

MAINE STATE LEGISLATURE

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Legislative Record

of the

Seventy-Third Legislature

of the

State of Maine.

1907.

SENATE.

Thursday February 14, 1907.

Senate called to order by the President.

Prayer by Rev. Mr. Grosvenor of Augusta.

Journal of the previous session read and approved.

(At this point Mr. Mills of Hancock was called to the chair.)

Papers from the House disposed of in concurrence.

The report of the committee on Railroads and Expresses on Bill, "An Act to authorize the Somerset Railway Company to extend its railroad from Northwest Carry in the town of Seboomook; westerly, northly and easterly to the Canadian line by one or more routes, and to authorize other railway companies to purchase its franchise and property, that the same ought to pass, was on motion by Mr. Sewall of Sagadahoc tabled for printing both the bill and House Amendment A. pending the acceptance of the report in concurrence.

House Bills Read and Assigned.

An Act to repeal Chapter 228 entitled "An Act to annex certain lands belonging to Enoch A. Glidden to the town of Alna.

An Act to amend Section 50 of Chapter 93 of the Revised Statutes of the State of Maine. (House Amendment A adopted in concurrence.)

The following Bills, Petitions and Resolves were presented and referred:

Judiciary.

By Mr. Deasy of Hancock: Bill, "An Act to amend Section 47 of Chapter 47 of the Revised Statutes relating to corporations.

Also: Bill, "An Act to amend Section 7 of Chapter 47 of the Revised Statutes relating to corporations."

By Mr. Ayer of Kennebec: Bill, "An Act to extend the charter of the Waverille Gas and Electric Company."

By Mr. Hastings of Oxford: Bill, "An Act to incorporate the Naples Water Company." (Introduced under suspension of the rules)

Legal Affairs.

By Mr. Rice of Franklin: Bill, "An

Act to incorporate the West Farmington Water District."

Appropriations and Financial Affairs.

By Mr. Hastings of Oxford: Resolve in favor of an appropriation for the purpose of obtaining information in regard to wild lands for the purpose of taxation.

By Mr. Clarke of Lincoln: Petition of A. S. Winchenbaugh of Nobleboro and 16 others for Resolve in favor of Maine State Sanatorium Association.

Also: Petition of William S. Stanley of Monhegan and 14 others for same.

By Mr. Staples of Knox: Petition of the Study Club of Rockport urging an appropriation for a State of Maine exhibit at the Jamestown Exposition, and the reproduction of the Home of Longfellow as the Maine State Building.

By Mr. Parkhurst of Penobscot: Petition of the Woman's Club of Orono, 36 members, for same, of the Studium Club of Mattawamkeag, 14 members, of Thursday Club of East Winthrop, 20 members, of Lee Stewart and 7 others of Clinton, all for same.

Railroads and Expresses.

By Mr. Irving of Aroostook: Bill, "An Act to incorporate the Caribou and Washburn Street Railway."

By Mr. Ayer of Kennebec: Bill, "An Act to incorporate the Oakland Trust Company."

State Lands and State Roads.

By Mr. Merrill of Cumberland: Petition of L. H. Spiller and 17 others of Bridgton on Bill, "An Act to provide for State aid, and for the expenditure of other public moneys, in the permanent improvement of Maine highways or State roads.

Also: Petitions of R. B. Morrison and 41 others of Cumberland, of E. E. Mayberry and 16 others of Harrison, of Alfred S. Dunning and 39 others of Harpswell, of H. Scammon and 22 others of Scarborough, of Noah Pillsbury and 20 others of Scarborough, of John E. Manning and 84 others of Gorham, of J. A. S. Drinkwater and 25 others of Yarmouth, all for same.

By Mr. Houston of Piscataquis: Petition of E. F. Drew and 5 others of Elliottsville Plant, of D. L. Brown and 18 others of Milo, all for same.

Inland Fisheries and Game.

By Mr. Barrows of Penobscot: Bill "An Act to regulate white perch fishing in Lake Sebasticook, and tributaries, in the county of Penobscot."

By Mr. Ayer of Kennebec: Resolve in favor of building a fish screen at the outlet of Snow Pond in the town of Ashland.

By Mr. Curtis of Cumberland: Petition of Albert A. Cordwell and 54 others, citizens of Westbrook and vicinity, praying for the passage of an Act to prohibit the taking of firearms upon the wild lands of the State in close season.

Pensions.

By Mr. Eaton of Washington: Resolve in favor of Abbie S. Ramsdell.

Public Buildings and Public Grounds.

By Mr. Curtis of Cumberland: Petition in favor of removal of State Capital by J. W. Stevenson and 23 others. Also: Petitions of Frederick W. Hinckley and 30 others, of J. W. Anderson and 21 others, for same.

By Mr. Staples of Knox: Remonstrance against removing Capital by H. B. Wright and 40 others of Washington, Maine.

Temperance.

By Mr. Houston of Piscataquis: Remonstrance of Rev. F. H. Prett and 40 others against the Resubmission of the prohibitory law.

By Mr. Curtis of Cumberland: Remonstrance against resubmission by E. E. Noble and 40 others.

Salaries and Fees.

By Mr. Staples of Knox: Bill, "An Act to increase the salary of the Register of Probate of Knox County."

Mr. Deasy of Hancock presented out of order under suspension of the rules Bill, "An Act prohibiting the carrying on of bucketshops so called;" and on further motion by the same senator the Bill was tabled for printing pending reference.

Read and Assigned.

An Act to amend Chapter 31 of the Private and Special Laws for 1905, entitled "An Act to authorize the Houlton Water Company to generate, sell, and distribute electricity."

An Act to amend Chapter 145 of the Private and Special Laws of 1887 entitled "An Act to provide sewerage in the town of Houlton."

An Act to repeal Chapter 6 of the Private and Special Laws of 1891, entitled "An Act additional to and amendatory of an Act granting a new charter to Bates College."

Resolve in favor of a bridge on the St. Johns River at Van Buren.

An Act to amend Chapter 227 of the Private and Special Laws of 1880, entitled "An Act to supply the people of Houlton with pure water," as amended by Chapter 497 of the Private and Special Laws of 1889, and as amended by Chapter 143 of the Private and Special Laws of 1903, and as amended by Chapter 3 of the Private and Special Laws of 1905.

Reports of Committees.

The committee on Taxation on Bill, "An Act in relation to the taxation of mortgages on real estate, reported that same be printed and recommitted. Report accepted.

Mr. Mills for the committee on Legal Affairs on Bill, "An Act to create a lien on manufactured staves and laths," reported same in new draft under same title and that it ought to pass. Report accepted, Bill tabled for printing under the joint rules.

Mr. Hastings for the committee on Judiciary on Bill, "An Act fixing the salary of the Clerk of the Municipal Clerk of the city of Lewiston," reported same in new draft under same title and that it ought to pass. Report accepted. Tabled for printing under the joint rules.

Passed to Be Engrossed.

An Act in relation to the Hill Manufacturing Company.

An Act to authorize the Twin Electric and Gas Company to exercise certain powers in this State.

An Act to incorporate the Somesville Water Company.

Resolve relating to Canadian Pacific Railway Company.

Resolve in favor of the Hospital of the Sisters of Charity of the city of Lewiston, Maine.

An Act to incorporate the Union Trust Company of Ellsworth.

An Act to incorporate the Lincoln County Trust Company.

An Act to incorporate the Fairfield Trust Company.

Resolve providing for the repair of a roadway in Townships five and six in the ninth Range, north of the Waldo patent, in Piscataquis county.

An Act to amend Chapter 588 of the Private and Special Laws of 1871, entitled "An Act to incorporate the Grand Lodge of the Independent Order of Good Templars of Maine."

Passed to Be Enacted.

An Act to make plain the provisions of Section 9, Chapter 139 of the Revised Statutes relating to extradition.

An Act to continue in force the charter of the Newport Trust Company.

An Act in relation to the Hancock County Railway Company and the Mount Desert Transit Company.

An Act to authorize the building of a bridge across Robbins Bar so called, between Deer Isle and Stinson's Neck in the County of Hancock.

An Act to amend Chapter 22 of the Private and Special Laws of the year 1803, entitled "An Act to authorize extensions of the Bangor and Aroostook Railroads in Aroostok, Piscataquis and Penobscot counties.

Finally Passed.

Resolve authorizing the land agent to sell certain lands in the town of Crystal.

Resolve in favor of the Maine Insane Hospital.

Orders of the Day.

On motion by Mr. Stearns of Penobscot House Document No. 23, being the order relative to investigation of the State Liquor Agency, and of city and town agency, was taken from the table.

The same senator further moved that the order be indefinitely postponed, and said:

Mr. President as I tabled this matter, and now move for its postponement, I think it would be proper for me at this

time to state briefly the reasons on which I base my action.

It is a well recognized principle of law that no person shall be brought before any tribunal without definite charges being made, and having a full and free opportunity of knowing and fully understanding the matter with which he is charged; and I am heartily in accord with the sentiments expressed in Senate amendment A to House Document 147 which states that "whereas, this Legislature deprecates investigations of departments and officials merely upon suggestion, but believe in the fullest investigation of any department or officer whose official conduct is criticised or questioned."

It seems to me that it is beneath the dignity of this Senate to listen to common gossip or to investigate the common gossip of this great State. I believe there is no senator here present who would descend from the dignity of his position to give credence to idle rumors directed without any known authority towards any of the several departments of the State.

If there has been wrong doing, it seems to me that the proper method of dealing with such a proposition is that definite charges should be made and that should be fully and freely heard. I for one do not believe in the principal of hiding or covering up irregularities; but I do believe that we owe it to ourselves to be manly and straightforward in all our actions. If charges are to be made against a department or an individual I believe they should be made definitely, and in writing to the end that we can act understandingly and with effects.

Mr. Heselton of Kennebec: Mr. President I am mindful of the Senate Order which was passed in my absence, mindful also of many of the statements that the senator from Penobscot has made; at the same time, I have a desire to bring certain facts before the Senate in connection with the order which was passed by the Senate yesterday to repeal this law relating to the State Liquor Agency.

Personally I believe, that the people of this State should have some op-

portunity to legally purchase liquor. Whether or not the law which is upon the Statute Books can be so amended as to make it more efficient, I know not. I do know that the same gentleman who introduced this order originally in the lower House has also introduced an order that calls for a repeal of this general law relating to the State Liquor Agency.

If that later order takes its natural course, it will come before the Committee on Temperance and hearing will be ordered. No one will appear. They will have no authority to make any examination and it will be simply abandoned for lack of proper presentation, that is if it assumes the usual procedure that follows other matters before a committee.

I propose, if I can, to introduce an order in connection with the order that was passed yesterday and in harmony with the order which was passed by the Senate, to regulate investigation of all matters, and to present it at tomorrow's session. For that reason and for that sole reason and not for delay—nor for the purpose of suspending action on the motion of the gentleman, simply to secure sufficient time to prepare a suitable order in harmony with these suggestions I will move that the motion of the gentleman to indefinitely postpone be laid upon the table.

Mr. MERRILL of Cumberland: Mr. President, and gentlemen of the Senate, I take great pleasure in seconding the motion to indefinitely postpone made by the senator from Penobscot; and I should like to be understood as to the reasons which have led me to this action.

I would not for a moment impugn the motives of the gentleman who introduced this bill in the lower House, because I am sure that his motives were the best; but it has come to my mind frequently in the lobby that this bill is introduced—not introduced at least, but is being used as a back fire on the matter of the question of the removal of the State House.

Now, gentlemen, I am always willing to do what I can to have a fair and free investigation; and in seconding this motion, I would not be understood to

express in any way my opinion of the way that the State Liquor Agency has been carried on. But gentlemen, when these rumors are so persistent that you hear them constantly, I believe it is our duty to have the matter brought openly, and the two questions divorced. All I want is that the two questions shall be decided squarely and fairly; and I think there is before the Legislature at the present time a Bill asking for the abolishment of this office and also another bill for the investigation of all State departments. For the reasons I have given to second the motion to indefinitely postpone.

Mr. HESELTON: Mr. President, I do not wish to discuss this matter further than to suggest to the senator from Cumberland that I have no desire to delay this matter to await the action in relation to the State Capitol, pending before the Committee on Public Buildings and Grounds.

I simply ask a favor which I think is usually granted out of senatorial courtesy, that this question pending lie upon the table until tomorrow's session. I will take it up then; and if the Senate then wishes to indefinitely postpone the original matter, they can do so. At that time I will be prepared with an Order to supplement the last Order that was introduced by the gentleman from the lower House, and came here, to abolish the Liquor Agency.

Mr. STAPLES of Knox: Mr. President, I am, as a general thing, in favor of the investigation of Republican officials. I recollect that two years ago I introduced an order of the same character but I did not meet with much success. I believe that no investigation should be started without good and sufficient cause. I do not believe that any man's garment, whether he be a Republican official or a Democratic official, should be smirched unless there is sufficient reason for it.

There is a bill before this Legislature to abolish the office of State Liquor Commissioner; and that I am in favor of and will vote for it if it comes before this body.

We are now upon the seventh week of this session and I do not believe it is

fair to the committee to present these matters for investigation. The time of the committee from now to the end of this session is more or less taken up and if you have any investigation it should be thorough and complete. It is before the Committee on Salaries at the present time—all investigation of officers. Now we could not do it at this session. If you are going to investigate we want proper time—it is the right of the man who is to be investigated and it is the duty of the committee that they should give proper investigation to this matter.

I do not believe that anyone should be attacked by an order of this kind unless, as the senator from Penobscot suggests, charges have been preferred. A man's reputation is worth more than dollars and cents. You may start a rumor in the corridor of this capitol and you may strike at that man and strike at his family so that he will never get over it as long as he lives upon the earth; and for that reason, because we cannot have a fair investigation for lack of time—if we are going to investigate the officials of the Republican party of the State of Maine, and I have no doubt a good many ought to be investigated, let us give the committee power to sit in vacation and I would like very much to be on that committee. They ought to be investigated, but as for doing it in three weeks of this session, I do not believe we can do it and I therefore second the motion of the senator from Penobscot.

The question being put upon the motion of the senator from Kennebec the motion was lost.

The question being put upon the motion from the senator from Penobscot, the motion prevailed and the order was indefinitely postponed.

On motion by Mr. Ayer of Kennebec the Senate adjourned.

HOUSE.

Thursday, February 14th, 1907.

Prayer by Rev. Mr. Hayden of Augusta.

Papers from the Senate disposed of in concurrence.

Bill, "An Act to regulate fishing in Sunday River and tributaries in the county of Oxford, came from the Senate with Senate Amendment A.

The House reconsidered the vote whereby the bill was passed to be engrossed, Senate amendment A was adopted and the bill was then passed to be engrossed as amended.

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

Judiciary.

By Mr. Wold of Oldtown—Petition of Herbert Gray and 213 others, citizens and taxpayers of the city of Oldtown, in favor of the bills presented by Bodwell Water Power Company and Penobscot Chemical Fiber Company, granting to said companies additional right to generate and sell electricity; of H. J. Bailey and 52 others, citizens and taxpayers of Oldtown for same; of the Board of Trade of the city of Oldtown for same; of Henry L. Sweer and 62 others, citizens and taxpayers of Bradley for same.

By Mr. Johnson of Calais—Bill, "An Act to incorporate the Calais Water District."

By Mr. Hill of Machias—Bill, "An Act to amend Chapter 9 of the Revised Statutes, relating to filling vacancies in board of assessors."

By Mr. Gordon of Wells—Bill, "An Act to incorporate the Wells Telephone Company"; Bill, "An Act to incorporate the Wells Electric Light & Power Company."

Legal Affairs.

By Mr. Merry of Woodland—Petition of Lewis A. Cyr and 39 others of Limestone for the act providing for the support of the pauper insane and feeble-minded by the State.

By Mr. Davidson of Vinalhaven—Bill, "An Act to prohibit the use of automobiles and motor vehicles upon public ways in the town of North Haven." petition of citizens of North Haven in fa-