

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fourth Legislature

OF THE

STATE OF MAINE

1909

ERRATA:

**The following errata are
inserted because one or more pages
in this session day have errors
noticed and corrected here.**

ERRATA.

Page 39, for Long Monson Pond read Long Mousam Pond.

94, after the words "Probation Officers" omit the words "relating to State Detectives."

105, 302, 316 and 333, for State Prison read State pension.

118, 146, 165 and 170, for supplementary associations read supplementary assessments.

168, for Coolidge River read Cambridge River.

174, for \$50 read \$50,000.

182, for Oakland read Oakfield.

185, for Rines road read Kineo road.

219, for Mineral Spring Co. read Merrill Springer Co.

226, for investigation of vital statistics read registration of vital statistics.

243, for town of South Portland read town of Southport.

309, for town of Wales read town of Wells.

325, for foreigners read coroners.

343, for Bed Cambridge River read Dead Cambridge River.

360, for boys read buoys.

377, for Corners Knob read Conary's Nub.

377, 462, 496, for Prescott read Trescott.

379, for Pittsburg read Phippsburg.

462, 496, for Chronological read Pomological.

494, for Township E read Township 2.

510, 538, for Central Railroad Co. read Jonesport Central Railroad Co.

520, for Penobscot Electric Co. read Penobscot Bay Electric Co.

525, for Colcord read Concord.

544, 556, for town of Brewer read town of Bremen.

551, 587, for Monmouth Ridge Sanitary Association read Monmouth Ridge Cemetery Association.

646, for Androscoggin Valley Company read Androscoggin Valley Railroad Company.

648, for Central Fire Insurance Co. read Central Maine Fire Insurance Co.

654, 670, for Jimmy pond read Jimmy brook.

655, 671, for Straw's Island read Swan's Island.

667, for transmitted in Maine read transacted in Maine.

677, 698, for municipal court in town of Portland read municipal court in town of Farmington.

687, for Trusett read trustee.

700, for pension members of Building Commission read pension members of Fire Department.

788, for Howard read Howland.

835, for Chapter 138 of the Public Laws of 1905 read Chapter 138 of the Public Laws of 1895.

844, for bridges of municipal officers read duties of municipal officers.

928, for identifying animals read identifying criminals.

974, for Herbert A. Bradford read Herbert A. Lombard.

1022, for Stonington Trust Company read Stonington Water Company.

1064, for Biddeford read Portland.

1244, for Daniel's Pond read Donnell's Pond.

1275, for Acatus Lake read Nicaeous Lake.

1313, for establish read abolish.

SENATE.

Thursday, February 25, 1909

Senate called to order by the President.

Prayer by Rev. Mr. Livingston of Augusta.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

"Petition of Dana Berry and 26 others in favor of the Donigan bill; of George A. Welsh and 25 others for same; of Alfred Nichols and 55 others of Fryeburg for same; of H. O. Hussey and 38 others of Blaine for same; of Merrill Stewart and 36 others of Hancock for same. Petition of Charles F. Dore and 6 others of Athens for same." Came from the House by that branch referred to the committee on Ways and Bridges. On motion by Mr. Donigan of Somerset, the Senate non-concurred in such reference and further voted that the same be placed on file.

"Resolve for the purpose of operating fish hatcheries and feeding stations for fish and for the protection of fish." This resolve in the Senate was amended by Senate Amendment A. The House refused to concur in the passage of the amendment and, upon motion by Mr. Wyman of Washington, the Senate reconsidered the vote whereby the Resolve was passed to be engrossed; and on further motion by the same Senator, it was voted to reconsider the vote whereby Senate Amendment A was adopted. The Resolve without the amendment was passed to be engrossed.

House Bills Read and Assigned.

"An Act to amend Section 2 of Chapter 188 of the Public Laws of 1907." (This bill came from the House, in that branch amended by the adoption of House Amendment A, which by the Senate was adopted in concurrence.)

An Act to enlarge the rights of the Alfred Embroidery Company.

An Act to extend the charter of the Phillips Trust Company.

An Act to extend the charter of the Gardiner Trust Company.

An Act to amend Section 3, Chapter

48 of the Revised Statutes, relating to the powers of Savings Banks.

An Act to incorporate the Sandy Stream Dam and Improvement Company.

Resolve for the erection of a fish hatchery and feeding station on Cold Stream, the outlet of Cold Stream Lake, in Enfield.

An Act to amend Section 1 of Chapter 164 of the Private and Special Laws of 1907, relating to fishing in the tributaries of China Lake.

An Act to regulate fishing in the tributaries to Marshall Pond, so called, in Oxford County.

An Act to regulate ice fishing in Donnell Pond, so called, situated partly in Franklin and partly in Township No. 10, Hancock County.

An Act to regulate fishing in Dead Stream Pond, Lower Cold Stream Pond and Horseshoe Pond, in Somerset County.

An Act to provide for ice fishing, as provided in the general law of the state, in South Branch, Carpenter, Littlefield and Fowler Ponds, Piscataquis County, also to close Davis Pond, Penobscot County, to all kinds of fishing. On motion by Mr. Kellogg of Penobscot, Senate Amendment A was adopted, as follows: "Amend House Document 268 by striking out Section 2 and substituting the following: 'Section 2. It shall be unlawful to fish for, take, catch or kill any fish through the ice in Davis Pond, so called, in Township 5, Range 7, Penobscot County; and no person in any one day shall take, catch or kill more than five fish when fishing in this pond in any one day.'"

An Act to amend Section 13 of Chapter 32 of the Revised Statutes, as amended by Chapter 75 of the Public Laws of 1905, relating to the snaring of rabbits.

On motion by Mr. Hastings of Oxford, it was—Ordered, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Friday, February 26, at 9 o'clock in the forenoon. The foregoing order was subsequently returned from the House, that branch concurring in its passage.

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

Judiciary.

By Mr. Lowe of Androscoggin: Petition of C. H. Gibbs and 24 others of Livermore Falls in favor of the optometry bill.

By Mr. Baxter of Cumberland: Bill, An Act to prohibit corporations from transmitting electric power beyond the confines of the State.

Legal Affairs.

By Mr. Hamilton of York: Bill, An Act to repeal Section 3 of Chapter 143 of the Revised Statutes, as amended by Section 1 of Chapter 120 of the Public Laws of 1907, relating to the State School for Boys.

Ways and Bridges.

By Mr. Shaw of Sagadahoc: Petition of W. D. Tolman and 8 others in favor of state aid for building a bridge across the Kennebec River at Pishon's Ferry, so called.

Agriculture.

By Mr. Howes of Somerset: Petition of S. F. Griffin and 53 others of Alfred and vicinity against Public Abattoirs.

Education.

By Mr. Macomber of Kennebec: Bill, An Act for protection of school children against fire.

State School for Boys.

By Mr. Warren of Cumberland: Resolve in favor of the State School for Boys.

Placed on File.

By Mr. Lowe of Androscoggin: Petition of A. P. Adams and 12 others of Jay in favor of the Donigan Bridge Bill.

Read and Assigned.

Resolve in favor of the Eastern Maine Insane Hospital, for fire proof buildings.

Resolve in favor of the Maine Insane Hospital, for renovating central male wing.

Resolve in favor of the Maine Insane Hospital, for kitchen, bakery and dining room.

An Act to amend Section 48 of Chapter 8 of the Revised Statutes re-

lating to taxation of insurance companies.

Resolve in favor of the Maine School for Feeble Minded.

Resolve in favor of W. A. Walker.

Resolve in favor of Lewis Barrows.

Resolve to provide for the expenses of the Maine Industrial School for Girls.

Resolve in favor of the Maine Industrial School for Girls, for water supply and grading.

Resolve in favor of Camden and Rockland Water Company.

An Act to amend Chapter 8 of the Revised Statutes relating to the Board of State Assessors. (On motion by Mr. Wheeler of Cumberland, this bill was tabled.)

Reports of Committees.

Majority report from the Committee on the Judiciary, on Bill, "An Act to repeal Chapter 92 of the Public Laws of 1905, entitled 'An Act to provide for the better enforcement of the laws against the sale and manufacture of intoxicating liquors; submitting the same in new draft under title of "An Act conditionally repealing Chapter 92 of the Public Laws of 1905, relating to the better enforcement of the laws against the manufacture and sale of intoxicating liquors," also submitting "Resolves providing for an amendment of the Constitution, empowering the Governor to remove Sheriffs." (Signed) Hastings, Looney, Baxter, Davies, Wing, Peters, Hersey, Andrews, Burleigh.

Minority report from the same committee, on the same Bill, submitting same in new draft under title of "An Act to repeal Chapter 92 of the Public Laws of 1905, relating to the better enforcement of the laws against the manufacture and sale of intoxicating liquors." (Signed) Montgomery.

On motion by Mr. Eaton of Washington, the two reports, pending acceptance of either together with the bills and resolve, were laid on the table to be printed, one thousand copies ordered to be printed, and Wednesday March 3, assigned for their consideration.

Report "A" from the Committee on Judiciary on Bill, "An Act to amend

Chapter 6 of the Revised Statutes, relating to the regulation and conduct of elections," that same ought not to pass. (Signed) Hastings, Montgomery, Wing, Peters, Burleigh.

Report "B" from the same Committee, on the same Bill, that same ought to pass. (Signed) Looney, Hersey, Andrews, Baxter, Davies.

On motion by Mr. Looney of Cumberland, the two reports, pending acceptance of either, were tabled to be printed, and Thursday, March 4, assigned for their consideration.

Majority Report from the same Committee, on Bill, "An Act to amend Section 22 of Chapter 6 of the Revised Statutes, relating to the regulation and conduct of elections," that the same ought not to pass. (Signed) Hastings, Davies, Baxter, Montgomery, Wing, Peters, Burleigh.

Minority Report from the same Committee, on the same Bill, that same ought to pass. (Signed) Loney, Hersey, Andrews.

On motion by Mr. Loney of Cumberland, the two reports, pending acceptance of either, were laid on the table for printing, and Thursday, March 4, assigned for their consideration.

Mr. Eaton, for the Committee on Appropriations and Financial Affairs, on Report of the State Auditor, reported that the same be accepted and placed on file.

Mr. Emery, for the Committee on Railroads and Expresses, on Bill, "An Act relating to fares on the Somerset Railway, a corporation duly organized under the laws of the State of Maine," reported same ought not to pass.

Mr. Milliken, for the Committee on State Lands and State Roads, on Senate joint memorial No. 4, adopted by the Twenty-fifth Legislative Assembly of the State of Oregon, relating to national aid in the permanent construction of main highways, reported that same be placed on file.

Mr. Wyman for the Committee on Ways and Bridges, on "Resolve to aid in the extension of the Kineo Road from the Smith Farm to the Northeast Carry," reported that the same ought not to pass.

Mr. Walker, for the Committee on Shore Fisheries, on Bill "An Act to

prevent the extermination of clams on the flats of Pole Island, in the Town of Harpswell, County of Cumberland and State of Maine," reported that the same ought not to pass.

The same Senator for the same Committee, on Bill "An Act to amend Section 3 of Chapter 41 of the Revised Statutes of 1903, as amended by Chapter 108 of the Public Laws of 1905, relating to Sea and Shore Fisheries," reported that some ought not to pass.

Mr. Boynton, for the Committee on Salaries and Fees, on Bill, "An Act to amend Paragraph 24 of Section 1 of Chapter 116, Public Laws of 1903, relating to Inspector of Factories, workshops, mines and quarries," reported same ought not to pass.

The foregoing reports were accepted.

Mr. Baxter for the committee on judiciary, on Bill "An Act to incorporate the Vinalhaven Water Company," reported same ought to pass.

The same senator for the same committee, on Bill "An Act to provide for the compensation of justices of the supreme judicial court or superior court who shall resign after ten years' service at the age of 70 years," reported same ought to pass.

The same Senator for the same Committee, on Bill "An Act to confirm the organization of the Bangor Young Men's Christian Association of Bangor, Maine, and for other purposes," reported same ought to pass.

Mr. Looney for the same Committee, on Bill "An Act to amend Chapter 115 of the Private and Special Laws of the year 1872, entitled 'An Act to incorporate the Home for Aged Women at Bangor,'" reported that same ought to pass.

The same Senator for the same Committee, on Bill "An Act to amend and additional to Chapter 50 of the Private and Special Laws of 1866, relating to the Children's Home in Bangor," reported that same ought to pass.

Mr. Hastings for the same committee, on Bill "An Act to ratify the organization of the Virginia Spring Water Company, and authorize said Company

to issue bonds," reported same ought to pass.

, Mr. Osgood for the Committee on Appropriations and Financial Affairs, on "Resolve in favor of E. L. Philoon, Chairman of Joint Special Committee appointed by the Seventy-third Legislature," reported same ought to pass.

The same Senator, for the same Committee, on "Resolve in favor of E. L. Philoon, chairman of the Special Joint Committee appointed by the Seventy-third Legislature, in regard to a State Board of education," reported same ought to pass.

Mr. Knowlton, for the Committee on Education, on Bill "An Act to amend Section 1 of Chapter 171 of the Public Laws of 1907, relating to the State Superintendent of Public Schools," reported same ought to pass.

Mr. Walker for the same Committee, on "Resolve in favor of the President and Trustees of Bates College," reported same ought to pass.

Mr. Mullen, for the Committee on Railroads and Expresses, on Bill "An Act to authorize the receiver of the Eustis Railroad Company to dispose of the property of said Company," submitted same in new draft under same title and that it ought to pass.

Mr. Warren for the Committee on Banks and Banking, on Bill "An Act to extend the charter of the Dixfield Trust Company," submitted same in new draft under same title.

Mr. Smith, for the Committee on Interior Waters, on "Resolve in favor of boys on Richardson Lake," reported same ought to pass.

Mr. Donigan, for the Committee on Ways and Bridges, on "Resolve in favor of the Town of Mount Chase in Penobscot County," submitted same in new draft under same title.

The same Senator, for the same Committee, on "Resolve in favor of road in Elliottsville," submitted same in new draft under same title.

Mr. Walker, for the Committee on Shore Fisheries, on Bill "An Act to amend Section 34 of Chapter 41 of the Revised Statutes, as amended by Chapter 125 of the Public Laws of 1907, relating to bait barrels," submit-

ted same in new draft under same title.

The same Senator, for the same Committee on State Prison, on "Resolve in favor of the Maine State Prison," reported that same ought to pass.

The same Senator, for the same Committee, on "Resolve in favor of the Maine State Prison," reported that same ought to pass.

The same senator, for the same committee, on bill, "An Act to amend Section 1 of Chapter 116 of the Revised Statutes, which provides for a salary of \$300 for teacher at the Maine State Prison, and \$200 for chaplain," reported same ought to pass.

The same senator, from the same committee, on "Resolve in favor of the Maine State Prison," reported that same ought to pass.

The same senator, for the committee on salaries and fees, on bill, "An Act to amend Section 20 of Chapter 436 of the Private and Special Laws of 1907, entitled, 'An Act to establish the Milo municipal court,'" submitted the same in new draft under the same title.

The same senator, for the same committee, on bill "An Act to amend Section 11 of Chapter 211 of the Private and Special Laws of 1895, relating to Bangor municipal court," submitted same in new draft under same title.

Mr. Boynton, for the same committee, on bill "An Act to increase the salary of the warden of the Maine State Prison," submitted same in new draft under same title.

The foregoing reports were accepted and the several bills and resolves were tabled for printing, under the joint

Passed to Be Engrossed.

An Act to incorporate the Jonesport Central Railroad Co.

Resolve providing for the prevention and extinguishment of forest fires for the years 1909 and 1910. (On motion by Mr. Milliken of Aroostook this bill was tabled pending its second reading).

An Act to authorize the town of Harpswell to construct and maintain a bridge from Great Island in said Harpswell to Hen Island on which Fred E. Darling now lives.

An Act to authorize the Governor to issue his proclamation to prevent the use of firearms in forests in a dangerously dry time. (On motion by Mr. Baxter of Cumberland this bill was tabled).

An Act with relation to the Gardiner municipal court of the city of Gardiner. (On motion by Mr. Milliken of Aroostook this bill was tabled, pending its second reading).

Resolve in favor of the Waldo County General hospital. (On motion by Mr. Shaw of Kennebec, pending its second reading, this bill was tabled).

An Act to extend the authority of the Rockland, South Thomaston and St. George Railway. (On motion by Mr. Macomber of Kennebec this bill was tabled pending its second reading).

An Act to amend Section 25 of Chapter 53 of the Revised Statutes relating to necessary regulation of street railroads by municipal officers. (On motion by Mr. Macomber of Kennebec this bill was tabled pending second reading).

An Act to extend the charter of the Bethel Trust Co.

An Act to extend the charter of the Investment Trust Co.

An Act to extend the charter of the Stonington Electric Light and Power Co.

An Act to provide for the attesting of public records, deeds, and other instruments.

Resolve in favor of the Maine Insane hospital for support of criminal insane.

Resolve in favor of the Chase Island hospital.

Resolve in favor of the Eastern Maine Insane hospital, for concrete walk, grading, painting, furnishings, completion of contracts on barn, tubercular hospital and Wing D.

Resolve in favor of the Maine Insane hospital, for additional compensation for certain officers.

Resolve in favor of the Maine Insane hospital, for completion of the criminal insane building.

Resolve in favor of the Eastern Maine Insane hospital for steam sterilizer, tools and machinery, vegetable cellar and piggery extension.

Resolve providing for the prevention

Maine Insane hospital for purchase of additional land.

Resolve in favor of the Maine Insane hospital, to provide for deficiencies.

Resolve in favor of the Eastern Maine hospital to provide for deficiencies.

Resolve in favor of the Maine Insane hospital, for greenhouse, wharf, coal pocket, commander's house and residences on Arsenal grounds.

An Act to enable the town of Winter Harbor to purchase the property and franchise now or formerly of the Winter Harbor Gas & Light Co.

An Act to incorporate the Bar Harbor Gas Co.

An Act to ratify and confirm the acts of the Wayne Library Association at its meeting of August 27, 1908, and all subsequent meetings.

An Act to provide for the restoration of the records of the court of probate for the county of Cumberland.

An Act to provide for the payment of the premiums on bonds required of the treasurer of State and clerks in the State treasury department.

Resolve to correct certain entries in the books of the State treasurer.

Resolve authorizing the compilation and publication of the insurance laws of Maine.

Resolve in favor of the city of Auburn.

Resolve in favor of the Old Town hospital.

An Act relating to the issuance of mileage books by railroad corporations.

An Act to authorize the Kellogg Lumber Co. to erect and maintain piers and booms at the mouth of Moose river and in Long pond.

Passed to Be Enacted.

An Act to amend Section 8 of the Revised Statutes relating to taxation on loan and building associations.

An Act authorizing the Merrill Springer Co. to make, generate, sell, distribute and supply gas or electricity or both for lighting, heating, manufacturing or mechanical purposes.

An Act to amend Section 38 of Chapter 61 of the Revised Statutes relating to the registration of vital statistics.

An Act to regulate fishing in Saddle-back stream, sometimes called Pease stream, in Franklin county.

An Act in relation to supplies furnished any person or family while placed in quarantine by the Board of Health.

An Act to regulate fishing in the tributaries of Little Sebago lake, Cumberland county.

An Act to amend the charter of the Relief Association of the Portland fire department.

An Act to amend Chapter 18 of the Revised Statutes relating to the State Board of Health.

Finally Passed.

Resolve in favor of the Hospital of the Daughters of Wisdom, of the town of St. Agatha, Maine.

Resolve for the purpose of erecting a fish hatchery in Knox county.

Resolve in favor of the Children's Protective Society of Portland.

Resolve in favor of Webster plantation in the county of Penobscot.

Resolve in favor of the Maine School for the Deaf.

Resolve in favor of John M. Taylor

Resolve providing for the payment of claims, accounts and demands against the State, accrued prior to Jan. 1, 1909, and remaining unpaid by reason of insufficient appropriations.

The foregoing resolve to which was attached the emergency clause, was finally passed, 26 senators voting in favor of its passage and there being no votes opposed.

An Act to appropriate money for the protection of trees and shrubs from the introduction and ravages of dangerous insects and diseases.

The foregoing resolve to which was attached the emergency clause, was passed to be enacted, 26 senators voting in favor of its passage, and there being no votes opposed.

Orders of the Day.

On motion by Mr. Hamilton of York, the report of the York county delegation, submitting new draft of bill relating to change of shire town, said bill being An Act to submit to the legal voters of York county the question as to whether the shire town shall

be changed; and if so, to establish the shire town at Saco, Kennebunk or Sanford, was taken from the table. On motion by the same senator the report was accepted.

The same senator moved that the rules be suspended and that the bill take its first reading.

Mr. Smith of York thereupon moved the adoption of the following amendments, namely: Senate Amendments A, B, C, D and E to Senate Document No. 113, in new draft.

Mr. SMITH: Mr. President, In explanation, I desire to state that in the adoption of Senate Amendment A it becomes necessary to adopt the other amendments affecting other portions of the bill. Senate Amendment A is as follows: "Section 1 is amended by striking out the first seven lines and inserting in the place thereof the following: 'The selectmen of the several towns and the mayors and aldermen of the cities of Biddeford and Saco in the county of York, shall, at the next regular election, held in September, 1910, submit to the voters of York the four following questions, to wit:'"

Mr. HAMILTON of York: Mr. President and members of the Senate: As stated by my colleague, the adoption of the first amendment makes absolutely necessary the adoption of the other amendments; and so I am opposed to the adoption of this amendment.

This is a bill to submit to York county the question of locating its shire town, and, in the bill, it is provided that it is to be submitted to the people of York county on the second Tuesday of September next. This amendment is an amendment requiring that it should be submitted to the voters of York county at the September election, the next State election—that is the substance of the amendment. The amendment is as to the time when this matter is to be submitted to the people of York county, whether at a special election or at the general election.

We have had a long while to examine this bill and our communions have been very pleasant indeed, but we have not exactly agreed. I have stood as a sort of bumper between the two sides,

and really I have stood there so long that I am about pounded to pulp. I want to do what is right in this matter. I am a neighbor to everybody in York county, both Democrats and Republicans; and I do not know that I have an enemy in the county. I am a friend to them all, and want to do just what is right in the matter, and just what I believe to be right. This bill, so far, has been entirely free from politics. There are good friends of mine in both the Republican party and the Democratic party who have been for, and against this bill. So that it has been kept entirely free from any Republican influences or any Democratic influences, and I want it to continue so to be. I believe it is for the interest of a good neighborhood, and for the interest of the whole county that it should terminate.

If this is submitted at the general election—you know what the general elections are, and they are no different in York from what they are in other counties—you know that this bill will get but little consideration. You will not get a fair vote. You will not get a fair expression of the people. There will be a feeling about it and that feeling will continue in different parts of the county; and I know that it is for the interest of good neighbors and a good neighborhood and in the interest of peace and in the interest of all concerned that this should be submitted at a special election.

At that special election the bill will receive proper consideration and will be voted upon, upon its merits, and that is why I am opposed to this amendment.

Mr. GOWELL of York: Mr. President: This is not a political question, but it is a matter of considerable interest to the taxpayers of York county; and it is for that reason, because it is a matter which interests all the citizens of our county, that we ask to have this election at the general election. I had supposed, when Senator Hamilton said that he had posed as a go-between between the opposing factions, that I had occupied that position; but I believe it is a fair statement that we have tried to avoid con-

tention in this matter and have tried to keep this internal complication in York county and not embarrass people in other sections of the State.

I believe it is a fair proposition to submit to the people of York county, and we do ask to have this taken out of politics and kept out of politics, and voted upon as a business proposition, and we believe that that will be accomplished at the general election, with a better and a fairer expression of the whole people, than it would at a special election; and I hope that the amendment offered by my colleague, Mr. Smith, will prevail.

Mr. SMITH of York: Mr. President: I move that, when the vote be taken, it be by the Yeas and Nays.

Mr. HAMILTON of York: Mr. President: Just one word as to the expense, as that is to be taken into consideration, for a moment, because the expense will be extremely light. Another fact should be taken into consideration; and I want to submit this to your judgment as representative men and as men who have been interested in politics, if the proposition which I have stated to you is not a correct proposition; that bad feeling will grow out of this if it is submitted at the State election; but when you have a special election,—and this is the only question to be submitted to the people,—they will go there to vote and we shall get a fair, honest expression; and there can be no talk of political measures or political trades, as there will surely be at the State election.

The question being upon the adoption of Senate Amendment A, the Yeas and Nays being called for and ordered, the vote being had resulted as follows: Those voting Yea were, Messrs. Baxter, Colcord, Eaton, Emery, Gowell, Hastings, Howes, Irving, Kellogg, Knowlton, Looney, Milliken, Minott, Reynolds, Shaw, Smith, Theriault, Walker, Warren, Wheeler, Wyman (21). er, Warren, Wheeler, Wyman (21). ton, Donigan, Hamilton, Hill, Lowe, Macomber, Mullen, Osgood, Staples (9).

So the amendment was adopted; and on further motion of Mr. Smith of York, Senate Amendments B, C, D and E were severally adopted.

On motion by Mr. Hamilton of York, the bill as amended, under suspension of the rules, took its second reading and was passed to be engrossed.

On motion by Mr. Wyman of Washington, Senate Document No. 208, "Majority and Minority Reports of the Committee on Ways and Bridges, each submitting new drafts on bills relating to State ownership and maintenance of highway bridges," was taken from the table.

Mr. WYMAN of Washington: Mr. President: I move the substitution of the minority for the majority report; and I will say that the minority report of the Committee after hearing on the so-called Donigan Bridge Bill, made and formulated a bill which we called a county bridge bill. In this bill we have no objects of notoriety. We have drafted it only upon a business proposition, as we think; and, if the Senate sees fit to adopt that bill, or that report, I would suggest that it lie on the table until sometime next week, that the Senators may have opportunity to investigate it and to discuss it at that time on its merits and do what they, in their judgment, see fit.

We drafted it because we had before the Bridge Committee appropriations amounting to nearly \$300,000 in matters that are calling for assistance. We drafted it because we believed that, as a business proposition the State or the county should first know in what they are embarking,—what it is going to cost in the venture. The first question a business man asks himself is,—how much money will it require, and if he has the money to make the investment.

I will leave this bill, and not discuss the merits of it. I will say, in regard to the majority report, that the bill seems to be drafted and made for only one object, and that is for an immortal name. It is carelessly arranged, or has been carelessly presented. As to its construction I have no comments to make; but when we first had a hearing before the Bridge Committee, we discovered that the first thing we had up against us was a bill which says that the municipal officers of the several towns and counties of the State shall make a list of all the highway and railroad bridges that are fifty-three feet

or more in length, constructed prior to the first day of January, 1909. Now this bill, taking railroad bridges over fifty feet in length, was circulated through the State of Maine, as I understand; and the people commenced to send in petitions, not only for the Donigan Bridge Bill, but a bridge bill similar to the Donigan Bridge Bill. I can only construe it in one way, and that is: that they were sent in to express their desire for some sort of a bridge bill; and I believe that is the sentiment through the State. This bridge bill, the Senator from Somerset, Mr. Donigan, said, was a model bill,—no one could make any comments upon it, because he had presented it two years ago to the Legislature, and he had thought over it all that time, and he had it very nearly perfect. He took this bill from the committee and he soon presented a bill cutting out the railroads, and substituting forty feet for fifty feet. This was more perfect than the first; but when he came to investigate it further, he thought forty feet was not sufficient, and he has come now, with a report signed by a majority of the committee, cutting this down to thirty feet, to better equalize taxation in the State of Maine.

Two years ago the Commissioner of Highways was asked to get a report from all the towns regarding the number of bridges over forty feet in length. We got reports from 560 towns; and of those 560 towns, there was 157 that did not have a bridge forty feet in length, and 23 of those towns had no bridges at all.

Now, if the gentleman from Somerset can inform me how he is going to equalize taxation by making 157 poor towns contribute to bridges for City of Bangor and the City of Portland where it costs hundreds of thousands of dollars, I should like him to make it clear; but I am fairly good in mathematics, and it seems to me that it would be unequal taxation.

It is true that his bill now cuts a number of bridges down to thirty feet. I have not obtained the information requisite to tell how many towns that would shut out, but from the best information I could get, it will shut out almost as many as 157 towns. He laid

great stress in the committee on taking over toll bridges. I want to say just a word in regard to that. Between New Hampshire and Maine there is a very expensive toll bridge which has been under discussion between the two states for some time; and in the last Legislature there was a committee appointed to investigate the practicability of the State of Maine's taking over the toll bridges. We are informed by that committee that it costs about \$16,000 to keep its toll bridge in repair; and they say in the report: "To purchase the Portsmouth bridge, or build a new one, or in any way replace it, would be a very expensive project—too expensive to be considered by the town of Kittery or the city of Portsmouth. Neither of these municipalities bear the burden of maintaining the structure."

I believe as to all these petitions which have been sent in here from the various towns, that the voters of the towns who signed these petitions have given them very little thought. To substantiate this belief, I would say that I took the last Donigan bridge bill and mailed to five towns in my county, and without comments, wrote across the top: How would this affect you?" From every one of these towns the selectmen wrote back, "It is just what we want. Pass it." The town of Jonesport was among those towns and a representative came to me and said he did not believe in the Donigan bridge bill, but that he was placed in a peculiar position—that the selectmen of Jonesport asked him to support this bill. It happened a few days after that one of the selectmen was here; and I asked him what his opinion was in regard to the Donigan bridge bill. He says: "That is just what we want." I inquired, "What is the valuation in your town?" "Well," he says, "about \$600,000." I said, "Under the Donigan bridge bill this asks for a third of a mill, which in your town would be \$200 a year; and provided this is not increased to a mill and a half, but take it on the basis of a third of a mill, how would it affect your town? You contribute then a third of the money of the State—you contribute a third of the money of the

county and you contribute a third of your own bridges." He says, "Is that the way of it?" I says, "It certainly is." He says, "We don't want any bridge bill"—and that is the case in all the towns to which I submitted that proposition. They get it into their heads in some way or other that if this bridge bill passes, it is a proposition of the State and that the tax is raised upon the railroads and wild lands of the State only and that it does not come into the taxable property of the towns; whereas, in fact, as I understand the law, the railroads do not contribute a cent. The railroads are taxed in a different way, but it does get at all the real estate and property in the State outside of the railroads. I can see no good feature in the so-called Donigan bridge bill.

Mr. DONIGAN of Somerset: Mr. President: I am very glad that the senator from Washington county is so good in mathematics and I am very sorry that the people of the State of Maine are so ignorant as he would make you think they are.

In discussing the majority report of State ownership of bridges there are many facts and figures to show why this act should pass which I shall be unable to touch upon in my remarks, and I believe it will not be necessary because this bill has been discussed in every paper, in every store, blacksmith shop, and by every fire-side in Maine for the last two years. It was my privilege during the last Legislature, as a member of the House, to draft an act for the equalization of taxation known as the General Bridge Bill. It was also my privilege to serve on the committee on ways and bridges, and I will say frankly that there never was a committee appointed by a Speaker and President that worked more for the interest of the people of Maine than did that one. After three public hearings when notice was given and everyone had an opportunity to be heard the committee passed the bill unanimously—it passed the House by 31 majority and was beaten in the Senate by two votes. A conference committee was appointed and at the last

session of the 73d Legislature I reported that the House and Senate could not agree.

In my first draft the bill provided that the State should pay all expenses for building and maintaining bridges but I found in talking and corresponding with county commissioners and selectmen in different parts of the State that this could be improved by the State, county and town paying one-third each for building and maintaining, and this I adopted in my new draft. Other changes were made until now I believe that the bill is satisfactory to nearly every city and town in Maine.

An order was passed during the last days of the 73d Legislature as follows: "Ordered that the Senate concurring that the State commissioners of highways be and is hereby directed to make an investigation to ascertain the length, physical character and condition, original cost and annual cost of maintenance together with such other information as he may deem pertinent or necessary concerning each and every bridge within the State, the result of this investigation shall be published as a part of the next annual report of the State commissioners of highways and 1000 copies of the result of the investigation shall be published in pamphlet form for the use of the next Legislature." On page 102 of this report I find 1775 bridges over 30 feet in length reported to have cost \$4,337,042.82. On page 18 of the same report I find that 248 towns report an average maintenance cost of all bridges for the year of 1904-5-6 of 3½ per cent. on cost of bridges. Taking that as a basis on the reported cost of bridges over 30 feet in length we find their maintenance to be \$151,763.41. Now take it for the year 1907 and as we are aware that each year bridges are built more substantial and cost less to maintain I find on page 18 the cost of maintenance only 2½ per cent. of the cost, or \$108,426.07 for all bridges over 30 feet so it will be seen that by this and also the assessors careful compilation of figures, which was ordered by a Legislature previous, all covering a period of nine years that a systematic bridge

inspection was made, and there can be no mistake as to about what the maintenance cost will be, and I wish to state that, although we over-estimated the cost two years ago our figures were substantially correct.

One of the main objects of this bill is to have the vast wild land interests in unincorporated townships pay their share of the expense of the building and maintaining these bridges, which cannot be done by the county taking on the bridges except a county tax, where timberlands are or in any other way except as the Governor suggested by a mill tax, but the bill provides that the county commissioners, under the direction of the highway commissioner, shall look after and care for them.

In New York the state builds part of the bridges.

Vermont has a law which provides that the state may pay one-half of the costs. On page 12 of the commissioner's report the following is written by the highway engineer of Iowa: "Such a law as you suggest would be a very desirable one to have." In Minnesota the state highway commissioner had a fund of \$50,000 for 1907 and \$70,000 for 1908 for roads and bridges. California highway commissioner writes: "I believe it would be a vast improvement and saving for the state to have charge of such construction." In Ontario one-third of the cost is paid by the government.

Are city bridges built for cities alone? Are town and county bridges built for people living in their town or rural districts? Do they want only business from those who live within these borders? No, they all share alike in using them. Then why not all combine, including the wild land owners, in building up a system of good roads and bridges? After two years of study and correspondence, I drafted this bill and I believe that one was never offered to a Legislature with more justice and merit; and after a long hearing it passed the committee 7 to 3. Who builds up our cities I want to ask? Is it not the flood of money that is poured into the factories, wholesale and retail houses from the country towns and districts? Does Portland appre-

ciate the business they get from country towns? What is good for the country is good for the city. How many traveling men have they crossing our bridges, and do they not find fault if they are not kept in good repair? I believe that most of the people of that beautiful city on the coast have no objection to an equal taxation on all property including timberland for maintainance of bridges. Portland claims that this measure would cost them one-seventh of the appropriation. Does not Portland expect to get a good part if not all of it back? The State belongs to us all and we should know no North, no South, no East, no West, and no political party when it becomes a question of public benefits to our whole State.

The rural part of my town has not been narrow in the needs of the village, in fact, I have often thought that they were doing too much, but by working together we have made Bingham one of the brightest, busiest and best towns of its size in Maine. To those who have no bridges but cross their neighbor's, I say, "Go thou and do likewise."

I am not expecting help for my own town, we have a beautiful new bridge across the Kennebec. The people of my county want no charity; we simply ask for recognition in the matter of equalization of taxes. Look at the large special appropriations? Is it right that your town should get a large special appropriation for a bridge and another town bankrupt itself in building one for public travel for anybody and everybody to cross? Is it not better for all to help where help is needed? The powers of a Legislature to tax ought never to be used to confer favors on individual towns or cities but should be used always, and only, to secure general benefits. The money would be assured by a mill tax and the wild land owners will pay their proportional part. No doubt some of the senators object to this but these lands, the assessors say, have increased in valuation over 120 per cent. in the last 10 years. The Governor, the State assessors, the Tax Commission, the Grange, legislative committee, all the

papers and many of the wild land owners themselves believe that the tax on these lands should be increased by a mill tax. Do the members from Portland or any other members object? Before the mill tax was assessed for school purposes I used to wonder why it was that I without children, I am sorry to say, paid more school tax than my neighbor who had a large family of children but had great wealth in timber lands but not taxed.

In the 73d Legislature the bill was beaten with the argument that it would cost four or five hundred thousand dollars a year, some objected on account of the highway bill, others on account of not having sufficient data. There can be no such argument at this session. There are two bridge reports before us. The money will be assessed by a mill tax. The cost of maintainance is in the neighborhood of \$108,000 a year, not as much as a number of State institutions ask for, and we would have about \$650,000 from the State, county and towns, one-third each, to spend. Our total bonded indebtedness is but \$698,000, none of which matures until 1911. On Dec. 31 last there was \$568,534 in the treasury, almost enough to wipe out the whole indebtedness of the State after having paid \$400,000 of the State bonds in the last two years.

I will refrain from a discussion of the bill as viewed by members who voted against it in the 73d Legislature, but I will say, however, that from four different counties came as many members before our committee at the next meeting after the bill was defeated by them in the Senate asking for private appropriations for their town or county, and two of them were the senators who would not support this bill in committee, and one of these senators is now asking for an appropriation of \$37,500 for a bridge near his home. It has been admitted on every hand that there was more sound and reasonable suggestions, good advice and recommendations contained in Governor Fernald's message than before delivered by any Governor for many years. and I quote the following from it in re-

gard to taxation: "It is better, therefore, in my opinion to have every community pay its share of the State taxes in some form of direct levy, that a responsibility may rest upon the State to make a proper showing of how the same was expended that every citizen may keep his eye upon the State. I believe that this is a wise course for it is more and more the disposition and the duty of the mordens state to take over to systematic control those public functions hitherto relegated to towns and cities in building and care of public highways and bridges, the care of poor and insane, and the aid of public and quasi public philanthropies which will never attain their proper influences until they become the care and consideration of the whole people of the State." It this what the Portland or Wilson bill will do? Again he says: "I think it is generally agreed that some of our public service corporations and the largely appreciated value of the wild lands should pay a larger relative tax than heretofore, and I hope that the Legislature will meet no serious opposition in the determination of a fairer levy upon the same." I quote the following from the Grange Legislative Committee report in Waterville December 17, '08: "We believe that the wild lands, now almost wholly exempt from municipal taxation, should be made to take on a greater share of the public burdens through the assumption by the State of a greater share of the burden now resting on the municipalities, such as the support of public schools, the maintenance of bridges and highways and the like."

The report is signed by men who have made taxation a study. O. Gardner, A. E. Rogers, Edward Evans, J. E. Abbott and C. S. Stetson, master of the State Grange.

I also quote the following from the "Bangor News" editorially March 6th, '07:

"By taking the responsibility for the up-keeping of all bridges above 40 feet in length away from the towns and cities and making the State foot the bills, the Donigan bill removes a source of corruption from the court of last resort in Maine, and severs every member of either house from his obligations

to think of nothing else and talk of nothing else than 'Our Bridges.'"

More than all else, the Donigan measure equalizes the burden among all towns according to their taxed valuation, and thus remedies many grave injustices which have been caused by an unequal distribution of land and water on the map of Maine. The Maine Legislature will be taking a long step in the right direction by giving the bill an early passage."

This is an age of progress, the rural free delivery, the automobile, etc., coming out of the cities into the country demands good bridges as well as good roads. The State does not oblige towns and cities to keep a system of water-works, electric lights, fire engines, town halls to harness their water power, etc., but it does oblige us to keep good roads and bridges. Then why not the State share in the expense? Such things that benefit the whole State should be paid for by the State and there should be no distinction between good roads and good bridges. Do you want to continue the toll bridge system that exists in nearly every county of Maine? As in the case with every new law this one may not be perfect. One could not be drafted that would be perfect in every particular, but I am now more than ever convinced that it is fundamentally correct and no serious defects will be found and it would be more than satisfactory and a great blessings to all the people of the State. I hope that this Legislature will keep faith with the people and I venture the prediction here and now that more than nine-tenths of them are in favor of this bridge bill and no other. If not they can order a referendum, which Portland says it will do, and which I would like to see:

I believe that if you defeat this measure when thousands upon thousands from all parts of the State are asking for its passage you will be striking a live wire—why are the people in such a state of alarm? It is no spasmodic jump, they are slowly but surely becoming aware that taxes are not equally divided. I know that after an honest sober thought this Legislature will not defeat his measure. If you do you will be held responsible and must face the consequences of your own action. If

you pass the bill you will be planting the seed of equalization of taxation that will bear fruit for all the people and the towns and cities will reap the benefit at the expense of those who do not now pay their share of taxes. I have no purpose either in my heart or brain to ask one member to vote contrary to his belief, nor do I stand here advocating this bill for honor or ambition. It is for the principals it involves which is in the interest of economy and public taxing wild lands and we owe that duty to our constituents. We should always remain devoted to the public welfare and do more for the betterment of Maine. We should work with a heart that has only that sole object in view and when this accomplished we are assured that we are traveling on a sane and safe road and to a larger, better and nobler state. I was selected by the people, and not by any one party, I believe I have done my duty to my constituents and my State. I leave the matter with you to vote as you see fit, but I do not see how this Senate can do otherwise than stand by the majority report and the 10,000 or more petitioners who ask you to pass this bill without one sign of a remonstrance and take up a bill that we know nothing about and which has never been before a committee.

Mr. BAXTER of Cumberland: Mr. President and Gentlemen of the Senate: I want to take the time of the Senate to discuss briefly what I consider to be some of the weak points of the majority report.

As I understand it, the majority report, which is the Donigan bridge bill, so-called, is the one under discussion at the present time, and I shall not enter into the merits of the minority report.

This proposition is an entirely new one, and according to the report of the State highway commissioner, has never been adopted in any other state. That of itself is an argument against the bill. But this bill has been very carelessly drawn, in my opinion. If you will look at Section 1 you will find that all bridges completed before the first day of January last, and all bridges completed after the first day of July next shall become State bridges; but no provision is made for

such bridges as may be constructed between the first day of last January and the first day of next July. Those bridges over 30 feet in length would not come under the provisions of this bill at all. That would seem to be a weak point in the bill; because, if some bridges of 30 feet are to be included, all of them should be. It might work great hardship on certain towns. Also, in the second section, it provides that towns shall reimburse the State, but no provision is made to compel the towns to do so.

As I understand it, in the case of county and State taxes, if the towns refuse to pay the money to the State, a warrant of distress is issued against them, and they are obliged to pay it; but, under this Donigan bridge bill, if a town refuses to pay, there is no remedy by which the State can collect the money.

In Section 3 it provides that the State may take land, and shall pay all damages for the lands taken in the construction of bridges. It puts the entire charge of paying land damages upon the State; whereas, of course, if the State, and town, and county, each is to pay one-third of the cost of the bridge, why should not each pay one-third of the cost of the land damage, because that is surely an item which should enter into the cost of the bridge.

In Section 5 it provides that the amount assessed upon the town shall be collected from the town; but under the decision—or rather, the opinion of the supreme court, given in 1905, in what is called the Vaughan's bridge case, the court adds that, when a town was up to its five per cent. limit, the State could not compel that town to pay any sums for the construction of bridges.

Now, if there are towns in the State up to the five per cent. limit and the State orders bridges to be built in those towns, what is to become of the charge placed upon them? If it exceeds the five per cent. limit, you are held up, and the town cannot be held to pay its proportionate part.

There is also the question of damage to persons using those bridges; and that is a very material one and one

which should not be set aside very lightly except in cases of "sudden" defects, what they may be I do not know—except in such cases, the entire responsibility comes upon the State of Maine to pay the damages caused to persons injured on those bridges. Now there is no duty upon the municipal officers to inform the State. There is no way to compel them to inform the State as to the dangerous condition of those bridges, and yet the State is obliged to stand all the damage. In other words, an individual responsibility which today rests upon towns to look out for their bridges and see that they are safe, is entirely done away with, and that is placed upon the State of Maine. I can imagine what a large corps of assistants the State highway commissioner would require if he had to make an annual or perhaps a semi-annual inspection of the 1775 bridges or more which come under this bridge bill. He would have to make that inspection to satisfy himself that all those bridges were in a satisfactory and suitable condition; and the corps he would have to employ would subject this State to an unknown cost. It would, in my opinion tend to make the towns very careless as to the condition of their bridges.

Also, in Section 10, it says that the bills for services for the defense of these suits shall be paid by the State, including counsel fees. Now this bill provides that the attorney-general shall defend those cases which may be brought against the State for damage; and why should any counsel fees be charged for the attorney-general? He and his office has to defend these suits. The attorney-general is a servant of the people and is obliged to defend these suits, of course, under the duties of his office.

The last section, Section 14, which provides for a tax of one-half mill, seems to me to be the weakest section in the entire bill. The amount of money to be raised by that one-half mill would amount to something over \$200,000—not much over \$200,000; and when you consider that there have been already requests made to this State to aid towns up to \$300,000 in

building bridges—when you consider that the city of Portland today is waiting to spend \$650,000 for building two bridges—when you consider in addition to that that the entire cost of maintenance of all these 1775 bridges in the State, and to that also, all bridges that will be built by towns and counties themselves for which the towns and counties have not asked the State for any aid, must come out of this amount, this sum of \$214,000 will not in any way approximate what money will be needed.

I appreciate the fact that towns will raise a similar amount and counties will raise a similar amount, but I can figure up over a million dollars in bridges, for new bridges and the maintenance of old bridges, that in this very year it will be necessary to spend; and where is your "\$600,000"? How long is it going to last?

I am not opposing this bill in behalf of the city of Portland. I want to oppose it on broader grounds, and I have hardly mentioned the name of that city, but we have an urgent need for those two bridges. If this bill is passed, I do not imagine that the State officers will allow us to use up the entire appropriation, and more too for those two bridges; and yet we need those bridges as a suitable means of communication and we are willing to expend the money, and expect to spend the money ourselves. But we do not want any bridge bill passed that will prevent our having what we want and what we are willing to pay for.

I have a few figures here, and I will only read a few of them, showing how this bill will affect some of the towns and cities in this State.

Under this bill, of course, all bridges under 30 feet must be paid for by the towns. In addition to that, the towns will have to pay one-third of the maintenance of all bridges over 30 feet, together with a half mill on their valuation and their share of the county's part. Adding those together and estimating what the maintenance cost is at the present time, gives us some figures showing what the additional cost would be on these towns and cities. The city of Lewiston loses \$6480; Auburn loses \$3130; Presque Isle loses \$887; Houlton loses

\$1594; Castine loses \$290; Jay loses \$767; Palmyra loses \$122; Eliot loses \$221; Winslow loses \$1082; Augusta loses \$4147; Searsport loses \$365; Phippsburg loses \$178; Calais loses \$1547; Fort Fairfield loses \$1026; Wilton loses \$411; Berwick loses \$403.

I could go on and give a list many times longer than this, showing what the different towns and cities of this State would have to pay in case this bill is passed.

When the question comes up upon the county bridge bill, it is a very different question; and that will be discussed upon its merits next week, if it is assigned for that date; but I hope that the motion of the senator from Washington, Mr. Wyman, to substitute the minority for the majority report will prevail.

Mr. THERIAULT of Aroostook: Mr. President and senators, I had hoped I would not be brought in to say anything on this question, but on account of the remarks made by the senator from Piscataquis, when he referred to one of my bills before a committee, I wish to say that I receive from him this speech of his as an invitation to do just what I do. He says look at what we have been doing and do likewise.

I remember when I was in the House, the time when Bingham wanted a bridge and came before this Legislature and it was decided by the committee and endorsed by the Legislature, both the House and the Senate, that they needed a bridge and ought to have it, and they got it; and now look at what Bingham is.

I represent the northern section of Aroostook and I feel that we have a place there where, according to the statements made by the gentleman from Somerset—where the ferries carry in one week more people than in a year cross the Bingham bridge. I came before this Legislature thinking that my cause was worthy and hoping that the Legislature would see fit to grant my request; but this is not the subject under consideration. We are not considering the St. John river bridge, and I am sorry that Senator Donigan brought this in at this time.

He says that we are before the Leg-

islature. Well, we have the same right to be before the Legislature asking for bridges to the amount of \$43,000. We have the same right to ask for those bridges that Somerset county has to ask for \$75,000. If those bridges asked for in Somerset county are worthy, I hope that they will receive that amount. I trust, if Aroostook's demands are righteous, that you will grant them; but that is not the subject under consideration at the present time. It is the general bridge bill, and the motion is upon substituting the minority for the majority report.

Now in regard to what he told us about taxation. How is he going to do that when, out of some 500 towns and cities in this State, 157 towns have not got one bridge that comes under this bill; and in those very towns they have 414 bridges that they will have to maintain at their own expense when they are not receiving any benefit either from the State or the county? I will not tire the Senate with any further remarks; but I hope the motion of the senator from Washington will prevail.

Mr. HOWES of Somerset: Mr. President: I find myself in a somewhat embarrassing position this morning, as my distinguished colleague is the author and advocate of this bridge bill. I regret that I am unable to agree with him in the reconsideration of it. As he has well stated, the bill is undoubtedly aimed at the wild lands in order that they may pay more tax, and I certainly believe that they should. I believe, first, that the valuation of wild lands should be jacked up within hailing distance at least of the valuation of their selling price in the market. When you have accomplished that, assessing that tax of a mill and a half, or two mills, upon all the taxable property, the most of it should be used for the building of bridges in our poorer towns and plantations. I stand here ready to appropriate a sum of money that shall tide over those poorer towns and plantations, where they are heavily encumbered by debt.

As far as the bill is concerned, I have a few objections to it; first, regarding the cost. No man knows what

this bill will cost if put into operation. We do not know whether it will cost two hundred thousand, five hundred thousand, a million or two million of dollars the first year it is in operation; and I do object to enlarging the State tax upon the taxpayers of this State. Again, if that bill goes into effect, it will result in an increase of salaries of the county commissioners of several counties in this State and will result in an increase of probably \$15,000. It will also result in an increase of the expense of carrying on the highway department in this State House. Where we have one assistant now, there will be a dozen and you will need ten or fifteen thousand more as far as the department here is concerned. Here is \$25,000, or such a matter, if this bridge goes into operation; and who is to pay this additional cost?

Again it seems to me that, if the Bridge Bill goes into operation, we are going to be in constant litigation all over the State—law suits are going to be permanent all the time, and instead of having one assistant attorney-general, we shall have to have a half dozen.

Reference has been made to the petitioners. I met accidentally a few days ago parties who had been advocating the bridge bill measure and who had endorsed the circulated petitions, and I found that intelligent people in our rural towns had no more idea of what there was in that bridge measure than a man in California.

Mr. DONIGAN: Will the senator state who they are?

Mr. HOWES: I do not care to state. It was a private conversation. We find this a prevalent condition in lots of cases where we have bills before the Legislature and go out and get numerous signers to petitions—yet they know not really what it means.

Again, it seems to me that there is considerable of what might be termed "red tape" in the measure. If we keep on, going at the rate we are, it will not be but a few years when a poor farmer, if he has two pieces of land which he wants to cultivate, will have to call in the county commissioners to

say which he shall cultivate first; and if the commissioners do not agree, they will have to call in the commissioner of agriculture to go down and decide the matter, and if the commissioners and the Commissioner of Agriculture do not agree, the Governor will have to send down a Committee of the Council as a Board of Arbitration. I have confidence in the common people.

Again, I object to it on the ground of concentration of public affairs. I seriously object to it on the particular ground. Under its operation, it would only be a few years before we should not have any town meetings at all.

These are some of the objections which I place before you for your consideration.

Mr. DONIGAN: Mr. President: According to the gentleman who has just spoken, the office of Road Commissioner should be abolished. The buildings of highways by the State is a failure.

Now, as to my brother down in Aroostook county. I have known him for two years and have served on a committee with him for two years; and he is a very ingenious gentleman. I believe that, if he told this Senate there were oranges out on these trees here, they would go out there and pick that California fruit from those maple trees.

The other bill reminds me of a man living on the Kennebec River who was an atheist. He died. He had three daughters, and one of the daughters went to get a minister. The minister came. She told him that her father did not believe in a God; but he came to preach the funeral sermon. He could say hardly anything and talked against time; and after he got through, he went to the back part of the room and one of the girls came out and met the one who had engaged him, and said she: "What did you get such a minister as that for? He talked against time, and didn't say anything at all and I was disgusted with him." Said the other, "You know that father was an atheist of course." She says. "Yes"—And did not believe in a God—did not believe in anything?" She said, "Yes, when I went out to find that minister, I tried to find something that would come just as near being nothing as I could." I compare that to the other bill.

Mr. THERIAULT of Aroostook: Mr. President: I would like to ask the gentleman from Somerset if he will make his remarks, directed at me, in plain English. I do not know these flowers of oratory; and I am totally at a loss to know what the gentleman meant. I have not been mentioning oranges here. I came from where potatoes grow; and as for ingenuity, if that has anything to do with engineers, I am out of it.

The question being put upon the motion to substitute the minority for the majority report, the Yeas and Nays were called for and ordered.

Mr. HAMILTON of York: Mr. President: I inquire for information. I am not in favor of either bill. How then shall I vote?

Mr. WYMAN of Washington: Mr. President: I will say that the Senator from York, Mr. Hamilton, will have an opportunity to do as he thinks best with the minority bill, if the report is accepted. As I suggested, when I spoke, I proposed to have it lie on the table for at least a week.

Mr. HAMILTON: Of two evils, you should choose the least; and so I certainly choose the bill of the Senator from Washington.

The vote being had resulted as follows: Those voting Yea were Messrs. Baxter, Eaton, Gowell, Hamilton, Howes, Irving, Kellogg, Looney, Macomber, Mulen, Reynolds, Shaw, Smith, Theriault, Walker, Warren, Wheeler, Wyman (18). Those voting Nay were Messrs. Boynton, Colcord, Donigan, Emery, Hastings, Hill,

Lowe, Milliken, Minott, Osgood, Staples (11).

So the motion to substitute the minority for the majority report prevailed; and on further motion by Mr. Wyman of Washington, it was voted that Friday, March 5th, assigned for its consideration.

On motion by Mr. Hastings of Oxford, Senate Document No. 73, "An Act relating to the extension of the Fryebury Horse Railroad," was taken from the table; and on further motion by the same Senator was passed to be enacted.

There was also passed, out of order An Act to incorporate the North Yarmouth Water Company.

On motion by Mr. Minott of Sagadahoc, Senate Document No. 253, "An Act to amend Section 15 of Chapter 54 of the Revised Statutes in relation to the inspection of steamboats," was taken from the table. On further motion by the same Senator, the same was referred to the Committee on Legal Affairs.

On motion by Mr. Milliken of Aroostook, Senate Document No. 137, "Resolve relating to the documentary history of Maine" was taken from the table; and on further motion was recommended to the committee.

On motion by the same Senator, House Document No. 77, "Resolve relating to York deeds was taken from the table; and on his further motion Senate Amendment A was adopted and the bill as amended took its second reading and was passed to be engrossed.

On motion by Mr. Emery of Franklin, the Senate adjourned.