

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD
OF THE
Sixty-Eighth Legislature
OF THE
STATE OF MAINE.

1897.

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HOUSE.

Wednesday, Feb. 17, 1897.

Prayer by Rev. Mr. Struthers of Gardiner.

Papers from the Senate disposed of in concurrence.

The House non-concurred with the Senate in its reference to the committee on agriculture of the petitions of Jerre H. Jordan and 23 others of Hancock county, and of William B. Remick and 15 others of Hancock county, for a bounty on wild-cats, and ordered the petitions on file.

The Senate referred in non-concurrence to the committee on railroads, telegraphs and expresses, the petition of George F. Kimball and 56 others in regard to the equalization of freight rates. The House receded from its action whereby it referred this petition to the committee on legal affairs, and concurred with the Senate in its reference.

Bill an act to extend the charter of the Lisbon Water Company for an additional two years, was amended in the Senate by Senate amendment "A," and was passed to be engrossed as amended. The House reconsidered the vote whereby it passed this bill to be engrossed, Senate amendment "A" was adopted, and the bill was then passed to be engrossed as amended.

The following Senate bills were read and assigned:

An act to amend section 55, of chapter 38, of the Revised Statutes, as amended by chapter 174, of the Laws of 1889, in relation to the sale of pressed hay.

An act relating to serving of processes on foreign corporations acting as trustees under mortgages.

An act relating to the extension of the charter of the Atlantic Shore Line Electric Railroad Company.

An act to amend the charter of the Waldoboro Water and Electric Light and Power Company.

Senate amendment "A" was adopted and the bill read and assigned.

An act in relation to voluntary trusts.

An act to amend section 2, of chapter 60, of the Revised Statutes, as amended by chapter 179, of the Public Laws of 1893, relating to libels for divorce.

Senate amendment "A" was adopted and the bill read and assigned.

An act to incorporate the Livermore Falls Water Company.

The Senate amendment was adopted and the bill read and assigned.

An act to provide for the investigation of the causes of forest fires and the publication of statistics relating to the same.

On motion of Mr. Hamilton of Biddeford, this bill was laid on the table.

Resolve in favor of the State pension agent expending money for examination of claims under the direction of the Governor and Council.

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

JUDICIARY.

By Mr. Pope of Manchester—Remonstrance of John Ayer, treasurer of the Dunn Edge Tool Company, against ex-

tension of the charter of the Oakland Water Company.

By Mr. Pearl of Bangor—Petition of S. J. Humphrey and 172 others of Bangor, for amendment to the constitution of the State against the appropriation of money for any ecclesiastical or denominational purposes.

By Mr. Whelden of Portland—Petition of H. H. Shaw and 265 others, in relation to appropriating money for sectarian purposes; petition of Francis Fessenden and 43 others for same.

By Mr. Knowlton of Portland—Bill an act to amend section 60, chapter 27, of the Revised Statutes, relating to intoxicating liquors.

RAILROADS, TELEGRAPHS AND EXPRESSES.

By Mr. Tarbell of Benton—Petition of H. O. Robinson and 18 others of Benton, in favor of extending the chartered rights of the Waldo and Somerset Railway Co.

By Mr. Pearl of Bangor—Petition of Charles E. Hill and 60 others of Bangor, for charter for Bangor, Hampden and Winterport Railway; of Charles E. Phillips and 72 others of Hermon, for same; of S. J. Kidder and 112 others of Stetson, for same; of J. H. Sullivan and 75 others of Searsport, for same; of E. C. Newcomb and 25 others of Newberg for same; of S. H. Waugh and 78 others of Levant, for same; of Frank A. Bishop and 31 others of Hermon, for same.

By Mr. Boynton of Sullivan—Bill an act to amend the charter of the Deer Isle Telephone Company. (Received under suspension of the rules.)

BANKS AND BANKING.

By Mr. Currier of Farmington—Petition of C. E. Ware and 41 others of Farmington, in favor of the reduction of tax on savings banks.

INLAND FISHERIES AND GAME.

By Mr. Hussey of Guilford—Petition of C. W. Morrill and 140 others of Parkman and vicinity, to repeal chapter 197, of the Laws of 1895, relating to taking trout from Marble pond.

By Mr. Smith of Presque Isle—Bill an act to regulate the shooting of ducks on the Kennebec river and Merrymeeting bay.

TEMPERANCE.

By Mr. Lane of St. George—Petition of Albert G. Cook and 142 others, for a bill prohibiting the manufacture and sale of cigarettes.

TAXATION.

By Mr. Merrill of Bluehill—Petition of Joanthan Dow and 7 others of South Bluehill, in favor of the poor widows' tax bill; of William G. Pert and 10 others of East Bluehill, for same.

By Mr. Walton of Skowhegan—Bill an act to provide for the taxation of estates of deceased persons.

ORDERS.

On motion of Mr. Macomber of Augusta,

Ordered, The Senate concurring, that the committee on railroads, telegraphs

and expresses be directed to inquire into the expediency of amending the general law for the organization of street railroads so as to obviate the necessity so far as may be of granting or extending special charters for street railroads, and to report by bill or otherwise.

On motion of Mr. O'Neil of Biddeford, Ordered, That the committee on labor be allowed the use of the hall of the House of Representatives at 2 o'clock P. M. tomorrow, Thursday, for a public hearing on the act to regulate the hours of labor of women and minors in manufacturing establishments.

REPORT OF COMMITTEES.

Mr. Smith, for the committee on judiciary, reported ought to pass on bill an act to authorize the town of Richmond to purchase the property and franchises of the Richmond Co., and to incorporate the Richmond water commissioners. Printed under rule.

Mr. Simpson, for the committee on financial affairs, reported ought not to pass on resolve in favor of calling public attention to the advantages of Maine as a place of summer resort, and its agricultural and other advantages.

Mr. Stetson, for the committee on financial affairs, reported in a new draft and ought to pass resolve that there be and hereby is appropriated the sum of \$5000 to be paid the Eastern Maine General Hospital in Bangor, for the year 1897 and \$5000 for the year 1898. Printed under rule.

Mr. Dudley, for the committee on State lands and State roads, reported ought to pass on resolve relating to the publication of a map of the State of Maine. Printed under rule.

Mr. Durgin for the committee on inland fisheries and game, on petition reported bill an act to regulate the taking of eels and white fish. Printed under rule.

Mr. Maxcy, for the joint select committee on Maine State year book, on order reported, resolve for the purchase of the Maine State year book and legislative manual for the years 1897 and 1898. Printed under rule.

Mr. Whelden, for the committee on legal affairs, reported ought not to pass on bill an act to change the northern register of deed's office in Aroostook county.

Mr. Whelden, for the committee on legal affairs, reported in a new draft and ought to pass, bill an act relating to the incorporation of the Portland Female Provident Association. Printed under rule.

Mr Moore, for the committee on State lands and State roads, on petition reported, resolve that the sum of \$400 be appropriated for repairs on York bridge in Somerset county. Printed under rule.

Mr. Holbrook, for the committee on ways and bridges, on resolve relating to building a bridge across the St. John river at Fort Kent, reported that this bill be referred to the committee on federal relations.

Mr. Young, for the committee on interior waters, reported ought to pass on bill an act to amend section 4, of chapter

308, of the Private and Special Laws of 1881, as amended by section 1, of chapter 232, of the Private and Special Laws of 1891. Printed under rule.

Mr. Whelden, for the committee on taxation, reported ought not to pass on resolve in favor of the town of Maxfield, for a mistake in over-valuation.

Mr. Tolman, for the committee on ways and bridges, reported ought to pass on resolve in favor of aid in building a highway bridge across the Mattawamkeag river in Kingman. Printed under rule. Tabled for printing.

On motion of Mr. Tolman, this resolve was taken from the table and on further motion by the same gentleman, the resolve was read and assigned for Wednesday of next week.

Mr. Furbush, for the committee on financial affairs, on petition of John Lovejoy and 40 others, praying for an appropriation for the Home of the Good Shepherd and Home for orphans and poor and neglected children, situated in the city of Rockland, reported that the petitioners have leave to withdraw.

Mr. Furbush, for the committee on financial affairs, reported in a new draft and ought to pass, resolve in favor of the hospital of the Sisters of Charity of Lewiston, Me.

On motion of Mr. Furbush of Lewiston, this resolve was laid on the table to be printed.

Mr. Daggett for the committee on State lands and State roads, reported ought to pass on resolve in favor of an appropriation to repair the bridge over Molunкус stream. Printed under rule.

Mr. Daggett for the committee on State lands and State roads, reported ought to pass on resolve in favor of an appropriation to repair the bridge across Macwahoc stream. Printed under rule.

Mr. Young, for the committee on salaries, on petition of George E. Johnson and others, praying that the salary of the treasurer of Waldo county be increased from \$300 to \$400, reported bill an act to amend sections 1 and 2, of chapter 356, of the Private and Special Laws of 1885 relating to the salary of the treasurer of the county of Waldo and that it ought to pass. Printed under rule.

Mr. Stetson, for the committee on financial affairs, reported ought to pass on bill on bill an act to extend the rights and powers of the corporation organized December 16, 1892, under the Revised Statutes of Maine, chapter 55, as the Bangor General Hospital, and now the Eastern Maine General Hospital. Printed under rule.

Mr. Stetson, for the committee on financial affairs, reported ought to pass on resolve in favor of the Bangor Children's Home with statement of facts annexed. Printed under rule.

On motion of Mr. Pearl, the rules were suspended and the resolve was read once and assigned for Wednesday of next week.

Mr. Staples, for the committee on inland fisheries and game, on petition of Louis M. Haines and others, praying that fishing in Little river and its tributaries

in the towns of Bowdoin, Lisbon and Webster be protected, reported the same be referred to the commissioners of fish and game.

Mr. Guernsey, for the committee on legal affairs, reported ought to pass on bill an act to create a lien on spool timber and bars. Printed under rule.

Mr. Cram, for the committee on claims, on petition of the town of Friendship, by its selectmen, praying that they be reimbursed for money expended for the support and burial of Henry Simmonds, a State pauper, reported that the petition be referred to the Governor and Council.

Mr. Gowell, for the same committee, on resolve in favor of the town of Patten, reported that the same be referred to the Governor and Council.

READ AND ASSIGNED.

Resolve in favor of the Children's Aid Society of Maine.

An act authorizing the city of Eastport to issue bonds.

Mr. Noble of Lewiston, offered amendment to add section 2: "This act shall take effect when approved."

The amendment was adopted.

On motion of Mr. Newcomb of Eastport, the rules were suspended, the bill was read a third time and was passed to be engrossed as amended.

An act to incorporate the South Branch Improvement Co.

An act to amend certain sections of the Revised Statutes as now amended, relating to the public schools.

On motion of Mr. Garvin of Acton, this bill was laid on the table pending its first reading.

PASSED TO BE ENGROSSED.

An act to amend section 1, of chapter 75, of the Revised Statutes, as amended by chapter 157 of the Public Laws of 1895, relating to title by descent.

An act to incorporate the Shin Pond Dam and Improvement Co.

Resolve in favor of aid in building bridge across Sandy stream in Lexington plantation.

On motion of Mr. Hamilton of Biddeford, this resolve was laid on the table pending its second reading.

Resolve in favor of the Maine State Library for the years 1897 and 1898.

Resolve in favor of St. Elizabeth Roman Catholic Orphan Asylum in Portland.

Resolve in favor of the Maine General hospital.

Resolve in favor of Cyrus Knapp and John A. Rowell, executors of the last will and testament of Abbie B. Downing.

Resolve in favor of the Castine State Normal school.

On motion of Mr. Gowell of Berwick, this resolve was re-committed to the committee on financial affairs, to be reported with an accompanying statement of facts.

Resolve in favor of Lucinda Barrows.

On motion of Mr. Hutchins of Penobscot, this resolve was re-committed to the committee on pensions, with instructions to report the same with an accompanying statement of facts.

Resolve for payment of back salary of a guard at the State prison.

Resolve in favor of Lincoln plantation, No. 5, Range 2, Oxford county.

On motion of Mr. Hamilton of Biddeford, this resolve was laid on the table pending its second reading.

Resolve relating to a settling lot in Drew plantation.

PASSED TO BE ENACTED.

An act to amend chapter 274, of the Private and Special Laws of 1887, entitled an act to fix the salary of the recorder of the municipal court for the city of Portland.

An act to divide the town of Deer Isle and incorporate the town of Stonington.

An act to extend the charter of the Castine Railway and Navigation Co., and to amend its charter and certain additions thereto.

An act authorizing the city of Lewiston to refund a part of its debt.

ORDERS OF THE DAY.

On motion of Mr. Macomber of Augusta, resolve in favor of the Eastern Maine Insane hospital was taken from the table.

Mr. Macomber moved that the resolve be now put upon its passage.

Mr. Hamilton of Biddeford, offered amendment "A," to strike out the word "continuing" in the first line and insert instead thereof the word "completing"; in the third line to strike out the words "the commission therein provided for," and insert instead thereof the words "the Governor and Council"; in the eighth line to strike out after the word "them," the words "subject to the approval of the Governor and Council"; in the 13th line after the word "of," to strike out the words "said commission as provided in chapter 18, of the Resolves of 1895," and insert the words "the Governor and Council or a committee thereof"; in the 21st line, after the word "treasurer," to strike out the words, "in favor of said commission."

The question being on the adoption of the amendment.

Mr. Walton of Skowhegan, moved that the resolve and amendment lie on the table, and that Tuesday of next week be assigned for its consideration.

Mr. Macomber of Augusta: The resolve under consideration has been before the House for nearly two weeks, and it has been on the table so that every gentleman has had ample opportunity, as it seems to me, to examine the conditions and everything connected with the proposition for the further building of this hospital at Bangor. I can see no advantage, no good, that can be subserved by further delay in this matter. A large number of members of this House have already visited Bangor, they have seen the condition of those buildings, and it seems to me that it is for the interests of all concerned that we should do something right away; and I move that when the question of laying the amendment and bill on the table is voted upon, it be by the yeas and nays.

The yeas and nays were ordered.

Mr. Walton of Skowhegan: I ask unanimous consent to address the House at the present time. On the 22d day of January, I introduced in this House an order which received a passage, calling for certain lists to be provided by the clerk, showing, first, the amount of money which had been appropriated by any measures introduced in this House; second, all measures which had been favorably reported by any committee; third, the amounts called for by measures introduced; and, fourth, the amounts appropriated by the last Legislature. This report was to be made each Wednesday morning. It was to take effect on the 3d day of February. Three weeks have passed. On the 3d day of February, which occurred on Wednesday, at the request of the clerk of this House, I introduced an order which was joint in its purport, calling upon the secretaries of the various committees to furnish a list of the amounts called for in measures then pending before their committees. It has been two weeks since that order received a passage. Yesterday, we received a statement of facts in regard to the Eastern Maine Insane hospital. This morning, the gentleman from Biddeford has presented an amendment. I submit, Mr. Speaker and gentlemen, that no harm can arise from this matter lying on the table. We have already passed measures which are pending before the Senate, and which have not received a passage, which they are now considering. I submit, also, that nothing will be gained by acting upon this measure at the present time. I will state also that I desire to submit an amendment to this resolve. I could not do it until we received the statement of facts which has been presented. I therefore ask that this matter lie upon the table; and I submit, further, that in the matter of appropriations it is necessary that we should go carefully. I am a new member in this House, I do not understand, perhaps, so well as some of the old members, how to ascertain in regard to the facts of these various matters which are submitted to various committees and reported favorably. We do not have one general committee on appropriations to hear all the matters and then report. We have various committees who receive evidence and who report favorably upon a vast number of measures, and we are called upon to decide whether we shall vote against the appropriation suggested by one committee or another. We cannot, gentlemen, pass them all, that is certain; and I ask, in the interests of true economy, that this matter shall lie upon the table.

The question being on the motion of the gentleman from Skowhegan, Mr. Walton, to lay the resolve upon the table with the proposed amendment, the yeas and nays were called and the motion was adopted by a vote of 85 for to 49 against.

Yea—Ayer, Boynton, Briggs, Brown, Burnham, Burrill, Burse, Chatto, Coffin of Shapleigh, Coffin of Thorndike, Conant, Cook, Cox, Cram, Currier, Cushman, Day, Forest, Fuller, Gardner, Garvin, Goodrich, Gowell, Hamilton of Biddeford, Hathaway, Hill, Holbrook, Holmes,

Houghton, Hurd, Hutchins, Hutchinson, Kaler, King, Kinsman, Kneeland, Knowlton of Newburg, Knowlton of Portland, Lane, Levensaler, Lincoln, Littlefield of Kennebunk, Luce, Maxcy, Maxwell, McIntire, Merrill of Bluehill, Merrill of Portland, Moore of Deering, Moore of Moscow, Murphy, Noble, O'Neil, Pattangall, Penley, Plummer, Pope, Prince, Purinton, Reed, Rounds, Rowell of East Livermore, Searls, Shaw of Cumberland, Shaw of Saco, Simpson, Smith of Masardis, Smith of Presque Isle, Staples, Starbird, Stevens, Talbot, Tarbell, Violette, Walton, Weeks, Wheeler, Whelden, Whiting, Williams, Wilson, Winslow, York, Young.—85.

Nay—Andrews, Austin, Bither, Blanchard, Britton, Burns, Burton, Daggett, Davis, Dickey, Dudley, Durgin, Edmunds, Fernald of Levant, Fernald of Poland, Floyd, Fogg, Fogler, Gagnon, Gilman, Greenleaf, Guernsey, Hamilton of Mattawamkeag, Hussey, Jewell, Jones, Littlefield of Vinalhaven, Longley, Macomber, Mason, Mitchell, Murchie, Murray, Newcomb, Palmer, Patten, Pearl, Peirce, Philbrook, Robinson, Rodick, Saunders, Sewall, Shepard, Smith of Hampden, Spear, Stetson, Thurston, Tolman.—49.

Absent—Ames, Chandler, Donnell, Furbush, Golder, Goodwin, Hancock, Hathorn, Larrabee of Sebago, Littlefield of Belfast, Martin, Rowell of Kittery, Sanborn, Sawyer, Thompson, Thurlow.—16.

On motion of Mr. Fogler of Rockland, resolve in favor of the town of Forest City was taken from the table, and on further motion by the same gentleman, the resolve was read a second time and was passed to be engrossed.

On motion of Mr. Goodrich of Maxfield, bill relating to receipts and expenditures for schools was taken from the table.

Mr. Goodrich offered an amendment, to amend section 2 by inserting after the word "and" in the second line, the words "average annual", also by striking out in the third line the word "fifty" and inserting the word "thirty-five."

The amendment was adopted and the bill was read and assigned for tomorrow morning.

On motion of Mr. Maxwell of Richmond,
Adjourned.