same committee, on Order relating to the Postmaster of the Senate, reported same ought to pass. Report accepted. Resolve passed.

Mr. Furns, for the same committee on Resolve in favor of George B. Gaddis of East Machias, reported ought to

pass. Report accepted. On motion by that Senator, the resolve took its two several readings, without printing, and was passed to be engrossed under suspension of the rules.

The same Senator, for the same committee, on Resolve in favor of C. C. Libby, Chairman of the committee on Education, reported same ought to pass. Report accepted. On motion by that Senator, the resolve took its several readings under suspension of the rules and was passed to be engrossed, without printing.

The joint standing committee on Judiciary, submitted their final report that they have acted on all matters referred to them. Report accepted.

Mr. Goodwin, for the committee on Revision of the Statutes, on communication from the department of state of the state of Washington, relating to convention for the purpose of considering certain amendments to the constitution of the United States, reported that same be placed on file. Report accepted.

#### Passed to be Enacted.

An Act to incorporate the Augusta Water District.

#### Orders of the Day.

Resolve relating to bridge between Lincoln and Chester, came up by special assignment, with accompanying report of the committee on appropriations and financial affairs, as amended by the House, substituting the words "ought to pass" in place of the words "referred to the next Legislature," which the Chair ruled out of order.

Mr. Goodwin of Somerset moved to non concur with the House in the acceptance of the report.

Mr. GARDNER of Penobscot: I wish to inquire of the Chair where this motion will leave the bill and papers before the Senate?

The PRESIDENT: The Resolve will go back to the House as soon as the Senate takes further action on it.

Mr. GARDNER of Penobscot: I would like to ask another question: If the Senate simply votes on the ruling of our presiding officer, and substitutes the bill for the report, what will then be the condition of the papers.

The PRESIDENT: The Chair will state that, on further examination of the precedents, the Chair is convinced that the procedure in the Senate has been not in accordance with the best parliamentary rules,—that, instead of substituting the Resolve for the report, the proper proceeding would be to not accept—that is, to turn down the report of the committee, or, better yet, having the Resolve on the Senate table, to make some motion directly in connection with the resolve, either to indefinitely postpone, or, that the rules be suspended and that it take its several readings—or such other motion as will forward the business before the Senate.

Mr. GARDNER of Penobscot: Mr. President, I would like to inquire, if the Senate should vote to substitute the Resolve for the report—the House having acted in substance to that effect, would a failure of the strictly parliamentary proceedings invalidate the action of the Legislature on this matter?

The PRESIDENT: The proper way for the friends of the Resolve would be to turn down the report of the committee—that is what they want to do—then, let them move that the Resolve take its reading at the present time. In other words, when the committee has made a report—the report is on a Resolve or written document, I hold it is simply a recommendation of the committee, giving to the Senate or the House its opinion of what should be done with the matter before them. It rests with the Senate to say whether they will take up the resolve at one time, or another. If it is desired that the resolve should pass, the friends of the resolve should make a motion to that end.

Mr. DUDLEY of Aroostook: Mr. President, I move that the rules be suspended, and that this resolve take its two several readings at the present time, and pass to be engrossed.

The question was put upon the motion of the senator from Somerset, Mr. Goodwin, that the Senate non-concur with the House in amending the recommendation of the committee on appropriations and financial affairs, and the motion prevailed.

Mr. GOODWIN of Somerset: Mr. President, the question now is, I suppose, upon the acceptance of the report of the committee unamended.

The PRESIDENT: That can be done by the Senate, if it sees fit. The impression of the Chair, until otherwise advised is that the Senate can now take action on the bill, and if such action is desired, pass it to be engrossed. Then the papers will be sent back to the House, and the House can then either recede and concur with the action of the Senate, or insist and call for a committee of conference.

Mr. Dudley of Aroostook thereupon moved that the rules be suspended, and that the Resolve take its several readings and pass to be engrossed. The question being upon suspension of the rules, a sufficient number did not vote in support of the motion, and the same was lost.

Mr. GARDNER of Penobscot: Mr. President, may I inquire what motion would be in order to pass these bills?

The PRESIDENT: You can move to suspend the rules and that the bill take its first reading.

Mr. GARDNER of Penobscot: It is evident that the House intended to pass these bills, and I want to be sure that some of the friends of the bill do not get confused in this parliamentary jumble.

Mr. Burleigh of Aroostook thereupon moved that the Resolve be substituted for the report of the committee.

Mr. GOODWIN of Somerset: Mr. President, the recommendation of the committee is neither accepted nor rejected. The report has simply come in here and the bill is before the Senate for action.

The PRESIDENT: If the Senate will permit the Chair—the recommendation of the committee on appropriations and financial affairs is that the Resolve be referred to the next Legislature. As it now stands, the Senate has turned down the amendment, the Senate having non-concurred with the House in the matter of the amendment to the recommendation of the committee.

Mr. GOODWIN: Should not that question, Mr. President, be settled be-

tween the two Houses before we go any further?

The PRESIDENT: It would be the best parliamentary procedure.

Mr. GOODWIN: Mr. President, it seems to me it would be the only parliamentary procedure.

Mr. GARDNER of Penobscot: Mr. President, is the motion of the Senator from Aroostook in order—to substitute the resolve for the recommendation of the committee?

The PRESIDENT: The Chair has no doubt of it.

The question being put upon the motion to substitute the resolve for the recommendation of the committee, the motion was lost, eleven voting in favor of the motion, and fifteen voting against the same.

The PRESIDENT: What is the pleasure of the Senate? The matter is still on the table of the Senate the pending question being upon the acceptance of the recommendation of the committee on appropriations and financial affairs, that the resolve be referred to the next Legislature.

On motion by Mr. Staples of Knox, the recommendation of the committee on appropriations and financial affairs, that the resolve be referred to the next Legislature, was accepted, fifteen voting in favor of such acceptance, and eleven voting against the same. (For further action in relation to this matter, see subsequent reports.)

Resolve in favor of Wallgrass plantation. On motion by Mr. Pierce of Aroostook, this resolve took its several readings, under suspension of the rules, and was passed to be engrossed.

Resolve in favor of Connor plantation. On motion by Mr. Burleigh of Aroostook, this resolve took its several readings, under suspension of the rules, and was passed to be engrossed.

Resolve in favor of bridge across the St. Croix river. On motion by Mr. Buck of Hancock, the resolve took its several readings under suspension of the rules, and was passed to be engrossed.

Resolve in favor of the town of Fort Kent. On motion by Mr. Pierce of Aroostook, this resolve took its several

readings under suspension of the rules, and was passed to be engrossed.

Resolve in favor of the Bancroft bridge. On motion by Mr. Goodwin of Somerset, this resolve took its several readings, under suspension of the rules, and was passed to be engrossed.

Bill, An Act in relation to agricultural societies. On motion by Mr. Dudley of Aroostook, this bill took its several readings under suspension of the rules, and was passed to be engrossed.

Resolve in favor of repairing bridge across the St. Croix river near Squirrel pond in Baileyville, came from the House with accompanying report of the committee on appropriations and financial affairs that "the same be referred to the next Legislature," and said report amended by the House so as to read "ought to pass" which amendment the Chair ruled out of order. On motion by Mr. Plummer of Androscoggin the Senate non-concurred with the House in adopting the amendment to the recommendation of the committee, twenty-four voting in favor of same and none voting against.

The PRESIDENT: That sustains the ruling of the Chair. It does not kill the bill, until the Senate has acted on the bill itself. Mr. Plummer of Androscoggin thereupon moved to accept the report of the committee on appropriations and financial affairs, as the same reads without the amendment—that the resolve be referred to the next Legislature, and the motion prevailed.

Resolve in favor of building a bridge across the Mattawamkeag river in the town of Bancroft, came from the House reported by the committee on appropriations and financial affairs, referred to the next Legislature, and said report amended by the House so as to read "ought to pass."

Mr. GARDNER of Penobscot: Is a motion to substitute the bill for the report not in order?

The PRESIDENT: I do not rule that it is not in order; but it is not good parliamentary practice. You can move that the bill be received at the present time, and take its readings without printing, but that requires a suspension of the rules. It also would require a suspension of the rules to substitute

the bill for the report, because the resolve is not printed.

Mr. GARDNER: Will the Chair explain if there is any way to get the direct issue before the Senate?

The PRESIDENT: By suspending the rules, you can. The joint rules require that all resolves and bills shall be printed, and this is a written resolve, which requires suspension of the rules, and a two-thirds vote.

Mr. STETSON. How much is called for by that resolve.

The PRESIDENT: \$12,000.

Mr. GARDNER: I move a suspension of the rules, and ask that when it be taken it be by a yea and nay vote, feeling that those who vote in favor will be in favor of the bridge. I move to suspend the rules for the purpose of substituting the bill for the report.

The vote being had, the result was as follows: Those voting yea, were Messrs. Bryant, Buck, Burleigh, Clark, Dudley, Gardner, Guernsey, Knowlton, Maddocks, Morrison, Pierce, Pike, Stetson and Wilson (14). Those voting nay were Messrs. Alden, Burns, Currier, Goodwin, Hyde, Manley, Morse, Philbrook, Plummer, Rankin, Staples of Cumberland, Staples of Knox, Titcomb, Wing (14). Thereupon Mr. Gardner moved that the resolve and accompanying report lay upon the table.

Resolve to aid the town of Frenchville to build a bridge across Gagnon stream, came from the House reported by the committee on appropriations and financial affairs, that it be "referred to the next Legislature." This report was amended by the House so as to read "ought to pass." On motion by Mr. Wing of Androscoggin, the Senate non-concurred with the House in the amendment to the report of the committee. The same Senator moved to accept the report as it reads without the amendment, and the question being put, the motion prevailed, sixteen voting in the affirmative and 10 in the negative.

Resolve in aid of building a bridge across the Penobscot river between the towns of Lincoln and Chester came from the House referred to the next Legislature by the committee on appropriations and financial affairs. This report was amended by the House so as

to read, "ought to pass." On motion by Mr. Gardner of Penobscot, the resolve was laid on the table, and assigned for the next session.

Mr. MANLEY: We are ready to act upon this question, and you can act now.

Mr. GARDNER: I see no reason why the same privilege should not be given me.

Mr. CLARK of Hancock: I now move that the report of the committee be recommitted to the committee on financial affairs, with instructions to report the resolve.

On motion by Mr. Goodwin of Somerset, the motion of Mr. Clark of Hancock was laid on the table, 14 voting in the affirmative and 10 in the negative.

Resolve in favor of Wallgrass plantation came from the House reported by the committee on appropriations and financial affairs that same be "referred to the next Legislature." This report was amended by the House by substituting "ought to pass" in place of "referred to the next Legislature. Mr. Plummer of Hancock moved to non-concur with the House in the adoption of the amendment; the motion prevailed. Thereupon Mr. Pierce of Aroostook moved to substitute the resolve for the report.

Mr. PIERCE: Mr. President: It seems that the Senate is acting upon matters over which it sees nothing and cares nothing. I do not know what the intention of the senators may be; but I know this, that these matters were reported from the committee on Ways and Bridges, that they ought to pass. From that committee, they went into the hands of the finance committee, and received an unfavorable report from them. These matters are of importance. This resolve carries with it help to a community that needs help and the senators, it seems to me, are acting very indiscriminately, and that they should have a chance to consider these matters and I move you that the resolve be substituted for the report.

Mr. BURLEIGH of Aroostook: I would like to say a few words, Mr. President. The total number of bridge bills adversely reported by the finance committee this year amounts to \$11,250, that is the appropriation for 1893. This

afternoon you passed one bill of \$9,000 leaving \$9,800 for the next year. Leave out the Chester and Lincoln bridge and it carries no appropriation for this year. This forenoon we voted \$40,000 for the St. Louis Exposition, and these are simply small, struggling towns, who want to build a bridge, and this is a small amount compared with what you have already voted this forenoon.

I want to say one thing in regard to the financial condition of the State I think the Senators may have a wrong impression and that we have appropriated several hundred thousand dollars more than heretofore. I have the State treasurer's report, and by that I find that the estimate of receipts for 1903 is \$2,177,784. If we now add to that the increase of the State tax by reason of increased State valuation, \$42,749. We shall receive from the United States, net \$180,000. Cash on hand, March 1st, 1903, with all bills paid, it would give to the State the sum of \$2,839,425 of available funds for 1903. The amount available in 1904 would be \$2,707,676. I take the estimate from the State treasurer's report made the first of the session not what is shown by the report of the finance committee. I don't know where they got theirs.

Mr. BRYANT of Somerset: Ours came from the State treasurer. The estimates of laws passed this session will reduce the amount, that is all.

Mr. BURLEIGH: I want to speak of the appropriations made two years ago. I have taken it right from the acts, appropriated for the year 1901, the sum of \$2,369,824.22 that comes nearly to the report here pending. For the year 1902 there was appropriated \$2,174,677.66. So that we appropriated more two years ago than the estimates call for for the next two years. That was the appropriation. I don't think it was all called for. During the year the State treasurer paid in temporary loan \$250,000. You will see by his report he paid \$350,000 temporary loan, \$100,000 of that was made during the year 1902, so that he reduced the temporary loan to the State to the amount of \$250,000. Add together the appropriations for 1902 and the temporary loan, paid by the State, you will have \$2,424,677.66. Now, what more is there in that report. Cash

on hand, June 1, 1902, the beginning of the year, \$297,837.17. Cash on hand, Dec. 31, 1902, \$438,892.68, a gain of cash on hand of \$141,555.51, so that, with the temporary loan paid there was at the end of 1902, \$141,055.50 more cash on hand than there was in the treasury at the beginning of the year.

I cannot see, taking the State treasurer's own figures, how you can figure it that this State if it passed all the appropriations called for is going to be behind. I say they would have a surplus. There would be more money at the end of the year than we have now. Now most of our appropriations are to be paid in the coming year, the first year; so that after this year, if we should happen to be obliged to make a very small loan, the next year would more than take care of it. So I do not think there is any reason to be frightened as to the financial conditions of the State. When you go to the people and say that you have appropriated \$40,000, that the common people do not get a dollar's benefit from, and turn down different towns that come here asking for a small appropriation for bridges, I tell you you will hear from it at the next election, a small amount, only \$9,750 more than what has already been voted. The total amount of the bridge appropriation turned down this year was \$11,250, one was for \$1,500 down in New Sharon, voted down this forenoon, leaves \$9,750. That leaves out the bridge at Chester and Lincoln. That is \$1,500 and \$5,000 a year for three years—that is the largest appropriation—the bridge across the Penobscot river. It is a bridge 700 feet long.

Mr. CLARK of Hancock: Mr. President, I do not think, at this late date any appropriation should go through carrying a large appropriation; but as some of the opponents of these bridge matters saw fit to keep an appropriation back until this morning which carried four times as much as asked for in these bridges, I am in favor of these people who have these bridges to build and who ask for these small appropriations. It has been said that we have run these appropriations some \$800,000 over other years. It seems to me we should investigate the large appropri-

tions, and cut those down, and not wait until these small appropriations come along and throttle them. Let us reconsider the vote whereby we appropriated the \$40,000 this morning if the gentlemen are so anxious to retrench. Let us see how far public spirit will go towards retrenching. Let us save the \$40,000 and let this \$10,000 go along. I do not say that these appropriations interest my county any. I have no town in my county in mind that these appropriations affect; but they do interest the people of this State who certainly cannot raise money for building the bridges in small towns; and it seems to me this would be a great assistance, if the State would appropriate for these and cut our expenditures in other places.

Mr. MADDOCKS of Lincoln: Mr. President, I am greatly surprised at the action of the Senate. I supposed we were here as representatives of the people and to do justice to every section of the State. Sitting on the bridge committee as I have, this winter, I am satisfied beyond the shadow of a doubt there is no more meritorious thing asked for than these small appropriations for bridges. When we deny these appropriations a passage, we are affecting a class of people who are helpless—who are not able to stand up under the burdens which these bridges impose upon them. If we had considered some of the large appropriations and cut them down, it would seem different—but everything that has magnitude, goes. All these little appropriations that would seem to help the people, seem to clog. They die. I think the people will feel bad about it.

Mr. GOODWIN of Somerset: Mr. President, there seems to have been some misinformation on the part of members of the Senate in regard to these appropriations. The statements of the Senator from Aroostook do not seem to coincide with the statements of the finance committee, who say that the total amount of expenses of the State, \$2,485,717.26 much exceed the income. I would ask the chairman of the committee on appropriations and financial affairs to explain the discrepancy between his figures and those of the

Senator from Aroostook, if it can be explained.

Mr. BURNS of Cumberland: Mr. President, the figures made up, have been made by our clerk, Mr. Murphy. I should not be able to verify those figures.

Mr. MORSE of Lincoln: Mr. President, this general appropriation has been before the senators and they have turned it down because it is an unknown quantity. No man could fix any sum that he felt satisfied with that would fill the bill asked for; and, in doing away with that bill, and in passing it over and referring it to the next Legislature, we were confronted with this proposition, that there were actually some bridges that should receive the attention of the Senate. They needed some repairs; and I, for one, have said, and I say now that where there is a bridge that the towns are poor and not able to build and maintain, and we know what sums it will take to put the bridge in proper shape, and we should have some explanation about the matter, and so every man might have an idea what he is voting on, my judgment is that the senators feel well inclined, I do, towards all such matters. But, when we come up here and pass a resolve without having any knowledge in relation to the matter, where it carries thousands of dollars with it, I, for one, am opposed to that sort of legislation. I think these matters are worthy the attention of the Senate. The committee had an opportunity of hearing both sides of the matter, but we are acting apparently not knowing what we are voting on: and I ask any member here, if he has a bridge, to explain the position of affairs; and if it is reasonable, right and proper, I am willing to vote for it; and I would like to ask how much this resolve carries?

The PRESIDENT: About \$300 for 1903, the same to be expended under the direction of the county commissioners of Aroostook county when the commissioners shall certify the bridge has been rebuilt at a cost of not less than \$500.

Mr. MORSE: Mr. President, I suggest that the Senator from that locality will explain to the Senate the condition of affairs, so that we may know what

we are acting on, and he will be treated fairly.

Mr. PIERCE of Aroostook: Mr. President, I hope I will have the indulgence of the Senate for a few moments merely to explain the condition of affairs for which this small appropriation is asked. It is not in my town, or in a town near by, but I know some of the conditions and circumstances of that town, and the needs of the bridge. It is a bridge across Wallagrass stream in Wallagrass plantation, which is sparsely populated, with a large extent of growth to maintain, and with this only large bridge, and several small ones. This bridge was built some years ago, poorly and cheaply, by the State. A very small amount of money was spent upon it. The people of that section are all very poor. The population of the town is small, and scattered over a considerable area. There is little, or no good farming land. The families live almost wholly upon their labor in the woods and upon the drives. The people are poor by necessity. They have to maintain twenty-eight or thirty miles of road, very rough, intersected by hills and valleys. The bridge is about 100 feet in length, a span probably about sixty feet, and it is necessary that the abutments should be built out, and that it should be of stone, or of wood filled with stone to stand the spring freshets of that stream. The plantation may be able to raise a small amount, but a very small amount would be an excessive burden to them. We ask the kindly consideration of the Senate. If there is any question I can answer, I shall be pleased to do so.

Mr. CLARK: What is the pending question?

The PRESIDENT: The pending question is upon the motion of the Senator from Aroostook, Mr. Pierce, to substitute the resolve for the recommendation of the committee "That it be referred to the next Legislature."

Mr. GOODWIN of Somerset: I think there are some cases that should be considered favorably, if the Senator will withdraw his motion.

Mr. PIERCE: Will the Senator from Somerset state what motion he desires to make?

Mr. GOODWIN: I have no motion to make.

Mr. STETSON of Penobscot: It seems to me that there are cases that have merit. There may be measures that should be defeated. We should have intelligent action upon the matter and they should be printed and brought before us tomorrow morning. I for one am opposed to bad legislation. I believe each matter should be acted upon in regard to its own situation.

Mr. CLARK of Hancock: I do not see what information we are going to get by printing these bills. They have all been before the committee and have been threshed out by him and reported favorably. They are all read publicly and I understand them and it seems to me this Senate ought to be intelligent enough on reading a four line bill to get some idea of it.

Mr. BRYANT of Somerset: The statement of facts might give us the desired information. As one of the committee, I know that some of these bridges are very meritorious and I voted for nearly all of them. I decided on some of the least meritorious that I should have to vote against them. I am ready to vote for some. Others I am not.

Mr. BURLEIGH of Aroostook: I would move that whenever these bills be taken up, the resolves be read together with the statement of facts before the Senate takes any action. That will bring them before the Senate. If we lay them on the table to be printed and they do not get to us until tomorrow morning we are not going to get through tomorrow.

Mr. STAPLES of Knox: I for one am willing to vote for any meritorious appropriation. I believe the explanation given by Senator Pierce is satisfactory to this Senate. The appropriation only calls for \$300. I hope the motion of the Senator from Aroostook will prevail.

Mr. GOODWIN: Is not the question upon disposing of the report of the committee? The Senate has non-concurred with the amendment but has taken no action on the recommendation of the committee.

The PRESIDENT: I suppose it can

be ignored if the Senate sees fit. But it is not good practice.

Mr. BURLEIGH: I would state my idea. I may be wrong. A motion to non-concur has been carried. Now that having been carried and the papers being before the Senate I think a motion to substitute the resolve for the report of the committee would be in order.

The PRESIDENT: I have so ruled; and that would bring it before the Senate to vote upon the resolve itself. The papers would all go back to the House non-concurred in as to their action and they would have to take action over again to concur with the Senate's action to make it legal and parliamentary.

The question being put upon the motion to substitute the resolve for the recommendation of the committee "That it be referred to the next Legislature" the motion prevailed. On motion of Mr. Pierce of Aroostook the resolve then took its second reading and was passed to be engrossed.

Resolve in favor of Connor plantation came from the House reported by the committee on appropriations and financial affairs "That it be referred to the next Legislature," the report of the committee amended by the House so as to read "Ought to pass." On motion by Mr. Plummer of Androscoggin the Senate non-concurred with the House in its amendment.

Mr. BURLEIGH of Aroostook: This is a bridge on the state road between Caribou and Van Buren. The bridge has always been rebuilt by the State. It was built by the State and I think the State has appropriated money to rebuild it since it was originally built. The bridge is in a French settlement or township, a timber township. A fire got in there and three or four thousand acres was burned over, reducing the revenue. The people have gone in there and settled the plantation and have got small farms. It is about all they can do to struggle along and get a living. The soil produces very little. The committee felt that as long as the State has got to practically maintain it that if we made a steel bridge of it, it would, when once built, be permanent. The bridge is some 200 feet or



more. The approaches can perhaps be taken care of otherwise. There is only one span. We cut the amount as low as we could and get the bridge. We say \$2,000 from the State and the county is authorized to appropriate \$2,000, making \$4,000 and the township and settlement can aid by labor, money and work. It is wild land and perfectly worthless, as you might say, probably might get \$2,000 more, but the appropriation calls for \$2,000, not to exceed one-third the cost of the bridge, and the committee felt that with the assistance they could get a bridge there that would be permanent and they would not be coming here every eight or ten years to build a new bridge.

Mr. WING of Androscoggin: How many bridges in Aroostook county have been built and are now supported by the State?

Mr. BURLEIGH: I do not know as I could answer that question.

Mr. WING: Can you answer within twenty-five?

Mr. BURLEIGH: I should say there might be fifteen outside of military road.

Mr. MORSE of Waldo: I would like to know how the country in the vicinity of this bridge compares with the rest of the county?

Mr. BURLEIGH: The next township below is one of the finest in the county, the town of Caribou. When you get to the north line of Caribou, for the first three or four miles, it is very good. When you cross the river you come to low, flat land, which is not good farming land. It is populated by poor French Canadians who have large families to support.

The PRESIDENT: The pending question is on the acceptance of the report of the committee on appropriations and financial affairs to refer the matter to the next Legislature.

Mr. Stetson of Penobscot thereupon moved that the report be not accepted.

The PRESIDENT: The question is, if you will accept it. You do not need to make a motion in the negative form. The pending question is on the acceptance of the report of the committee on appropriations and financial affairs

that the matter be referred to the next Legislature.

Mr. BURLEIGH thereupon moved to substitute the resolve for the recommendation of the committee, and the motion was sustained, 18 senators voting in favor, and four against the motion. On further motion of the same senator the rules were suspended, the resolve took its two several readings and was passed to be engrossed without printing.

On motion by Mr. Goodwin of Somerset the vote whereby the Senate accepted the recommendation of the committee on appropriations and financial affairs "Referred to the next Legislature" on resolve in favor of a bridge over the St. Croix river near Squirrel pond in Baileyville, was reconsidered, and on motion by Mr. Pike of Washington, the resolve was substituted for the report of the committee; and on further motion by the same Senator the resolve took its several readings under suspension of the rules and was passed to be engrossed.

Mr. MORRISON of York: I would like to have some information in regard to the various bills that carry appropriations for bridges. We had some five or six bills here this morning in favor of building bridges and we voted for or against them. This afternoon, since this economical fit has struck the Senate, the attempt has been to kill all the bills. I want to be fair in this matter and we have not had the privilege of looking into the merits of these bills in any way, and I think the bills referred to this morning should be considered this afternoon, and I would ask the secretary to furnish the members information as to what and how many bills there were.

The PRESIDENT: The resolve in aid of the repair of the bridge across the Narraguagus river was passed to be engrossed.

The secretary informs the Chair those papers have gone to the engrossing department and are not before the Senate. If the Senate wishes they can be sent for and brought back to the Senate.

Mr. MORRISON: I do not care to delay these matters, but only wish for fairness and justice. Our people build our own bridges and maintain them. If

we are going to build bridges for some people we ought to know whether they are worthy or not. Those that went through nothing was said about, and I think to act fairly and squarely on these matters we should consider them all. I would ask what would be the delay if we sent to have them returned from the engrossing department?

The PRESIDENT: I suppose it would be impossible to answer the question without conference.

Mr. MORRISON: I will let them go until they come in.

Resolve in favor of the town of Ft. Kent came from the House reported by the committee on appropriations and financial affairs, "That the same be referred to the next Legislature." In the House the report was amended so as to read "Ought not to pass." On motion by Mr. Plummer of Androscoggin the Senate non-concurred in adopting the amendment.

Mr. Pierce of Aroostook moved to substitute the resolve for the report.

The Chair stated that the resolve called for an appropriation of fifteen hundred dollars for the year 1903, and read a statement of facts.

Mr. GOODWIN of Somerset: The question is upon concurring or non-concurring with the amendment.

The PRESIDENT: That would be the ordinary method, but the senator from Aroostook has moved to substitute the resolve for the report of the committee on appropriations and financial affairs.

Mr. GOODWIN: Is not it necessary to concur or non-concur before the motion be made to substitute?

The PRESIDENT: That would be the best parliamentary practice. The Chair will not rule that the motion is out of order.

Mr. PIERCE of Aroostook: In making a statement of facts in regard to the resolve I will state that there is need of a bridge across Fish river to be built the coming year. We have in that town a number of large bridges to maintain, and very many small ones. The town has a little over 2,500 inhabitants, with a valuation of a little over \$200,000. For the most part the town is made up of very poor people. The ex-

tent and area of the town is about eleven miles long and four to six miles wide. The settlements making up the town of Ft. Kent being very numerous and occupying all the little valleys around the foot-hills of the river, necessitating very many roads and bridges across Fish river which comes into the St. Johns. At Ft. Kent village are two large bridges, one about 500 feet long. This appropriation is asked for the one just above Ft. Kent, very near the mouth of the river where the rains keep it open the whole winter, exposing the bridge to constant steam and vapor so that the wood rots very quickly, much more quickly in that section than in any other in the county. It has to be replaced or repaired very often. The bridge is 160 feet long in its span, requiring several hundred feet of approach. I should say over one hundred, perhaps not two. These abutments, which would be necessary to build with stone, would have to be hauled a long distance, perhaps shipped by train, much stone is not being found in that section for building. The bridge is estimated to cost upwards of six thousand dollars, although the committee decided it could probably be built for six thousand dollars. The town is not asking the state to build the bridge, but it does ask that it contribute a quarter of the estimated expense of building that bridge, and that the county be authorized to give a quarter more, and the town will pay half. The town is in debt some eight or nine thousand dollars. Taxes are very high. It would be impossible for the town to raise a sufficient amount of money to build that bridge as it stands today. I do not propose to plead the poverty of the town, for I have pride in it; and it may be thought that I am asking for a number of bridges. I am interested in a number of bridges, for I am interested in the growth of that territory. It is true, I do not deny it. I am proud of the fact that the State of Maine has been kind enough to provide for the needs of Aroostook county, and I would challenge any senator in this chamber to doubt but that every dollar has been expended for the interests of Aroostook county, have not been well repaid.

Aroostook is a large and growing county. Very few realize the extent and area, or the vast expense of maintaining its roads and bridges. For the larger part of the year the ground is covered with snow, often to a depth of seven feet, and it requires more than half the money for highway purposes to keep the roads broken in winter. I ask that the town of Ft. Kent be granted this resolve asking for fifteen hundred dollars, upon the condition that the town appropriate three thousand dollars and the county fifteen hundred more. I have voted with a good deal of pleasure for a good many resolves that have gone through this Legislature during this past season, when I felt that it was demanded, and I hope the Senate will consider our demands and give them just weight. It will put the town in a very bad situation unless we can get this help. We shall be obliged to build a much cheaper bridge. I ask that the appropriation be granted.

Mr. MANLEY of Kennebec: Who built the other bridges there?

Mr. PIERCE: I believe the State has given some support in the past. It was before I was in the town.

Mr. MORSE: What is the tax rate of the town?

Mr. PIERCE: I think it is 37 mills.

The question being put on the motion to substitute the resolve for the recommendation of the committee, prevailed, and on further motion by Mr. Pierce of Aroostook, the resolve took its several readings and was passed to be engrossed without printing.

On motion by Mr. Goodwin of Somerset the resolve and accompanying report with reference to the Bancroft bridge was taken from the table, and on motion by Mr. Plummer of Androscoggin the Senate non-concurred in the adoption of the amendment and in the recommendation of the committee that it be referred to the next Legislature; and on motion of Mr. Goodwin of Somerset the resolve was substituted for the recommendation of the committee.

Mr. MADDOCKS of Lincoln: Mr. President, this matter was carefully considered before the committee on ways and bridges and seemed meritorious, and I hope the Senate will not

turn it down. Certainly the people in that section are deserving of aid in that respect.

Mr. BURLEIGH of Aroostook: This is a poor town. I do not want you to think we are all poor up there, but this is a poor town.

Mr. MORSE of Waldo: What section of the county is this in?

Mr. BURLEIGH: Almost on the very south line of the county, near the Washington county line. We do not consider that portion of the county next to Washington as a very fertile section.

Mr. MORSE of Waldo: Where is the "garden" of Maine?

Mr. BURLEIGH: The "garden" of Maine is in the valley of the Aroostook river.

Mr. MORSE: Are there any bridges there to be built by the State?

Mr. BURLEIGH: There is one appropriation called for there, but in regard to this I will state this was originally a covered bridge and was built by the State. It was destroyed by a freshet. The stream is very rapid at that point. We estimated it would cost at least thirty-six hundred dollars to build this bridge in one span. The approaches are built, but have got to be built higher. The resolve calls for twelve hundred dollars to be paid by the State, twelve hundred by the county of Aroostook and twelve hundred by the town, to put in a steel bridge.

The question being put on the motion to substitute the resolve for the recommendation of the committee, the motion prevailed, and on motion by Mr. Goodwin of Somerset the resolve took its several readings under suspension of the rules and was passed to be engrossed.

On bill, An Act in relation to agricultural societies, reported by the Committee on Appropriations and Financial Affairs, ought not to pass, which report was amended by the House so that the recommendation of the committee should read "Ought to pass"; on motion of Mr. Plummer of Androscoggin the Senate non-concurred in amending the recommendation of the committee.

Mr. Dudley of Aroostook moved to substitute the bill for the recommendation of the committee.

The statement of facts was read to the Senate.

The question being put upon the motion to substitute the bill for the recommendation of the committee the motion prevailed, and on motion by Mr. Dudley of Aroostook, the bill took its several readings under suspension of the rules and was passed to be engrossed.

On motion of Mr. Wilson of Washington the Senate reconsidered the vote whereby the Senate accepted the report of the committee, in concurrence, on resolve in favor of the State superintendent of schools.

On further motion by the same Senator the resolve was substituted for the report of the committee, and on his further motion the resolve took its several readings under suspension of the rules and was passed to be engrossed.

Under suspension of the rules, by unanimous consent, Mr. Morse of Waldo presented Resolve in favor of Mathias Cullnan of Belfast, which took its several readings under suspension of the rules and was passed to be engrossed.

On motion by Mr. Manley of Kennebec the Senate took a recess until 7.30 P. M.

#### Evening Session.

The PRESIDENT: The pending question is on the House report on the Chester and Lincoln bridge, on the motion by the Senator from Hancock, Mr. Clark, which was, that the report be recommitted to the committee with instructions to report "ought to pass" on the resolve.

Mr. Goodwin of Somerset moved to amend the motion of the Senator from Hancock, instructing the committee to report "ought to pass" on the sum of \$1000 per year.

Mr. Gardner of Penobscot by unanimous consent was permitted to discuss the main question, pending action on the proposed amendments, and said: Mr. President, I am inclined to invoke the principle which has been gaining ground that every

member of the Legislature is entitled to one bill, as it seems that every other member has been allowed to do. I am not counting noses, so to speak, but it seems to me that every other member of the Legislature has had his bill. As it happens, this is essentially my personal bill. The bridge in question is forty miles from my home. The upper end of Penobscot, which I have the honor to represent, has put in no request for money. I know the merits of the case, and in a feeble way it falls to me to discuss the matter. The report is a majority report of the committee on Ways and Bridges. There was no minority report. It is practically a unanimous report, and for that reason I ask that the resolve be passed, as I think I have a right to assume that they gave the matter careful attention. In other matters calling for appropriation for bridges which came up here this afternoon after a great deal of discussion, they have been passed; and I feel that it would be unfair to turn this down, when you have passed the others. I have in my hand figures handed me by a member of the House in whose class these towns are, that shows that the town of Chester has a population of 363, Mattamiscontis 28, Woodville 160 on one side of the river, leading down towards Millinocket. It is good farming land. There is no way for transporting their produce except by ferriage, and these three towns pay an average of \$2000 for ferriage to get their produce across the river. I think I am right in stating that there is no postoffice for these three towns except across the river. The Resolve calls for \$5000 beginning with 1904, assuming that this bridge would cost about \$30,000. The State in no case is expected to contribute more than half. Under this resolve, the county of Penobscot and the towns must furnish one-half.

Mr. MANLEY of Kennebec: Mr. President, it seems to me they are going to have a pretty expensive bridge if the towns are poor—fifteen feet wide, steel, stone abutments and approaches to it—and the town of Lincoln is to pay nothing.

Mr. GARDNER: The town of Lincoln is included.

Mr. MANLEY: Why do not they build a bridge of their own. They can afford to pay for it the same as other people have to. We have bridges here, a great many of them. We do not call upon the State to aid in building a bridge. The towns in Aroostook, where we voted for small sums to help them, the county specifically assumes that they will pay one-half. Now in this case, the county and towns are going to borrow the money that they put in, and ask the State to pay the difference.

Mr. GOODWIN of Somerset: Mr. President, the pending motion, I understand, is the motion of the Senator from Hancock that we recommit the resolve and report back to the Committee on Appropriations and Financial Affairs, with instructions to said committee that they report the resolve "ought to pass," to which I have offered an amendment to the amendment as added to the motion, with an appropriation for \$1000 for 1904 and \$1000 for 1905. Pending this motion, I move that the bill be postponed until a week from next Saturday.

Mr. GARDNER: Of course, Mr. President and Senators, from the solemn mien of the Senator from Somerset, it is hard to assume that the remark is facetious, but anybody who considers knows that this motion is practically ludicrous—the sum of \$1000 to build a bridge across the Penobscot river. I am sorry he has taken this tone in this matter. I have taken him seriously in all matters and often followed him while he was chasing the sacred white elephant round the lobbies of the hotel—I have been willing to follow the lead of the Honorable and forcible gentleman about the corridors of this State House, in order to chase the sacred white elephant from here in order not to become a victim. I have been willing to go to his relief and help him. I am sorry he comes up at this late day and talks in this vein—and I hope his motion to substitute his amendment here will be voted down; and that, if the Senators do not want to substitute the resolve for the report, I trust in justice, his motion

which is simply ludicrous and foolish, will be voted down.

Mr. MADDOCKS of Lincoln: I would like, Mr. President, to make a statement on behalf of the committee. This matter was fully considered by the committee, and it was very well represented, and shown very plainly that that bridge was a public necessity—that the towns which have asked for this appropriation were unable financially to raise more than one-half of it. The Senator from Somerset evidently wants to kill the bill. The raising of \$1000 would do it. I believe this is a business proposition. It may be well to laugh at people who cannot help themselves to build their bridges, and who are suffering today for want of bridges—and it may be well to ridicule the report of the committee which has sat upon the questions, and brought in a report here upon their candid judgments, asking you to consider it fairly. I believe it is for us, sitting here, to deal fairly and squarely with those people who have represented their case to us, as they have, and that is the result contained in the report of the Committee on Ways and Bridges, and I hope the Senate will look at the thing as it is.

Mr. GOODWIN: The Senator is entirely right. I am opposed to this appropriation. The motion to postpone to a week from Saturday is made in sober seriousness, with the purpose of killing the bill. It is made at this time to take precedence to the motion to amend the amendment. If we pass this bill with the others, we shall have to stay here until sometime next week to get through this session. We will be in session probably, a week from Saturday in case the bill is passed, and if it is not passed, we shall not be here. The motion is meant to kill the bill. If we postpone it to a week from Saturday, it will kill the bill, and I hope the bill will be killed.

The question being put on the motion to postpone, the Chair declared the motion to have prevailed, unless doubted. The vote was doubted, and Mr. Gardner of Penobscot, called for the Yeas and Nays, which were ordered, and had, and the vote resulted, as follows: Those voting in favor of the motion

were Messrs. Bryant, Burns, Currier, Goodwin, Manley, Morse, Plummer, Rankin, Staples of Cumberland (10). Those voting Nay were Messrs. Buck, Burleigh, Clark, Dudley, Gardner, Guernsey, Hyde, Knowlton, Maddocks, Morrison, Philbrook Pierce, Pike, Staples of Knox, Stetson, Titcomb, Wilson (17). So the motion was declared lost.

The question being put upon the motion to amend the amendment, the motion was lost.

The pending question being upon the motion of the Senator from Hancock to recommit to the Committee on Appropriations, with instructions to report back to the original resolve, "ought to pass," the question was put, and the motion prevailed, and the resolve and accompanying papers were recommitted to the Committee on Appropriations and Financial Affairs with instructions to report the resolve, "ought to pass."

Mr. GARDNER of Penobscot: Mr. President, has the Committee on Appropriations and Financial Affairs finally reported?

The PRESIDENT: They have not.

The PRESIDENT: The Secretary informs the Chair that the bridge bills relating to Wallgrass, Connor Plantation, Fort Kent and Bancroft, and House bill 424, relating to Agricultural Society have been tendered to the House, who say they have no further use for them. What is the pleasure of the Senate? In both branches they have been passed to be engrossed, and can be sent directly to the engrossing office. The papers are now before the Senate.

On motion by Mr. Wing of Androscoggin the papers named were sent direct to the engrossing office.

The vote whereby bill, entitled, An Act to regulate the police force of the city of Portland was passed to be enacted, was reconsidered. The vote whereby the same bill was passed to be engrossed was also reconsidered. Senate amendment A was adopted, and the bill as amended, was passed to be engrossed.

Mr. Hyde of Sagadahoc under suspension of the rules, introduced Order relating to removal of the State Cap-

itol. On motion by Mr. Goodwin of Somerset the order was laid on the table.

On motion by Mr. Staples of Knox, and with unanimous consent it was Ordered, that a messenger be sent to the engrossing office requesting the return to the Senate of bill, An Act to provide for the representation of the State of Maine at the Louisiana Purchase Exposition at St. Louis, Mo., and making appropriations therefor.

The committee of conference on bill relating to taxation of mortgages, reported that they were unable to agree. Report accepted. On motion by Mr. Clark of Hancock, the Senate adhered.

The Washington County Delegation, on bill, An Act to amend An Act entitled An Act to authorize Washington county to sell its stock in the Washington County Railroad Company, and authorizing the sale or lease of said railroad, reported same in new draft, under same title, and that it ought to pass. Report accepted. On motion by the same Senator the bill took its several readings and was passed to be engrossed.

New draft of bill relating to the Louisiana Purchase Exposition was returned from the engrossing department in accordance with the request of the Senate. On motion by Staples of Knox, the bill was laid on the table.

On motion of Mr. Goodwin of Somerset, the vote whereby the resolve in aid of the Lincoln and Chester bridge was reconsidered. The same Senator moved that the resolve be indefinitely postponed.

Mr. GARDNER: I hope that the motion will not prevail, and I wish to offer an amendment that the State raise \$10,000 instead of \$15,000, divided in the same proportion.

The Senator from Penobscot, Mr. Gardner, thereupon moved to amend, by Senate amendment A, and said:

Mr. President, before the motion is put I desire to make a few remarks. In offering this resolve I feel, personally, that it kills the bill. I see no way that the towns in Penobscot county can raise the money necessary to build a bridge across that river. The appropriation asked from the State is \$10,000, and I trust it will give the

people in that section an opportunity to say what they can do. When the vote is taken on the motion to amend, I move that it be taken by the Yeas and Nays.

A Yea and Nay vote was thereupon ordered, and had, and resulted as follows: Those voting Yea were Messrs. Bryant, Buck, Burleigh, Clark, Dudley, Gardner, Goodwin, Guernsey, Hyde, Maddocks, Manley, Morrison, Philbrook, Plummer, Staples of Knox, Stetson, Wilson (17). Those voting Nay were Messrs. Burns, Wing (2) and the motion to amend prevailed.

The question being put upon the motion to indefinitely postpone, the motion was lost.

On motion by Mr. Gardner of Penobscot, the resolve was substituted for the recommendation of the committee that it be referred to the next Legislature, and on further motion by the same Senator, the bill took its several readings and was passed to be engrossed.

On motion by Mr. Goodwin of Somerset, the vote whereby resolve to aid the town of Washburn in Aroostook county in part payment of the expense incurred by it in building a bridge across the Aroostook river in said town, was referred to the next Legislature, was reconsidered, and on the same Senator's motion, the resolve was substituted for the report, and took its several readings under suspension of the rules, and was passed to be engrossed.

On motion by Mr. Staples of Knox, resolve in favor of State House employees took its several readings, and was passed to be engrossed, the same having been reported by the Committee on Appropriations and Financial Affairs "ought to pass," and report accepted.

On motion by Mr. Wing of Androscoggin, the Senate adjourned to meet on Friday, March 27th, 1903, at ten o'clock A. M.

## HOUSE.

Thursday, March 26, 1903.

Prayer by Rev. Mr. Newbert of Augusta.

Papers from the Senate disposed of in concurrence.

From the Senate: An Act in relation to treasurer and collector of taxes for the town of Acton. (Tabled pending second reading on motion of Mr. Weeks of Fairfield).

From the Senate: Resolve in favor of the cattle commissioners of the State of Maine for the prevention of the foot and mouth disease among animals. (Read twice and passed to be engrossed under suspension of the rules in concurrence).

From the Senate: Resolve to provide for clerk hire in the State library during the Legislative session of 1903. (Read twice and passed to be engrossed under suspension of the rules in concurrence).

From the Senate: Resolve in favor of G. E. Morrison, chairman of the Committee on Salaries and of the Committee on Military Affairs. (Read twice and passed to be engrossed under suspension of the rules in concurrence).

From the Senate: Resolve providing for the collection of information in regard to the large bridges within the State.

On motion of Mr. Oakes of Milford the vote was reconsidered whereby this resolve was passed to be engrossed, Senate amendment A was adopted, and the resolve was then passed to be engrossed as amended in concurrence.

From the Senate: An Act for the protection of the wild hare or rabbit.

On motion of Mr. Perkins of Wilton the vote was reconsidered whereby this bill was passed to be engrossed, Senate amendment A was adopted, and the bill as amended was then passed to be engrossed in concurrence.

From the Senate: Resolve in aid of navigation on Lewey, Long and Big lakes.

On motion of Mr. Curtis of Portland the vote was reconsidered whereby this resolve was passed to be engrossed, Senate amendment A was adopted, and