

# 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.

Friday, March 27, 1903.

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

Prayer by the Rev. Mr. Quimby of Gardiner.

Journal of the previous session read and approved.

Papers from the House disposed of in concurrence.

On motion by Mr. Wilson of Washington, Order, the Senate concurring, that the State treasurer be authorized to pay to William J. Mayberry for services and expenses to the committee on military affairs during this session, was laid on the table.

On motion by Mr. Goodwin of Somerset, Order, that the State treasurer be requested to pay to William J. Smith, first assistant messenger for extra services before the session commenced, was tabled.

On motion by Mr. Bryant of Somerset, Order, that the treasurer of State be directed to pay the pages of the House in addition to the regular amount \$25 each for extra services during the session of the Legislature.

On motion by the same senator, Order, that the report of the committee on appropriations and financial affairs reporting that same be referred to the next Legislature on resolve providing for a geological examination of the State for a possible supply of coal, be taken from the file, was tabled.

On motion by Mr. Goodwin of Somerset, the Senate voted to grant the request contained in the following Order: Ordered, that the Senate be requested to return to the House Senate document 227, resolve in favor of Maine State prison.

On motion by Mr. Buck of Hancock, the Senate reconsidered the vote whereby the foregoing resolve was passed to be engrossed.

On motion by Mr. Goodwin of Somerset, bill, An Act to amend Section 4 of Chapter 256 of the Public Laws of 1893 as amended by Chapter 197, relating to the sale and analysis of commercial fertilizers, took its several readings

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

Bill, An Act to annex certain islands in Casco bay in Sagadahoc county to the town of Phippsburg, under suspension of the rules was passed to be engrossed.

An Act to change the name of the plantation of Winterville, under suspension of the rules, took its several readings and was passed to be engrossed.

An Act providing temporarily for the appointment of wardens, and for their services, under suspension of the rules took its several readings and was passed to be engrossed.

On motion, by Mr. Goodwin of Somerset, resolve in favor of illustrated lectures on picturesque Maine was laid on the table. Subsequently this resolve was indefinitely postponed on motion by the same senator.

Bill, An Act to amend Chapter 96 of the Public Laws of 1899, entitled An Act to prevent incompetent persons from conducting the business of pharmacists. House amendment A rejected. On motion of Mr. Clark of Hancock, the bill took its two several readings under suspension of the rules and was passed to be engrossed.

On motion by Mr. Goodwin of Somerset, House document No. 404, relating to Patriots' day was taken from the table. On motion by Mr. Randall of Cumberland; the Senate insisted on its former action and the committee of conference was joined on the part of the Senate, the Chair appointing as such committee Messrs. Randall of Cumberland, Goodwin of Somerset, and Morrison of York.

On motion by Mr. Stetson of Penobscot, bill, An Act for the assessment of State tax for 1903 amounting to the sum of \$970,475.77; also bill, An Act for the assessment of State tax for 1904, \$970,475.77, under suspension of the rules each received its two several readings and were passed to be engrossed.

On motion by Mr. Burns of Cumberland, bill, An Act to amend Section 112 of Chapter 11 of the Revised Statutes, as amended by Chapter 37 of the Public Laws of 1891 and by Chapter 121 of the Public Laws of 1895, and by Chapter 308 of the Public Laws of 1897, relat-

ing to normal schools and Madawaska Training School, received its two several readings, under suspension of the rules, and was passed to be engrossed.

On motion by Mr. Dudley of Aroostook, bill, An Act to authorize William C. Farrell and Henry A. Gagnon to construct a dam, and to build and maintain piers and booms, took its two several readings under suspension of the rules and was passed to be engrossed.

On motion by Mr. Bryant of Somerset, bill, An Act to make certain the meaning of the language "timber and grass" relating to public lots, so called, in unincorporated townships in the State of Maine, took its several readings under suspension of the rules and was passed to be engrossed.

On motion by Mr. Philbrook of Oxford, bill, An Act to create the Maine mining bureau, took its several readings under suspension of the rules and was passed to be engrossed.

On motion by Mr. Clark of Hancock, bill, An Act relating to the salary of the register of probate for the county of Hancock, took its several readings under suspension of the rules and was passed to be engrossed.

On motion by Mr. Clark of Hancock, bill, An Act relating to telegraph and telephone companies, was indefinitely postponed in concurrence with the House.

On motion by Mr. Wing of Androscoggin, bill, An Act to repeal Chapter 329 of the Public Laws of 1897, and Chapter 22 of the Public Laws of 1899, and to amend Sections 70 and 75 of Chapter 18 of the Revised Statutes relating to repair of highways, the Senate concurred with the House in the indefinite postponement of the bill.

On motion by the same senator, Order of the Legislature relating to the expediency of increasing the tax upon express companies, the Senate concurred with the House in indefinitely postponing the bill.

Bill, An Act relating to compensation of examining boards, came from the House indefinitely postponed by that branch. On motion by Senator Gardner of Penobscot, the Senate insisted on its former action, and a committee of conference was appointed by

the Chair as follows: Messrs. Goodwin of Somerset, Pike of Washington, and Gardner of Penobscot.

On motion by Mr. Dudley of Aroostook, bill, An Act to incorporate the Munsungun Telephone Company, took its several readings under suspension of the rules and was passed to be engrossed.

(House amendment A adopted in concurrence.)

On motion by Mr. Burleigh of Aroostook, the Senate voted to reconsider the vote whereby it passed to be engrossed bill, An Act relating to the alewife fisheries at Damariscotta Mills; and on further motion by the same senator the Senate voted to grant the request of the House asking the return of the bill to the House.

On motion by Mr. Randall of Cumberland, bill, An Act to provide for the compensations of persons and property at Old Orchard, county of York during the months of June, July, August and September of each year, was laid on the table pending the acceptance of either report of the committee on railroads, telegraphs and expresses, two reports having been returned, one being "ought to pass" and the other "ought not to pass."

On motion by Mr. Morrison of York, on bill, An Act to fix the salary of the secretary of State, the Senate non-concurred with the House and accepted the minority report, "ought not to pass."

On motion by the same senator, on bill, An Act to fix the salary of the attorney general, the Senate non-concurred with the House and voted to accept the majority report, "ought not to pass."

On motion by Mr. Guernsey of Piscataquis, bill, An Act to amend Section 8 of Chapter 115 of the Revised Statutes, relating to compensation of members of the government, took its first reading. Subsequently the bill was amended on motion by Mr. Burleigh of Aroostook, and as amended took its second reading and was passed to be engrossed.

#### Passed to be Enacted.

An Act to amend Chapter 279 of the Public Laws of 1897, as amended by Chapter 240 of the Public Laws of

1901, relating to the packing of sardines.

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 closes Oakes pond in Cornville to ice fishing.

An Act closing Cupsuptic river and its tributaries to all fishing above the foot of the first falls near its mouth, from July 1st to May 1st.

An Act to protect smelts during their spawning season in tributaries of Damariscotta river.

An Act to regulate fishing in the tributaries of Wilson lake in Wilton in the county of Franklin.

An Act to prohibit the use of boats or launches of any kind propelled by steam, naphtha, gasoline or electricity, while hunting sea birds in the waters of Frenchman's bay, so called, on the coast of Maine.

An Act to prohibit the dumping of herring and all fish offal in the waters of Jonesport and Addison.

An Act to prohibit all ice fishing in Lake Webb or Weld pond, so called, in the town of Weld, county of Franklin.

An Act relating to the new iron bridge over the Presumscot river in the town of Falmouth.

An Act to permit the Longwood Real Estate Company to construct a wharf in Long lake in the town of Naples.

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

An Act to amend Chapter 174 of the Public Laws of 1901, relating to a franchise tax on sleeping and palace cars. (Tabled on motion of Mr. Butler of South Thomaston, pending its passage to be enacted.)

An Act relating to bonds given by collectors of taxes.

An Act to amend Chapter 286 of the Public Laws of 1901, relating to taxation of interest bearing deposits in trust and banking companies.

An Act to authorize the Phillips and Rangeley Railroad Company to purchase or lease the property and franchises of the Madrid Railroad Company.

An Act to extend the time of construction of Boothbay Railroad.

An Act to amend Chapter 51 of the Revised Statutes, relating to the duties of railroad commissioners.

An Act to fix qualification for participation in party caucuses in the city of Augusta.

An Act to provide for the assessment and expenditure of the income arising from the permanent school fund in certain towns.

An Act to incorporate the Maine Coast Telephone Company.

An Act relating to defense of actions brought against administrators and executors.

An Act to amend the charter of the Augusta Trust Company.

An Act relating to actions for libel or slander.

An Act to legalize the acts and doings of Nashville Plantation, Aroostook county.

An Act for the protection of deer and moose in the county of Sagadahoc.

An Act to incorporate the Kibby Dam Company.

An Act to incorporate the Ashland Trust Company.

An Act to incorporate the Dirigo Electric Light Company of Dexter.

An Act to incorporate the Naples Water Company.

An Act to incorporate the Augusta Water District.

An Act to prohibit the throwing of sawdust and other refuse into Norton, Brown or Heath brooks or their tributaries, in the towns of Shapleigh and Limerick.

An Act to incorporate the Brooks Village Corporation.

An Act to amend Section 4, Section 11, Section 19 of Chapter 18 of the Public Laws of 1891, as amended by Chapter 154 of the Public Laws of 1895, relating to returns of vital statistics.

An Act to amend Section 2 and Section 16 of Chapter 48 of the Revised Statutes relating to corporations.

#### Finally Passed.

Resolve in favor of the trustees of the University of Maine.

Resolve in favor of Lee Normal Academy.

Resolve in relation to the early York deeds.

Resolve in favor of the Norcross Transportation Company.

Resolve in favor of Castine State Normal school.

Resolve in favor of the navigation of Moosehead lake.

Resolve in favor of Colby College.

Resolve in favor of A. A. Burleigh, chairman of the committee on interior waters.

Resolve laying a tax on the counties of the State for the years 1903 and 1904.

Resolve fixing the valuation of Reed plantation in Aroostook county, and Drew plantation in Penobscot county.

Resolve in favor of the town of Mariaville.

Resolve in favor of the clerk and stenographer and the messenger of the judiciary committee.

Resolve in favor of the re-establishment, where necessary, of the boundaries of the lots reserved for public uses in the several plantations and unincorporated places.

Resolve to pay for the printing and binding of the report of John A. Morrill, commissioner for revision and consolidation of the Public Laws.

Resolve providing for an epidemic or emergency fund.

Resolve in favor of the town of Anson.

Resolve in favor of the Eastern Maine Insane hospital.

Resolve in favor of the town of East Livermore.

Resolve in favor of the town of Cutler.

Resolve in favor of the stenographers to the presiding and recording officers of the Senate and House.

Resolve providing for a fund for completing the records of the clerk of courts of Lincoln county.

Resolve in favor of Lyman E. Smith, of Brunswick, for attendance before the agricultural committee, 1901.

Resolve abating a part of the State tax of the town of Bowdoinham for the years 1903 and 1904.

Resolve in favor of the Maine State Library.

On motion of Mr. Weeks of Fairfield, the House adjourned until 3.30 o'clock this afternoon.

#### Orders of the Day.

The resolve providing for an appropriation relating to the Louisiana Exposition, was taken from the table, on

motion by Mr. Staples of Knox, who moved the indefinite postponement of the resolve.

Mr. MORSE of Waldo: Mr. President, and gentlemen of the Senate, this appropriation carried \$40,000. Have you ever stopped to think what a great array the State of Maine could make at the St. Louis Exposition with \$40,000? I have as much pride in the State of Maine as any one. I have had opportunity to have my pride humbled in some degree. Two years ago, at the inauguration of our President McKinley, I had an opportunity of viewing the parade as it passed along Pennsylvania avenue. Ten thousand men there from Pennsylvania in line, and I kept looking and anxiously waiting for the line from Maine; and lo, and behold, when our Maine boys came along, there were simply two platoons. Now, was that any particular representation of Maine? Not at all. If we are going to make a representation of this grand old State of Maine, we should not only have an appropriation of \$40,000, but \$200,000, or \$500,000, to make a showing in comparison with other states of this country. I have understood that what was wanted to be done with this \$40,000 was to build a log cabin. If that is what is proposed, shall be done, it occurs to me that there are other interests to be represented besides this. They tell us they want to missionaries of inland fisheries and game have taken some interest in this matter; and they tell us that 133,885 people visited the State of Maine, last year, to enjoy the beauties of this State. Do you believe there is any other state in this union that is better advertised? They left us \$13,000,000. We cannot keep them away from here. They are bound to come. We want them to come. We have been building bridges here quite extensively—and I am in favor of it. I am in favor of building a bridge wherever towns are so situated that they are unable to build them—that is a proper thing to do. Every fair-minded citizen ought to be willing to do it, and to come to the front in those cases. I am not afraid to go back to my people with that record. That is what I ought to do. But if you put \$40,000 into this St. Louis Exposition, you will never know it in six

months afterwards and will never realize any benefit from it. The amount is inadequate. I say it to you in fairness and candor, and I have as much pride, love and respect for the State of Maine as any man, and I don't want to do it. And, as a practical embalmer and undertaker with 36 years' experience, I suggest that the proper time to bury this is here and now.

Mr. MADDOCKS of Lincoln: Mr. President, I am very much interested in the subject of advertising the beauties and advantages of the State of Maine. I attended the Columbian Exposition, and my pride was humiliated when I found that there were states that were advertising and showing all their resources, and our beloved State of Maine was so poorly represented there. I was ashamed, and I think the mistake we are making is that we are not appropriating money enough. I do not believe in the cry that we hear going about the State House that the State is bankrupt. I believe what is worth doing, is worth doing well, and I am in favor of giving them more money. I understand the Governor approves of more money being appropriated for this purpose; and I for one am willing to give it to him, but I am not willing to repeat the experience of the Chicago Fair, and we all know that \$40,000 will not make any showing in exhibiting the natural resources of the State of Maine I believe it is time to look this thing right square in the face. If it is worth doing at all, it is worth doing well, and if we cannot do it well, let us embalm it, as suggested by the Senator from Waldo.

Much has been said in the lobby about wasting money, and anyone acquainted with the situation who has been around the lobby the last two days and read the papers would suppose that this was responsible for bankrupting the treasury. What have we done? So far, we have appropriated \$33,200 to repair bridges. I think it is time that something is said to correct the misinformation about the lobby and in the papers. I do not think we are afraid to go home to our constituents and say we have helped the poor towns of this State to the amount

of \$33,200. I am proud to go to my home and state that I am a party to it, and I will take the chances of its being worked against me. The great hue and cry about the State's being bankrupt by this Legislature is an imposition upon our good judgment. I say everything has been considered fairly and well. I have not witnessed or been a party to any piece of legislation that I am ashamed of; and I think the best thing to do in this matter is to increase the appropriation to a sufficient amount to creditably represent the State, or kill it where it is.

Mr. STAPLES of Knox: Are you in favor of appropriating \$40,000?

Mr. MADDOCKS of Lincoln: No sir.

Mr. GARDNER of Penobscot: Mr. President, I wish simply to repeat the position I took the other day, that I hope the Legislature of Maine will pass an appropriation so that the State of Maine may be represented at this Exposition. If we stand here talking about the State's being bankrupt, it is wasting time. The world moves. People spend more money than formerly. Forty thousand dollars put out to represent this State in a general way at St. Louis is little enough, but it will do. The commissioners and people interested ask for \$50,000 and claimed that they had trimmed it down as snug as they could, but would get along with that. \$40,000, as I understand the matter, exhibits our industrial interests at the Exposition. This \$40,000 is to be used for headquarters where Maine people can hold reunions and be represented as a State, and when we consider the many Maine men scattered all over the Union, you will find Maine people all through the South and West, if it is not worth something to have a place on this Exposition ground where Maine people from all over this Union may meet people from the East, I don't know what a worthy expenditure of money is. I think it is due also to people in that section of the Union that is getting up the Exposition. The government is putting in money, states West and South are putting in money and I see no reason why Maine should not take hold and try and do something,

and I hope this resolve for \$40,000 will pass this Legislature.

Mr. GOODWIN of Somerset: Mr. President, I want to take a few moments of your time. In the last few days it has been circulated through the State that the Legislature has become fearfully extravagant, that we have appropriated \$800,000 more than was appropriated two years ago; and also that we have cut off some of our charitable appropriations, and some for schools and some for bridges. Now to send money out to St. Louis, to put into other people's pockets, taking it away from our own people, seems to me to be a course of action the voters of this State will never coincide with, and I hope the bill may be indefinitely postponed; and when the vote is taken I hope it will be by yeas and nays.

Mr. BUCK of Hancock: If we have got to go without schools for the sake of sending \$40,000 to St. Louis, I think we had better keep it at home and keep school with it.

Mr. BURNS of Cumberland: Mr. President, I understand from the plans of the commissioners that they expect to get as much more from other sources, from private subscriptions, corporations, etc., as is called for by this bill. I think \$80,000 would make a very respectable showing.

The question being put upon the motion to indefinitely postpone, a yeas and nays vote thereon resulted as follows: those voting yeas were Messrs. Alden, Bryant, Buck, Burleigh, Clarke, Currier, Dudley, Goodwin, Knowlton, Libby, Maddocks, Morse, Pierce, Pike, Plummer, Randall, Staples of Knox, (17). Those voting nays were Messrs. Burns, Gardner, Guernsey, Hyde, Manley, Morrison, Philbrook, Rankin, Staples of Cumberland, Stetson, Titcomb, Wilson, Wing, (13).

Mr. Goodwin of Somerset thereupon moved to reconsider the vote whereby it was voted to indefinitely postpone the bill in new draft. The question being put the motion was lost.

On motion by Mr. Hyde of Sagadahoc bill An Act relating to the Merrymeeting bay bridge was taken from the table and on further motion by the same Senator, Senate amendment "A" was

adopted. On further motion by the same Senator the bill took its second reading under suspension of the rules and was passed to be engrossed.

On motion of Mr. Morrison of York, bill, An Act in relation to salary of recorder of the municipal court of the city of Biddeford, was taken from the table and on the same Senator's motion Senate amendment "A" was adopted, and the bill as amended was passed to be engrossed.

Senate order requesting the engrossing committee to return to the Senate, House document No. 419, was presented by Mr. Clark of Hancock who moved that the order have a passage. The order was passed.

On motion of Mr. Goodwin of Somerset bill, An Act amendatory to an act relating to the recording of deeds took its second reading under suspension of the rules and was passed to be engrossed.

On motion by Mr. Clark of Hancock, the Senate reconsidered the vote whereby it passed to be engrossed House bill 119. On further motion by the same Senator the vote whereby the Senate non-concurred in the adoption of House amendment "A" was also reconsidered. Said amendment was adopted in concurrence, and as amended the bill was passed to be engrossed.

On motion by Mr. Goodwin of Somerset House document 512 was taken from the table and Senate amendment "B" was rejected.

On motion by Mr. Philbrook of Oxford the bill took its several readings and passed to be engrossed.

Resolve to aid the town of Frenchville. The Senate having non-concurred with the House in adopting the amendment to the recommendation of the committee, and having accepted the report of the committee to refer the bill to the next Legislature, on motion by Mr. Maddocks of Lincoln, the Senate receded and concurred with the House, and the bill took its two several readings and was passed to be engrossed.

On motion by Mr. Goodwin of Somerset bill, An Act in relation to taxation of excess of stock in manufacturing corporations was taken from the table.



The same senator moved that the Senate recede and concur with the House.

Mr. GARDNER of Penobscot: Mr. President, I hope the motion of the Senator from Somerset will not prevail. We discussed this matter in the Senate and the Senate voted that this section should not be repealed.

Mr. WING of Androscoggin: Mr. President, I think of all measures this is the most dangerous that has been proposed in the Senate. It will be a direct blow to the industries of this State and to manufacturing corporations which furnish employment for the people, and I hope the motion to recede and concur will not prevail.

Mr. STAPLES of Knox: Mr. President, I disagree with the Senator from Androscoggin. I do not believe that it is dangerous. It is a dangerous thing for the corporations because it makes them pay a tax they ought to pay, but it won't prevent corporations from coming in here and doing business.

Mr. GARDNER of Penobscot: We won't discuss this matter long, but we have heard the Senator from Knox assume that he represents the Grange. I think most of the Senators here represent granges. I do in my section, good sensible farmers who haven't any notions of this kind and who are interested in manufacturing enterprises.

Mr. STAPLES: May I ask you a question?

Mr. GARDNER: I am not a traveling encyclopedia, but,—

Mr. STAPLES: We all know that. I was going to ask you a simple question, one that you ought to be able to answer and that is, when did you attend the grange last?

Mr. GARDNER: I haven't attended any grange, and haven't said I attended any grange. I said I represented granges in my section.

Mr. GOODWIN of Somerset: If you tax the machinery and stock in process of operation at the plant in the municipality where the corporation is situated, that is fair. If the stock is below the value of that it should not be taxed and there should not be any rebate on it, but if the stock soars up above that so that it is worth perhaps twice the value, that excess value under the law

today is taxable and should be taxed, and all we ask is to repeal this obsolete law which is used as a cover to carry out the provisions of the other one without making any change in any law. It was fully discussed here the other day.

Mr. GARDNER: What gives this stock this additional value over and above the real value?

Mr. GOODWIN: It is the potentiality of the corporation. Its franchise: the ability to accumulate and to work itself out successfully.

Mr. GARDNER: Do I understand that this potentiality, this franchise represents the ability of the men who manage it?

Mr. GOODWIN: The franchise is granted by the State. Under that they get certain advantages, among which is that of escaping personal responsibilities of expense in the running of affairs, and in the case of debt.

Mr. GARDNER: It seems to be a case of "one minute you see it and the other you don't." I cannot see myself where if we tax all the property that a corporation owns, as you tax all the property a partnership owns, I don't see why the hope of some investor should be taxed. I understand that the motion of the Senator from Somerset is in effect that we shall repeal a law that the assessors of this State, men of integrity and honesty, are using as a cover to do something illegal and wrong to the people of the State.

Mr. GOODWIN: Exactly so. Not a particle of question about it.

Mr. WING of Androscoggin: Mr. President, we went all over this ground the other day. It was stated here that there was no reason why the business conducted by a corporation should pay any more taxes than a business conducted with the same capital, with the same labor, on the other side of the street, in a partnership. We have heard this morning why it should be taxed. The corporation that is formed under the general law is simply a medium through which business is transacted; and now we are told that it is the potentiality that ought to be taxed. Now I submit that that is an injustice to business, to go

to taxing potentiality. After you pay taxes on all the property, and the property is exposed for taxation, then to begin to talk about "some nigger in the fence" that you call potentiality, and to tax him—it is time for people to put their foot on it. It is wrong. You are going to destroy the industries that furnish employment and pay wages to our people. They cannot pay any more taxes in proportion to their business and their property than can other people. This obsolete law which has been on the statute books since 1843 and which has been amended as lately as 1879 is not obsolete; I submit as a legal proposition, and am perfectly willing to go on record as having said it and to be responsible for it.

Mr. BURLEIGH of Aroostook: Mr. President, it seems to me that if the State already has a franchise tax upon corporations that that feature of it is already taxed; and that if you tax the property and also tax the excess value of the stock, which Mr. Goodwin says, represents the franchise of the company, you have taxed that property twice, and I do not believe that double taxation is intended by anyone in this Senate. I hope this motion to concur with the House will not be sustained.

The question being put on the motion of Mr. Goodwin of Somerset, that the Senate recede and concur, the yeas and nays being called for and ordered, the vote thereon resulted as follows: Those voting yea were Messrs. Alden, Bryant, Buck, Clark, Dudley, Goodwin, Guernsey, Knowlton, Libby, Manley, Morse, Pierce, Pike, Staples of Knox (14). Those voting nay were Messrs. Burleigh, Burns, Currier, Gardner, Hyde, Maddox, Morrison, Philbrook, Plummer, Randall, Rankin, Staples of Cumberland, Stetson, Titcomb, Wilson, Wing (16), and the motion was lost.

Mr. Goodwin of Somerset moved that the Senate insist. The question being put the motion prevailed. The Chair appointed on as a committee of conference on the part of the Senate, Messrs. Gardner of Penobscot, Wing of Androscoggin and Hyde of Sagadahoc.

On motion by Mr. Randall of Cumberland, House bill 534 was taken from the table. This was bill An Act to pro-

vide for the comfort and safety of persons in Old Orchard, etc. The pending question being upon the acceptance of the minority report of the committee "ought to pass." The same Senator moved to non-concur with the action of the House and the motion prevailed. On the same Senator's motion the majority report "ought not to pass" was accepted.

Bill, An Act to amend Sections 2 and 16 of Chapter 48 of the Revised Statutes relating to corporations was passed to be enacted. Mr. Goodwin of Somerset thereupon moved to reconsider the vote whereby the bill was passed to be enacted and also moved that it lie upon the table which motions prevailed.

On motion by Mr. Manley of Kennebec the Senate took a recess until 3 P. M.

#### Afternoon Session.

On motion by Mr. Goodwin of Somerset, the following bill was taken from the table. An Act to amend Sections 2 and 16 of Chapter 48 of the Revised Statutes relating to corporations. On further motion by the same Senator the bill was passed to be enacted.

On motion by Mr. Goodwin of Somerset, the Senate went into executive session.

At the close of the executive session on motion by Mr. Goodwin of Somerset the order in relation to the removal of the State Capitol was taken from the table, and on motion by Mr. Hyde of Sagadahoc the same was passed in concurrence.

On motion by Mr. Wilson of Washington the Senate insisted upon its action in indefinitely postponing bill An Act relating to corporations. The Chair appointed as a committee of conference on the part of the Senate, Messrs. Wilson of Washington, Dudley of Aroostook and Guernsey of Piscataquis.

Bill, An Act to amend an act relating to the alewive fishery of Damariscotta Mills was returned from the House with House amendment "A" adopted. House amendment "A" adopted in concurrence and bill as amended passed to be engrossed.

Bill, An Act to amend chapter 174 of the public laws of 1901 relating to franchise tax on sleeping and palace cars

was returned from the House with House amendment "A" adopted, which was adopted by the Senate in concurrence and on motion of Mr. Manley of Kennebec the bill was indefinitely postponed.

On motion by Mr. Staples of Knox, bill An Act to amend the charter of the city of Rockland was taken from the table and on further motion by the same Senator took its several readings and was passed to be engrossed.

On motion by Mr. Wilson of Washington the order relating to services and expenses of Wm. J. Maybury as secretary of the committee on Banks and Banking was taken from the table. On motion by Mr. Goodwin of Somerset the order was amended by Senate amendment "A" which was adopted by the Senate and the order as amended was passed.

The committee of conference on the part of the Senate on bill, An Act to repeal section 28 in relation to taxes of stock in manufacturing corporations, reported "unable to agree." Report accepted.

On motion by Mr. Gardner of Penobscot the Senate adhered to its former position.

The committee of conference on the disagreeing vote of the House and Senate on adoption of House amendment "A" on resolve in favor of electric lighting plant of the Maine State prison, which was accepted, and in accordance therewith the vote whereby it had passed the bill to be engrossed was adopted, and Senate amendment "A" as reported by the conference committee was adopted; and the bill as amended was passed to be engrossed.

The Knox county delegation on bill, An Act to establish the salary of the county attorney of the county of Knox, reported "ought to pass." Report accepted. On motion by Mr. Staples of Knox the bill received its several readings under suspension of the rules, and was passed to be engrossed.

The committee of conference on the part of the Senate, on bill, An Act to establish Patriots Day, reported that they were unable to agree. Report accepted. On motion by Mr. Randall of Cumberland, the Senate adhered.

On motion by Mr. Morrison of York,

bill, An Act to incorporate the Kittery and York Telephone company was taken from the table, and under suspension of the rules took its two several readings and was passed to be engrossed.

Resolve, that the sum of \$15 be paid to J. Calvin Knapp for cash paid out as secretary of the committee on State lands and State roads, as amended, received its two several readings, under suspension of the rules, and was passed to be engrossed.

Resolve in favor of R. E. Randall, secretary of the committee on education, received its two several readings under suspension of the rules, and was passed to be engrossed.

On motion by Mr. Goodwin of Somerset, bill, An Act to authorize J. M. Goddard to build and maintain a movable sidewalk, received its several readings, under suspension of the rules, and was passed to be engrossed.

On motion by the same Senator, resolve in reference to the Canton bridge, was indefinitely postponed.

On motion by Mr. Goodwin of Somerset, resolve in reference to the town of Waterford was taken from the table.

Mr. GOODWIN: Mr. President, has that been referred to a committee?

The PRESIDENT: There was a similar one referred to a committee which was disposed of and turned down, as I recollect it by the Senate, yesterday, this resolve to the same effect was introduced under suspension of the rules and passed to be engrossed without reference to a committee.

Mr. GOODWIN: I rise to a question of consideration, whether the Senate will consider at the present time resolve in favor of the town of Waterford. Under the rules it cannot be received without three days' notice.

The pending question being suspension of the rules, and a sufficient number not having voted, the resolve was refused consideration.

On motion by Mr. Goodwin of Somerset, resolve in favor of bridge in the town of Mariaville, was taken from the table.

Mr. CLARK of Hancock: Mr. President, what is the present status of the bill?

The PRESIDENT: The bill was received in the House, yesterday, under

suspension of the rules, without reference to a committee and without printing, read thrice and passed to be engrossed.

Mr. GOODWIN of Somerset: I rise to a question of consideration. I am sorry, but I am going to do it. I raise the question that the resolve cannot be received without suspension of the rules. On motion by Mr. Clark of Hancock, the rules were suspended, 18 voting in favor of the motion and 6 against the same.

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

Senate document 275 came up by special assignment, took its several readings under suspension of the rules, and was passed to be engrossed.

Bill, An Act to regulate the sale and analysis of concentrated commercial food stuffs, took its several readings under suspension of the rules, and was passed to be engrossed.

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

On motion by Mr. Goodwin of Somerset, resolve in favor of illustrated lectures, was indefinitely postponed.

House order relating to adjournment, passed in concurrence, and the committee on the part of the Senate joined thereon, consisting of Messrs. Manley of Kennebec, Wing of Androscoggin and Stetson of Penobscot.

On motion by Mr. Goodwin of Somerset it was ordered that William J. Smith, first assistant messenger of the House shall receive \$25 for extra services before the session commenced.

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

#### Evening Session.

The Louisiana Purchase Exposition report and accompanying resolve came back from the House, the House insisting and asking for a committee of conference. On motion by Mr. Clark of Hancock the Senate insists and the following committee of conference was joined, Messrs. Dudley of Aroostook,

Maddocks of Lincoln and Morrison of York. The Chair afterwards appointed Senator Clark of Hancock in the place of Mr. Morrison of York, and Mr. Clark said: "I should prefer not to act."

Mr. GOODWIN of Somerset: I rise to a question of privilege. I do not understand how these names should be given to the President as representing the majority of the Senate.

The PRESIDENT: I understand Mr. Dudley voted to indefinitely postpone. Is the Chair correct? I also understood the senator from Lincoln to vote to indefinitely postpone. I do not recollect how the others voted.

Mr. GOODWIN: The senator from Waldo voted against it, Mr. Buck of Washington voted against it, and also Mr. Bryant of Somerset. I think those who stood against it should have representation on the committee.

Mr. GARDNER of Penobscot: Mr. President, I understand that any senator who voted to indefinitely postpone, our majority vote here would be eligible.

The PRESIDENT: The suggestion is correct. The Chair wants to be perfectly fair in this matter. The rules require that in making up a committee of conference the committee shall represent the vote of the body.

Mr. MADDOCKS of Lincoln: There seems to be a little feeling in the matter and I shall decline to serve on that committee.

The PRESIDENT: The Chair understood it had appointed a committee consisting of three members representing the vote of this body. If there is any question about it the Chair would like to be corrected.

Mr. GARDNER of Penobscot: Certainly the gentleman who originally voted against this bill did not at that time represent the majority. The gentlemen who on the second vote, voted to postpone, represented the sentiment of this body. I trust those gentlemen who represent the conservative part of this body will be allowed to serve for the purpose of settling the difficulty.

The PRESIDENT: The Chair will appoint Messrs. Dudley of Aroostook, Knowlton of Penobscot and Pike of Washington. Those are senators who,

according to the record, voted on indefinite postponement as appears by the yeas and nays vote.

Mr. Knowlton of Penobscot declined to serve, and the Senate excused him from serving on the committee. The Chair appointed in his place Mr. Randall of Cumberland.

On motion by Mr. Stetson of Penobscot it was ordered that the secretary be instructed to procure the resolve in favor of the Lincoln and Chester bridge from the engrossing office.

Mr. GARDNER of Penobscot: I can see no object in recalling this from the engrossing department unless the sentiment of the Senate is that something different from our original vote should be taken upon it, and I trust the Senate will stand by their original action.

Mr. STETSON: I make this order with the explanation that there seems to be a feeling in the legislative bodies that there is an over appropriation, and particularly antagonistic feeling against appropriations for bridges. I do not wish to deny that there is merit in our case. I believe it is one that should be passed, but I realize that the situation is critical. I realize that there are many small towns that perhaps in a measure may be more worthy of an appropriation from the State than is this, and as a member of the Penobscot delegation I am willing to go on record that this matter should be presented to a new Legislature in a new resolve; and I make this motion to recall, with the idea of later making a motion for indefinite postponement, believing it will lessen the possibility of some of these small plantations being imperiled in the passage of their meritorious resolves.

Mr. GARDNER of Penobscot: Mr. President, from the senator's explanation it is evident that he is willing to sacrifice this matter that some other small plantation may have their bridge. I hope the Senate will adhere to their former action.

The PRESIDENT: The question is on the motion of the Senator from Penobscot, that the secretary be instructed to secure an order for the Lincoln and Chester bridge resolve from the engrossing office.

The vote being taken, there were twenty voted in the affirmative, and four in the negative.

The Chair appointed as a committee of conference on the Louisiana Purchase Exposition bill, Messrs. Dudley of Aroostook, Goodwin of Somerset and Pike of Washington.

The PRESIDENT: The secretary has received the Lincoln and Chester bridge bill from the engrossing office.

On motion by Mr. Stetson of Penobscot the vote whereby the resolve in favor of the Chester and Lincoln bridge was passed to be engrossed, was reconsidered. The same senator then moved that the resolve be indefinitely postponed.

The question being put upon the motion to indefinitely postpone, twenty-four voted in the affirmative and five in the negative, and the bill was indefinitely postponed.

Bill, An Act to regulate the use of automobiles and motor vehicles upon public ways, came from the House with House amendment "A" adopted.

Mr. GUERNSEY of Piscataquis: In connection with this bill I wish to state that the new draft was very carefully gone over by the judiciary committee, through its sub-committee, and it was finally reported, I believe, unanimously, and in the House the amendments were adopted. I move that the Senate non-concur in the adoption of House amendment "A".

Mr. CLARK of Hancock: Mr. President, this is a very long bill and I have no doubt has a great deal of merit in it. I was myself before the judiciary committee and had something to say in regard to parts of it. I do not claim to be an authority in such matters as this although I have had some experience in the driving of such vehicles. We have had several regulations in Bar Harbor similar to this, under ordinance. I went before the judiciary committee and explained to them what little I knew about the matter, and this was wholly represented by foreign cities. Foreign cities sent people down here to tell us our duty in regard to the law of the road in the use of automobiles and horseless vehicles. There were several gentlemen from Bruns-

wick who insisted on having the use of the roads as other people have it. I have no objection to legislation for equal rights to all and special privileges to none when we can carry out that doctrine, but in this case I do not think we can carry it out but shall have to give special privileges to our own people in the State of Maine. Our horses are not accustomed to the use of these carriages. Our country roads and by-ways are very narrow. These amendments, as I understand them, allow the selectmen of towns, or municipal authorities to regulate their use, that is, to say what streets shall not be used for the use of automobiles, similar to the law we passed here yesterday for the town of Eden. The House has gone over this matter and taken a great deal of time in it, and have by a large majority adopted these amendments. This bill was submitted to the sub-committee, of which Mr. Barret Potter of Brunswick was a member, who is much interested in automobiles, and much more interested in the president of the automobile company of Brunswick, Mr. Hatch, who has been beseeching this Legislature and pouring forth his trouble into our ears in regard to this matter. I do not think that Mr. Hatch should put into our mouths what we are obliged to say on this automobile law, and I think the gentleman from Bath who drew those amendments has drawn them with a great deal of care and we should give them careful consideration before we vote them down.

Mr. GUERNSEY of Piscataquis: Mr. Clark is more frightened at this bill than are the horses at the automobile. Perhaps Brunswick is a foreign state. He says the citizens of the State appeared before the committee. The bill principally deals with regulations and the care that persons running automobiles shall exercise in going through public streets, and towns. I intended to move the indefinite postponement of the bill as amended.

The question being put upon the motion to non-concur in the adoption of amendment "A" to House bill 468, the motion prevailed.

Mr. WING of Androscoggin: Mr. President, I have quite a large number of constituents who are owners of automobiles. They live in the foreign parts known as Lewiston and Auburn. These gentlemen appeared before the judiciary committee, and there were also quite a number of foreigners from Portland, and they were given a respectful hearing, and there was an honest endeavor on the part of the judiciary committee to report such a bill as would be safe for the public and for the users of horses on the highways where these vehicles are also used. There may be an honest difference of opinion between gentlemen whether the automobile has come to stay or not. I think they will be here as long as electric cars are here, perhaps not as long as horses; but if members of the Senate will read this bill carefully I think they will see that the committee exercised a great deal of care in protecting the rights of the public in the use of these machines.

Mr. CLARK of Hancock: I did not mean to give the impression to this Senate that all the people who represented this bill were from foreign states. I think I remember distinctly in the first part of this Legislature when we heard some of the history of Lewiston where one man put in 36 ballots at one time.

Mr. GUERNSEY of Piscataquis: I do not want it to be understood that I am in favor of the indefinite postponement of this bill, only of the bill as amended.

On motion by Mr. Manley of Kennebec the rules were suspended and the bill took its second reading and was passed to be engrossed.

On motion by Mr. Goodwin of Somerset, resolve in favor of Western State Normal school at Gorham, was taken from the table.

Mr. Wilson of Washington moved that the Senate concur in the action of the House in the adoption of House report "A", which motion prevailed.

On motion by Mr. Stetson of Penobscot, the Senate non-concurred in the action of the House in the adoption of the amendment. On motion by Mr. Goodwin of Somerset the rules were

suspended and the resolve read second time and passed to be engrossed

Mr. GOODWIN of Somerset: Mr. President, I want to say that the committee of conference on the St. Louis Exposition matter are about to go into conference, and if the senators have any different instructions to give us than the vote of this forenoon, they might as well give it at this time as another. I have no desire to oppose the appropriation and to make myself unpopular. And if they have any different instructions we want them. Therefore I move that the conference be instructed to adhere to their course this morning, and with any other action they see fit to take.

Mr. STETSON of Penobscot: I voted in favor of the passage of this resolve. I felt the State should be worthily represented in St. Louis. I believe money spent there will work back to the interest of everyone. It will direct people to our State and help the sale of our products. I do not believe it is money wasted. I believe the governor should have the expression of the Legislature that it was desirable if we can financially afford it. I believe that with the measures pending the governor would not sign such a resolve and sacrifice the bridges, charitable and educational institutions. I firmly believe that our financial situation is such that we shall have the means, and I hope the resolve will be passed. I am taking the position that the income of the State is growing and take the position to pass this resolve to the governor and let him decide whether or not the State can afford this appropriation.

Mr. GOODWIN of Somerset: Mr. President, only this afternoon we were told that the finances of the State were in such a deplorable condition that this resolve must not pass. Now he asks to pass this resolve. I think it is not right. I think it is not fair to the people who have got to go home, to those people with this resolve hanging over us and the only thing they can point their hands to and say of it, that we were extravagant. If the Senate wants to do it, I have nothing to say. It is not pleasant to me to stand here and oppose this resolve.

Mr. RANDALL of Cumberland: Mr. President, if the financial condition of the State is so bad why did the Senate pass the five thousand dollars for the Western State Normal school?

Mr. STAPLES of Knox: I hope the Senate will adhere. We have threshed this matter out and I do not see that the people of Maine will receive any benefit from appropriating \$40,000 to be used 2,500 miles from home.

Mr. MORSE of Waldo: Mr. President, it seems we have discussed this matter and ought to have a fair understanding about how we feel about it. I said this forenoon and I say it again that I do not think \$40,000 would make a very large show out there at St. Louis when the city of St. Louis, will probably appropriate \$2,000,000. What can we expect to do out there with \$40,000? Can we expect to be proud of the show that the State of Maine will make there? I think here and now is the proper time to settle this matter.

Mr. HYDE of Sagadahoc: Mr. President, as a business man, I do not believe this pays ten cents on the dollar, and I hope the Senate will adhere, and vote it down.

Mr. GARDNER: I have listened to this debate with considerable interest. As I remember it, the Senate, a short time ago, voted this appropriation. There has been a radical change. Is it because the Senate is economical, or because the Governor does not agree with them on all points. I am frank to say that there is, I believe, something beside the condition of the State. Many Senators have taken a position contrary to their original one. I resent the imputation that there is any feeling towards the executive of this State. The very gentlemen who voted for it, and who are voting against it have the kindest feelings for him. It is simply because it is the one appropriation that stares us in the face like a nightmare, and I hope the Senate will adhere.

Mr. MADDOCKS of Lincoln: I would like to make a little explanation. This morning, I made my remarks feeling that \$40,000 was too small a sum to advertise the State at the St. Louis Exposition. I was not aware

that there was a prospect of increasing that amount to nearly a hundred thousand dollars; and, if that can be brought about, I shall vote for the appropriation, with that understanding.

Mr. PIKE of Washington: Mr. President, I would like to ask the Senator from Lincoln, why not raise the whole amount outside?

Mr. MADDOCKS: I would agree to it.

The question being put on the motion to adhere, the yeas and nays were called for and ordered, and the vote being had, resulted as follows: Those voting yea were Messrs. Alden, Bryant, Buck, Burleigh, Clark, Currier, Goodwin, Knowlton, Libby, Maddocks, Morse, Pierce, Pike, Plummer, Randall, Staples of Knox, (17). Those voting nay were Messrs. Burns, Gardner, Guernsey, Hyde, Manley, Morrison, Philbrook, Rankin, Staples of Cumberland, Stetson, Titcomb, Wilson, Wing, (13), and the motion prevailed, and the committee were instructed to adhere.

Mr. GOODWIN: Mr. President, I wish to close up this matter tonight, and have it off my mind, and I move that the instructions already given to the committee on conference on the St. Louis Exposition, be the final instructions.

The motion prevailed. The same Senator thereupon to reconsider the vote, and the motion was lost.

Mr. GARDNER: I trust the Senator's mind is now relieved.

Mr. GOODWIN: I can sleep.

On motion by Mr. Burleigh of Aroostook, Senate Doc. 237 was taken from the table.

Mr. STETSON of Penobscot: Mr. President, I wish to offer an amendment in regard to this document. It is one which provides that the mill tax shall be increased from one-half to five-eighths. This bill has been passed to be engrossed by the Senate. There was also a bill introduced which has been enacted here tonight which provides that one-half of the tax received from the trust companies shall go to the school fund. I will state that there was a conference yesterday, between His Excellency, the Governor, and Mr. Pierce, Mr. Wing and myself in regard

to the condition that the school fund would be in, if the law remained as it was. The amount received from the trust company was added thereto and statements were received from the State treasurer showing the income would be increased, a reduction of probably \$15,000 this year which would be made up the year afterwards an increase of perhaps \$40,000 or \$50,000, and this document was withdrawn and placed on the table with the understanding that the other should be taken from the table of the House and passed to be enacted. The other has been taken from the table and passed to be enacted, and I will make the motion that this bill be indefinitely postponed, as the other bill provides essentially for the increase, and a year or two will amply take care of the school fund.

Mr. WING of Androscoggin: Mr. President, when this matter was under discussion in the Senate, I think the Senate were somewhat misled by the figures which were at hand at that time. I have figures before me prepared by Mr. Caldwell, taken from the State treasurer's book, which I think justify the entire position stated by the Senator from Penobscot. I will give the amounts in thousands of dollars, if you please, in order that it may be more easily carried in your mind. In 1900, the amount was \$516,000. In 1901 the amount was \$532,000 without any regard to the increase in the State valuation and without any regard to the tax on deposits in trust companies and without any regard to any deposits in savings banks, there would be payable, with the matter just as it is in 1903, \$506,000 and in 1904, \$42,000. Under the increase as proposed, without any of these considerations, there would be \$654,000 in 1904. That is, the Senate will notice a very large increase over the amount for this year, so that it is, in no sense, taking a step backward. By some mischance, in the wording of the law concerning deposits in trust companies, passed at the last Legislature, they were only taxed on time deposits. Some of the largest trust companies of the State went to work and made all deposits demand deposits, didn't have



any time deposits and thus evaded the law. Now the law, during the present session has been changed so that if they pay interest on any sum at the rate of 3 per cent. that shall be classed a time deposit, so it will be impossible for any evasion on the part of the trust companies concerning their money, which would be furnished toward the revenue of the State, one-half of which goes to the school fund by the Act which was referred to by the Senator from Penobscot. Now, I regard it as perfectly safe with what knowledge I have of the deposits in trust companies, and what revenue would be received from that source, that the amount for schools will be safely and widely in advance of the present amount, and that it will be no step backward in the interests of education on the amount necessary for the schools, but really an increase, to allow it to go at the rate of one-half instead of five-eighths.

Mr. STAPLES of Knox: What do you estimate will be the amount of the tax?

Mr. WING: That is a matter of estimation. Last year it amounted to \$17,000, and as I stated to you, the largest trust companies evaded the tax, by calling their deposits demand deposits. No matter how long the time of duration on the deposit, they classed them as demand deposits although they were paying interest on them. And in the way the law was written, there did not seem to be any chance to get at the tax on the deposit, except in so far as they came within the exact definition of the law. Now, the increase in State valuation, the increase in revenue from deposits in savings banks and trust companies' deposits will safely keep this beyond its present sum. That, I think, is safe; and I would not, for my right hand, do anything to diminish the school fund, or cripple it in the slightest degree. But with the explanations that have been made to me, and with the light I have received, I do not deem it necessary or desirable to increase it to five-eighths in order that the amount may be abnormally or unnecessarily large. I won't take a step backward, if I know it, about the common schools. I stand

by them at all hazards, under all circumstances, in all places; and I have stated this matter as it has come to me, and I believe it is absolutely safe.

Mr. STAPLES of Knox: Mr. President, conceding all the Senator from Androscoggin has said, I still believe it would be one of the grandest things that this Legislature can do, to increase the school fund. It is not enough to keep it just where it is. While there may be an increase from the trust companies under the present law, the Senators must not forget, that, by the report of the superintendent of schools, we have an increase in this State, over last year in scholars of 1662, over what it was two years ago. Now, if you will only recollect that Maine raises less money for the schools than any other state of this Union, it is apparent that money cannot be expended so well as in the education of our children. If you cut the savings bank tax from five-eighths to one-half you take about \$40,000. If you increase it, you won't get more than \$25,000 from the trust companies. Taking the increase in the number of scholars, and multiplying it by five, you have about \$8,000 more money than you needed last year. I am not afraid of having too much money for educational purposes in the State of Maine. Many a farmer wants his children to have an education. He can give them nothing else. He is unable to send them away to school. I hope this matter will not be indefinitely postponed. I would rather increase it than keep it where it is.

Mr. PIERCE of Aroostook: I presume, Mr. President, I may be expected to make some remarks in this matter, as it came up on my motion the other day, and upon my figures perhaps some Senators voted in regard to the matter and it would seem that a misapprehension of the question arose from my statement of the figures. I would like to ask the Senator from Androscoggin when he obtained the figures?

Mr. WING: Day before yesterday.

Mr. PIERCE: I would like the amount stated there, taken out of the common school funds for running normal schools and incidental expenses?

Mr. WING: Thirty-five thousand, five hundred dollars.

Mr. FIERCE: I presume the State officials knew that a law had already been passed at this session, appropriating \$12,000 more out of the common school fund for that purpose, and still, they have not put it in. I want you to judge that from a clear statement of facts. I presume their figures are correct. I consented with the others to allow this matter to come back to our consideration after the trust company bill should be passed in the House and Senate. I did not consent that it should be taken out and indefinitely postponed unless the Senate, knowing the facts in the case, agreed with it. I am going to make a statement, as I understand the facts in the case, and I think we can consider the figures given by the Senator from Androscoggin, Mr. Wing, and give them due weight, use a little common sense in the matter, and see whether or not you are willing this amount should be cut down, as the method proposed is sure to do. Now, there is a rule which is quite simple and easily understood, that if you cut off of one end, you must add on the other, or the whole is reduced. We know this much, that we have a common school fund, amounting in the year 1902 and 1903 to \$590,280.77. Under the present law, passed at this session, reducing the tax on savings banks, the schools this year lose upwards of \$40,000. It is claimed, we have, on the other hand, the mill tax, or rather the tax from the trust companies to sustain that. Let us go a little further in our reductions. Twelve thousand dollars more is reduced from the common school fund this year and the years following on account of the increased expense in running the normal schools, \$10,000 for the Aroostook normal school and \$2,000 to meet deficiencies which are always put on the general bill, so that \$43,000 is to be taken out every year for running the normal schools. So much for the reduction this year. Next year a further reduction in the savings bank tax takes place, which would leave at least \$60,000. Figure it out yourselves. I will guarantee that your school fund will

be reduced unless the unexpected may happen from the savings banks or increased deposits. Look this square in the face. Can you take 2 from 4 and have 3 left? I leave the matter with you. It was understood when we reduced the savings bank tax from the executive and everyone interested, that if we took from the school fund it should be replaced in some way. When I consented to vote upon that measure, I voted with that understanding, and I expected, as I now expect, that the school fund is to be maintained. I believe that everyone here feels that the school interests must be first looked after. They are the fundamental principle of our government, and upon them rests our future.

Mr. WING: What allowance does the Senator from Aroostook make for increase of State valuation?

Mr. FIERCE: I have made an allowance of \$15,000.

Mr. WING: How much for the Trust company tax?

Mr. FIERCE: Eleven thousand dollars last year.

Mr. WING: Do you make any calculation for any increase in this way?

Mr. FIERCE: I do, in this way. I say it is not likely to equal next year's deficiency in the savings bank tax, when the reduction takes place.

Mr. STETSON of Penobscot: The appropriation given last year shows in 1902 \$562,000 and \$590,000 for 1903. That is on account of \$30,000 by increased valuation, and not a loss of \$40,000. Now the treasurer estimates in 1894 that the amount will be \$615,000, which includes an estimate of \$15,000 for trust companies, and \$10,000 increased valuation, showing a considerable gain. It shows we have a larger amount of money this year, and more next year; and I wish to place myself on record as being in sympathy with appropriating money for the public schools of our State; but, considering the situation, I believe that the increase of the school fund will keep up with the increased demand; and that is why I take the position, that with the present one-half mill tax and the tax on trust companies will increase the amount more than if the law were to remain as it was before

the law for trust companies goes into effect.

Mr. STAPLES of Knox: Do you believe the school fund is large enough now for educational purposes of the children of this State?

Mr. STETSON: It never will be too large. It may be as large as the State is able to afford.

Mr. MANLEY of Kennebec: Don't you think there are many towns in this State that receive money for school purposes, more than they know what to do with?

Mr. PIERCE: I fail to have ever come in contact with any.

Mr. MANLEY: I can refer you to one, when you want an illustration. I can give you one.

Mr. STETSON: The figures were shown a gentleman in the House who had tabled the resolve for the trust companies, and he was asked if he would consent that this should be indefinitely postponed, and to the best of my recollection, he agreed.

Mr. WILSON: I don't think a member of the House had any authority to say what we would do. I am not able to keep track of the Senator from Penobscot. One moment we are not able to do something, and the next we have plenty of money to do anything with. I hope the appropriation will prevail. I would rather face the grangers on voting to appropriate for the St. Louis Exposition, than on cutting down the school appropriation.

Mr. STETSON: I wouldn't want to face the people of my own county, if I thought we were cutting them down. I am taking the position that I believe we are giving them an increase.

The question being put on the motion to indefinitely postpone, the motion was lost. The bill was passed to be engrossed.

On motion by Mr. Goodwin of Somerset the bill and accompanying report of the committee on salaries on House document 540, relating to salaries of members of the House and Senate and officers of the respective bodies was taken from the table. The pending question was upon indefinite postponement. On motion by Mr. Burleigh of

Aroostook Senate amendment "A" was adopted.

The pending question being put on the motion of Mr. Manley of Kennebec to indefinitely postpone, the motion was lost. On motion by Mr. Rankin of York, the bill took its second reading, and was passed to be engrossed.

The following order received a passage: Ordered that the treasurer of State be directed to pay to the pages of the Senate the sum of \$25 each during the present session of the Legislature.

Mr. GOODWIN of Somerset: I am going to be consistent in my action in regard to the bridge bills that have gone through, and I move to reconsider the vote whereby the bridge bills passed to be enacted.

Pending the motion of the Senator from Somerset, there comes up from the House, House bill 490, relating to tax on sleeping and palace cars, its passage to be engrossed having been reconsidered, amendment "A" (House) adopted, as amended, passed to be engrossed and in the Senate indefinitely postponed the Senate having non-concurred in the adoption of the amendment. The House insists and asks for a committee of conference. On motion by Mr. Manley of Kennebec the Senate insists and the committee of conference was joined on the part of the Senate, the chair appointing Messrs. Manley of Kennebec, Wing of Androscoggin and Hyde of Sagadahoc.

Mr. Goodwin of Somerset presented the following order and moved its passage, Ordered, that the Governor be requested to return the bridge resolves passed to be enacted. The motion was lost.

On motion by Mr. Dudley of Aroostook, the Senate adjourned, to meet on Saturday, March 28, 1903, at ten o'clock in the forenoon.