

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Second Legislature

OF THE

STATE OF MAINE.

1905.

SENATE.

Friday, January 27, 1905.

Senate called to order by the President.

Prayer by Rev. Mr. Plummer of Hallowell.

Journal of yesterday read and approved.

Papers from the House disposed of in concurrence.

The following Order came from the House: Ordered, the Senate concurring, that the committee on agriculture be instructed to inquire into the expediency of amending chapter 237 of the public laws relating to the use of automobiles and motor vehicles on our public ways, so as to better insure the safety of public travel in our rural towns; and report by bill or otherwise.

Mr. POTTER of Cumberland: Mr. President: The present automobile law was enacted two years ago. It involves some fairly important questions of law, perhaps I may say, some very important questions of law. Any proposal to amend it now would be likely to involve the same questions, and it seems to me that this order should therefore be referred to one of the law committees; and, inasmuch as the present law happened to originate in the committee on judiciary, I move that the order be amended by striking out the words "Committee on Agriculture" and substituting the words "Committee on Judiciary."

On motion by Mr. Clark of Hancock, the foregoing Order was tabled.

Report of the committee on judiciary, on bill, "An act to secure to employees of manufacturing, mechanical and mercantile establishments sufficient opportunity to vote at elections." That the same ought not to pass, came from the House, the report having been accepted in that branch. On motion by Mr. Staples of Knox the report was tabled, pending acceptance in concurrence.

The following bills, petitions and resolves were presented and referred:

Judiciary.

By Mr. Sturgis of Cumberland: Bill, an act to amend the charter of the

Sebago Lake and Songo River Steamboat Company.

Legal Affairs.

By Mr. Sturgis of Cumberland: Petition of A. A. Lane and 22 others for a special committee to investigate the non-enforcement of the prohibitory law.

Appropriations and Financial Affairs.

By Mr. Pierce of Aroostook: Petition of Dr. E. T. Flint and 9 others of Fort Kent, praying for aid to the Maine State Sanitarium Association.

Banks and Banking.

By Mr. Knowlton of Penobscot: Bill, an act to amend section 86 of chapter 48 of the Revised Statutes relating to the responsibilities of share-holders in trust and banking companies.

Interior Waters.

By Mr. Pierce of Aroostook: Petition and remonstrance of a part of the inhabitants of township 18, Range 4 and Range 5, E. L. S., in Aroostook county, Maine, against charter for piers in the St. John river.

Orders.

On motion by Mr. Staples of Knox, it was, Ordered, that the Secretary of State be requested to furnish each member of the Senate a report of the State liquor commissioner.

Read and Assigned.

An act to provide for the treatment of persons suffering from the effects of the habitual use of narcotics.

An act to authorize the Northern Maine Seaport Railroad Company and the Bangor Investment Company to build wharves and piers in or near Cape Jellison Harbor.

An act to authorize the Bangor and Aroostook Railroad Company to guarantee the first mortgage bonds of the Northern Maine Seaport Railroad Company.

An act to authorize the Northern Maine Seaport Railroad Company to locate and build a road across the inlet of Cape Jellison Harbor.

Resolve in favor of Aroostook Normal School.

Reports of Committees.

Mr. Pike, for the committee on appropriations and financial affairs, on Resolve in favor of the Waldo County General Hospital, reported that the same ought not to pass.

Mr. MORSE of Waldo: Mr. President, Gentlemen of the Senate: I want to say a word in relation to this matter, before it is finally disposed of, and first, I move that the matter be tabled until such time as it may be again referred to this committee. I have no doubt that the committee acted up to their highest conceptions in this matter, but I do have some doubts about the presentation of the claims. The attorney who was to have been here to present this claim was unavoidably detained, and could not be here; and I had no thought myself that this resolve would meet with this fate. For the information of the Senate, I would like to give them a few points in relation to the matter, that they may fully understand my position, and the wants of our county.

Here is a little circular that has been printed and sent out by the officers who have, through their efforts raised funds enough to purchase the building, to repair it and equip it, and it is now running as a hospital and receiving patients. For your information, I will read a portion of it.

"The Waldo County Hospital, opened about the middle of November, 1901, is incorporated under the laws of the State for the benefit of the sick and injured. All who are not able to pay for treatment are cared for here at nominal expense.

"The Waldo County Hospital, situated in Belfast, Maine, occupies what is known as the 'David Pierce Estate,' a lot of several acres, holding a three story house and adjoining buildings. The house which was erected by David Pierce for his occupancy, cost about \$15,000. The cellar has a concrete floor, walls laid in cement and is well lighted. The house is furnished with modern plumbing, sanitary conveniences, and contains a steam heating plant of sufficient capacity to thoroughly warm the rooms in the coldest weather.

"The selection of Belfast for the location of the county hospital was particularly fortunate. The city—the largest and

most thriving in the county is on the direct line of the Eastern S. S. Co. trafficking between Boston, Bangor, and eastern ports, and is connected by its own branch railroad with the Maine Central R. R. The site of the house itself could hardly be improved upon. It is retired yet is easy of access, is surrounded with beautiful grounds, with a conservatory and fountain near the main entrance; it stands upon an eminence commanding a magnificent view of the bay and surrounding country, gets all the sunshine and all the breezes, and has perfect drainage.

"The house is divided into two wards, for men and women—the men's on the first floor at the right entrance, and the women's on the second floor, directly overhead. In each of the wards there are already several rooms furnished by interested friends for the comfort of the patients.

The hospital is thoroughly equipped with the most modern appliances, furnished by the New York Hospital Supply Co., and is provided with a caretaker, matron and nurse of seven years' experience. A staff of our local physicians is in attendance. They give their services without compensation.

"The management of the hospital is in the care of an association formed of a number of our leading citizens. They have received valuable assistance both in funds and labor, from the Woman's Hospital Aid, another branch of the institution.

"The cost of maintaining the hospital is about \$500 per month, and as it was purchased, and, thus far, has been carried on by personal subscriptions and by benevolence, we hope to obtain aid from the State. Your favorable attitude toward this most deserving of public institutions is earnestly solicited."

The circular then gives a list of the officers and directors. As I have said, I have no doubt that the committee have acted honestly in their report on this Resolve, and up to their honest convictions. But I wish to save the matter until it can be more thoroughly explained and understood. We have a nice location there, and we have competent surgeons to conduct its affairs. I know that we have been cautioned against extravagant appropriations. I have that in mind, and undoubtedly

the committee had that same thing in mind. But this is only a beginning, Gentlemen. We have only just started out; and now, to bring before the Senate some matters of vital importance, I want to direct your attention to some matters that will soon be before us, and see what you think of this small appropriation asked for by the Waldo County Hospital. We have a railroad running in there. Accidents happen occasionally as they do everywhere. The Northern Maine Railroad is making its survey there. They are coming down from Bangor. It is going to increase the population of Belfast. I ask you, as a matter of candor and fairness if we do not actually need an institution there to take care of those men who shall be maimed and crippled by reason of these railroad accidents that are constantly happening. Is it not right? Is it not just? Waldo County never has taken much from the State treasury. We never have much. We have a little girls home, supported largely by charity of the people there, and get a little something from the State. We have one man that is the Trustee from Waldo county, the only State official to my knowledge that we have in Waldo county. These other hospitals—these other institutions all up and down our State come here and ask the State's support, and they get it: and they are not bashful about it either. Would you like to hear what some of them are asking for this year? Our hospital across the way here wants \$145,287, new money, this year. What about Bangor? There was introduced the other day a Resolve calling for \$126,000 per year, for this year and next. We will put into improvements and repairs for the two years, \$239,350, for the Eastern Maine Insane Hospital. \$2000 is no great stumbling block. Do other hospitals receive support from the State? I think so. The Augusta City Hospital receives \$4000 a year. Do they need it? Is it a worthy object? Certainly it is. What about those institutions I have mentioned. Are they worthy objects, and do they hold out their hands in vain? Let us take a broad view of this matter. Down river Bath has its Home which receives assistance from the State. All over the

State they receive such assistance. I have no doubt that when this matter is properly presented to this committee they will understand it in a different light; and although our Governor has cautioned us to look carefully, and examine these matters thoroughly. I do not think that he intends that any worthy object shall suffer for lack of necessary support from the State. I ask at your hands that this matter may lie upon the table until such time as may be properly prepared to present the case, and have it re-committed to the committee.

Mr. PUTNAM of Aroostook: Mr. President, and Senators, although I recognize at the present time that a debate on this motion is entirely out of order, yet after the extended remarks of the Senator from Waldo, I beg your indulgence to be permitted to make a few statements. The Senator asks that this be re-committed for another hearing before the committee on appropriations and financial affairs. I would say that the gentleman from Belfast and also the Senator from Waldo asked us sometime ago to save a special day for the hearing of this matter. We gave them a whole afternoon. We gave them an extended hearing, as we believed—a full and fair hearing: and after listening to the people of Belfast and of Waldo county on this matter, this committee reported what they believe to be a just and fair report. They reported that this bill ought not to pass; and you will notice that this is practically a unanimous report from the committee on appropriations and financial affairs, accompanied by no minority report; and I believe that if this Legislature is to act as a deliberative body, and is to work by and through its committees largely, you will do a great injustice and wrong to start this fourth week of this session by turning down a unanimous report of the committee. I have no personal pride in the matter: It is disagreeable to me to have to report thus against the wish of the Senator from Waldo. It is a very disagreeable proposition to have to sign such a report against the wish of the Honorable gentleman from Belfast; but I believe in this matter the committee gave a

full and fair hearing to the gentlemen from Belfast and Waldo who came before us. We could not give them a better hearing or more time than we did, because every afternoon and evening is now taken; and after having a whole afternoon for itself and getting a fair hearing from the committee, I believe that this body will do an injustice in allowing this report to be tabled, instead of accepting the report of the committee. I trust the motion that this report lie upon the table will not prevail.

The question being put, the Chair declared it self in doubt as to the result, and a rising vote was taken, eleven senators voting in favor of the motion and seven senators voting against the same. So the motion prevailed, and the report was tabled, and Wednesday of next week assigned for its consideration.

Mr. Potter for the Committee on the Judiciary, on bill, "An Act in relation to the assessment of taxes of deceased persons before the appointment of executor or administrator on the estate of such persons," reported same in new draft under title of "An Act in relation to the assessment of taxes on the estates of deceased persons before the appointment of executors or administrators of such estates." and that it ought to pass. Report accepted.

Mr. Mills, for the Committee on Legal Affairs, on bill "An Act to amend Section 4 of Chapter 118 of the Revised Statutes," submitted the same in new draft under title of "An Act to amend Section 4 of Chapter 118 of the Revised Statutes, relating to the punishment of persons who enter upon lands claiming authority from a foreign government or magistrate." and that the same ought to pass. Report accepted.

Mr. Staples for the same committee, on bill "An Act to amend paragraph 4 of Section 1 of Chapter 73 of the Revised Statutes, relating to sales of real estate by license of court," reported that same ought to pass. Report accepted.

The same senator, for the same committee on bill "An Act to amend Sec-

tion 26 of Chapter 69 of the Revised Statutes," submitted the same in new draft under title of "An Act to amend Section 26 of Chapter 69 of the Revised Statutes, relating to the disability of adults under guardianship," and that it ought to pass. Report accepted.

Mr. Pierce, for the same committee, on bill "An Act to amend Chapter 154 of the private and special laws of 1895, as amended by Chapter 239 of the private and special laws of 1901, relating to the charter of the Wiscasset Water Co., reported same ought to pass. Report accepted.

The same senator for the same committee, on bill "An Act to amend Section 39 of Chapter 93 of the Revised Statutes," submitted the same in new draft under title of "An Act to amend Section 39 of Chapter 93 of the Revised Statutes, relating to the filing of certificates of liens on real estate, and that it ought to pass. Report accepted.

Mr. Tartre, for the committee on Railroads and Expresses, on bill, "An Act to authorize the Northern Maine Seaport Railroad to locate across tide waters of Passagassawaueag river," reported that same ought to pass. Report accepted.

The same senator for the same committee, on bill "An Act to Authorize the Northern Maine Seaport Railroad Company to lease or sell its railroad to the Bangor & Aroostook Railroad," reported same ought to pass. Report accepted.

Mr. Mills, for the committee on Education, on Resolve in favor of Aroostook Normal School, reported same ought to pass. Report accepted.

Mr. Furbish, for the committee on Inland Fisheries and Game, on "Resolve for the purpose of operating the fish hatcheries and feeding stations for fish and for the protection of fish," reported that same ought to pass. Report accepted.

Mr. Philoon, for the committee on Library to which was referred the Thirty-first Report of the Librarian of the State Library, submitted "Resolve in favor of the Maine State Library," accompanied by a statement of facts relative thereto. Report accepted.

Passed to Be Engrossed.

An Act to provide for sewerage in the town of Caribou.

An Act in relation to the Winthrop and Wayne Light and Power Company.

An Act to regulate fishing in Cobboosecontee stream in Kennebec county.

Orders of the Day.

Mr. GARDNER of Penobscot: Mr. President, at the request of one of the members of the House who is interested in the matter, I move that the vote be reconsidered whereby the Senate concurred with the House in its reference of bill "An Act to repeal An Act incorporating the town of Mattamiscontis to the committee on Towns."

The motion prevailed.

On further motion by the same senator the bill was tabled.

On motion by Mr. Irving of Aroostook, the Senate adjourned to meet on Tuesday, Jan. 31, 1905, at 10.30 o'clock, in the forenoon.