

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**  
OF THE  
**Sixty-Eighth Legislature**  
OF THE  
**STATE OF MAINE.**  
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**1897.**

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**SENATE.**

Friday, March 26, 1897.

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

Prayer by Rev. Mr. Andrews of Garland.

Journal of yesterday read and approved. Papers from the House disposed of in concurrence.

An act to regulate the admission to practice of attorneys, solicitors and counsellors, and to provide for a board of examiners and to repeal conflicting acts.

This bill passed to be engrossed in the Senate, came back from the House referred to the next Legislature.

Mr. Stearns said that as the House had been rejecting many offered blessings and good things, and this the best among them, and it being apparent that in the present temper of the House it would die between the two branches if the Senate should insist, he would move that the Senate recede and concur with the House.

The Senate voted to recede and concur.

An act to secure the better observance of the Lord's Day.

This bill passed to be engrossed in the House and indefinitely postponed in the Senate, came back from the House, that branch adhering to their former action.

On motion by Mr. Stearns of Aroostook, the Senate voted to adhere.

Resolve in favor of the Eastern Maine Insane Hospital.

This resolve came back from the House, that branch refusing to join another committee of conference and adhering to their former action. On motion by Mr. Savage of Androscoggin, the Senate voted to adhere.

Resolve in favor of the Soldiers' Home in Maine.

This resolve came back from the House, that branch refusing to join another committee of conference and adhering to their former action. On motion by Mr. Engel of Penobscot, the Senate voted to adhere.

**PUBLIC ACTS APPROVED BY THE GOVERNOR.**

An act amendatory and additional to chapter 263 of the Public Laws of 1893, entitled "An act to regulate the organization and control of street railways."

An act to amend sections 59, 60 and 61 of chapter 6 of the Revised Statutes relating to the taxation of insurance companies.

An act to amend section 11 of chapter 63 of the Revised Statutes relating to probate courts.

An act to correct a clerical error in an act to amend chapter 30 of the Public Laws of 1895 relating to liens on buildings approved March 17, 1879, and being chapter 232 of the Public Laws of 1897.

An act to amend sections 6 and 9 of chapter 18 of the Revised Statutes relating to ways.

An act relating to the transportation by common carriers of property the title of which is in dispute.

An act to establish the salary of the judge of probate in the county of Piscataquis.

An act to amend section 12 of chapter 67 of the Revised Statutes relating to the mortgaging of ward's estate by guardians.

An act additional to section 104, chapter 92 of the Revised Statutes relating to the inspection of dams and reservoirs.

An act to amend section 6 of chapter 132 of the Public Laws of 1891 relating to punishment for intoxication.

**ORDERS.**

On motion by Mr. McCullough of Washington, it was

Ordered, That there be paid to Charles H. Lovejoy the sum of \$100 for extra services as messenger to the Senate, in addition to his compensation.

Ordered, That the pay of the pages of the Senate be made up the same as that of the folders.

On motion by Mr. Reynolds of Cumberland, it was

Ordered, That on and after this date Senator Simpson of Hancock be excused from further attention on the Senate, and that the secretary be directed to make up his pay and mileage.

An act to amend chapter 304 of the Public Laws of 1889, in relation to the compensation of the sheriff of the county of Aroostook.

This bill came up by special assignment and on motion by Mr. Sharp of Aroostook was taken from the table and indefinitely postponed.

An act to amend the charter of the city of Bangor.

This bill came up by special assignment. Passed to be engrossed in the Senate, as amended by Senate amendments A and B. Amendments rejected in the House, House amendment A adopted and bill passed to be engrossed. On motion by Mr. Engel of Penobscot, the Senate adhered to its former position.

An act to incorporate the Nahmakanta Improvement and Navigation Company.

This bill came from the House indefinitely postponed, and on motion by Mr. Maxwell of Androscoggin, the Senate concurred in the indefinite postponement.

An act to amend section 23 of chapter 79 of the Revised Statutes relating to the admission of attorneys to the practice of law.

On motion by Mr. Stearns of Aroostook this bill was taken from the table, read the second time and passed to be engrossed.

An act to authorize the Brewer Light and Power Company of Brewer, Maine, to transact business within the city of Brewer.

On motion by Mr. Stearns of Aroostook, this bill was taken from the table. Mr. Stearns spoke in opposition to the measure, and moved that it be indefinitely postponed.

Mr. Reynolds of Cumberland, explained the reasons of the legal affairs committee for reporting favorably upon the bill and hoped that the motion would not prevail.

Mr. Savage spoke against the bill.

The question being upon the motion of Mr. Stearns, 14 voted in the affirmative and 4 in the negative, and the bill was indefinitely postponed.

#### UNITED STATES FIBER COMPANY.

An act authorizing the United States Fiber Company of New Jersey to generate and supply compressed air and electric power.

This bill came up by special assignment, the question being upon concurrence with the House in the adoption of the majority report "ought not to pass."

Mr. Stearns of Aroostook, spoke in favor of the bill and urged the adoption of the minority report, "ought to pass."

Mr. Savage of Androscoggin, spoke for the majority report and against the measure.

Upon motion by Mr. Stearns, the yeas and nays were ordered.

Yeas—Parsons, Sharp, Stearns, Weeks, —4.

Nays—Chamberlain, Clason, Ferguson, Grindle, Hargraves, Heald, Hinkley, Hurd, Maxwell, McCullough, Morrill, Pike, Poor, Reynolds, Roberts, Salley, Savage, Walls, Witham.—20.

Absent—Drummond, Merrill, Simpson, Wyman.—4.

Mr. Engel of Penobscot, who would have voted "no," paired with Mr. Billings of Waldo, who would have voted "yes."

And four voting in the affirmative and 20 in the negative, the motion to non-concur was lost. The majority report of the committee, "ought not to pass," was then accepted in concurrence.

#### CIGARETTE BILL.

An act to prohibit the manufacture and sale of cigarettes.

This bill, in the House passed to be engrossed, read once in the Senate and tabled pending adoption of Senate amendment A offered by Mr. Walls of Knox.

Senate amendment A. Section I of said bill is hereby amended by inserting after the words "give away," the words "to any minor under age of 21 years."

Mr. Witham of Cumberland, said that the committee on temperance had given this matter due consideration, as from the number of petitions received, it had seemed a matter of unusual importance. The amendment under consideration by the Senate had already been rejected in the House and the bill passed. He believed that the bill was meritorious and should stand for itself, and hoped that the amendment would be rejected.

Mr. Walls of Knox, advocated the amendment. He presumed that it was the duty of legislators to prohibit all those things that would be to the injury of mankind, but that in legislation of this kind they should put the restrictions or prohibitions upon those who were already under guardianship or in their minority. Those who were over age should have left to them the possession of their rights and individuality, and the responsibility left upon them relative to their own actions. There should be a line drawn somewhere, establishing a just medium of legislation,

and he hoped that the amendment would prevail.

Mr. Morrill of Cumberland, advocated the measure. A petition of 16,000 names had been presented calling for a law of this nature, while there were but 228 remonstrants. It had been clearly demonstrated that there was not a particle of good arising from the use of cigarettes, while on the other hand they were exceedingly detrimental to health in a great many ways.

Upon motion by Mr. Witham, the yeas and nays were ordered.

The question was then upon the adoption of the amendment.

Yeas—Clason, Engel, Ferguson, Heald, Hinkley, Hurd, Maxwell, McCullough, Parsons, Pike, Reynolds, Savage, Stearns, Walls, Wyman.—15.

Nays—Chamberlain, Grindle, Hargraves, Morrill, Poor, Roberts, Salley, Sharp, Weeks, Witham.—10.

Absent—Merrill, Simpson.—2.

Mr. Reynolds of Cumberland, who would have voted "no," paired with Mr. Drummond of Cumberland, who would have voted "yes."

And 15 voting in the affirmative and 10 in the negative, the amendment was adopted.

The following communication was received:

Belfast, Me., March 24, 1897.

To the Honorable Senate of the State of Maine:

Gentlemen: Permit me to thank you most sincerely for the deep and sustained interest and the many expressions of friendly regard extended to me and my family during my protracted illness. Let me assure you that I deeply appreciate the motives which prompted your interest and acts in my behalf, and I shall ever cherish the memory of them among the most gratifying experiences of my life. Looking forward to the time when I shall meet you all again and take you each by the hand and express my regard in a less formal way, I remain,

Very sincerely yours,

W. L. LITTLEFIELD.

On motion by Mr. McCullough of Washington, the secretary of the Senate was directed to acknowledge to the member of the House from Belfast the pleasure with which his communication was received, and to extend to him their continued wishes for his full and complete recovery.

On motion by Mr. Pike of York, the Senate took a recess until 3.00 o'clock P. M.

#### Afternoon Session.

The Senate was called to order by the President at 3 o'clock.

Papers from the House.

Resolve in favor of Ex-Governor King's monument.

This resolve came from the House on its first reading, read the second time under suspension of rules and passed to be engrossed.

Resolve to care for the unfinished buildings of the Eastern Maine Insane Hospital.

This resolve came from the House

passed to be engrossed under suspension of rules, without reference to committee. Rules suspended, resolve given its several readings and passed to be engrossed in concurrence.

Resolve in favor of the Maine cattle commission.

This resolve passed to be engrossed in the Senate as amended by Senate amendment "A," came back from the House amended by House amendments, B, C and D. The vote was reconsidered passing the resolve to be engrossed, the several House amendments adopted in concurrence and resolve passed to be engrossed as amended.

An act to amend the charter of the city of Bangor.

This bill passed to be engrossed as amended in the Senate, came back from the House indefinitely postponed. On motion by Mr. Engel of Penobscot, the Senate concurred in the indefinite postponement of the bill.

#### **PASSED TO BE ENACTED.**

An act to amend section 3, of chapter 11, of the Revised Statutes of 1883, as now amended, relating to discontinuing schools and conveying school children.

An act amendatory of section 19, of chapter 12, of the Revised Statutes, relating to officers of religious societies.

An act additional to section 83, of chapter 11, of the Revised Statutes of 1883, as now amended, relating to returns of town superintendents.

An act to amend section 32, of chapter 63, of the Revised Statutes, relating to compensation of surviving partners.

An act to amend section 45, of chapter 33, of the Revised Statutes, relating to inspection of milk.

An act to amend paragraph 4, of section 6, of chapter 6, of the Revised Statutes, relating to taxation of estate and property of religious societies.

An act to amend chapter 116, of the Public Laws of 1895, relating to the schooling of children in unorganized townships.

An act to amend chapter 287, of the Public Laws of 1893, relating to the better protection of sheep.

An act relating to transfers of stock.

An act relating to the employment of superintendent of schools.

An act relating to the manufacture, sale and shipment of lime.

An act amending sections 11 and 14, of chapter 58, of the Revised Statutes, relating to agricultural societies.

An act to revise and consolidate the Public Laws relating to sea and shore fisheries.

An act to incorporate the town of Swan's Island.

An act to incorporate the town of Perham.

An act authorizing the town of Lebanon to contract with the city of Rochester, N. H., to supply the village of Lebanon with water for fire and domestic uses.

An act authorizing the construction of a town way or highway over and across the tide waters of Webhanet river, in Wells.

An act additional to the charter of the Portsmouth, Kittery & York Street Railway.

An act to authorize the Bath Gas and Electric Co. to issue additional bonds.

An act additional to the act incorporating the Mutual Fire Insurance, Co.

An act authorizing the St. John River Bridge Co. to erect and maintain four toll bridges across the St. John river.

An act relating to the jurisdiction of the municipal courts of the cities of Biddeford and Saco.

An act to amend the city charter of the city of Biddeford.

An act to incorporate the Harpswell Village Corporation.

An act relating to the salary of the assistant librarian of the State library.

On motion by Mr. Clason of Kennebec, this bill was taken from the table and passed to be enacted.

An act to prevent incompetent persons from conducting the business of apothecaries.

On motion by Mr. Grindle of Hancock, this bill was taken from the table. Mr. Ferguson of Sagadahoc, offered the following amendment:

Senate amendment "D." Amend section 10, by adding to said section the words, "nor to registered physicians who reside in towns where there is no drug store."

The amendment was adopted and the bill passed to be engrossed as amended.

An act to amend section 26, of chapter 81, of the Revised Statutes, relating to recording of attachments of personal property.

This bill came from the House passed to be engrossed under suspension of rules, and on motion by Mr. Savage of Androscoggin the rules were suspended, the bill read twice and passed to be engrossed in concurrence.

On motion by Mr. Savage, it was voted that the Senate take a recess until 7.30 o'clock P. M.

#### **Evening Session.**

An act repealing section 87, chapter 11, Revised Statutes of 1883, and acts amendatory thereto, and substituting therefor an additional section to said chapter, regulating the manner of electing town superintendents and defining the powers and duties of school committees and school superintendents.

This bill passed to be engrossed in the Senate as amended by Senate amendment "A," came from the House, the amendment adopted and further amended by House amendment "C."

The vote was reconsidered passing the bill to be engrossed. The amendment was then adopted in concurrence, and the bill passed to be engrossed as amended.

An act to prohibit the manufacture and sale of cigarettes.

This bill amended in the Senate by Senate amendment "A," and passed to be engrossed, came back from the House, that branch refusing to concur in the adoption of the amendment and insisting and calling for a committee of conference.

Mr. Witham of Cumberland moved to recede and concur.

Mr. Savage moved to insist and join a committee of conference.

The Chair ruled that the motion to recede should take precedence.

The question was upon the motion to recede and concur.

Four voting in the affirmative and 12 in the negative, the motion was lost.

Upon motion by Mr. Savage, the Senate voted to insist and joined the following committee of conference: Messrs. Savage, Stearns and Engel.

### PASSED TO BE ENACTED.

An act for the assessment of a State tax for the year 1897, amounting to the sum of \$905,179.49.

An act for the assessment of a State tax for the year 1898, amounting to the sum of \$905,179.49.

An act to amend section 29, of chapter 24, of the Revised Statutes, as amended by chapter 31, of the Public Laws of 1887, relating to the support of paupers in unincorporated places.

An act to amend section 31, of chapter 11, of the Revised Statutes of 1883, as amended by chapters 100, of the Private Laws of 1887, 212 of the Public Laws of 1889, 216 of the Public Laws of 1893, defining the course of study in free high schools.

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 to amend section 6, of chapter 111, of the Revised Statutes, as amended by chapter, 73, of the Public Laws, of 1891, relating to recording of assignments of wages.

On motion by Mr. Walls of Knox, it was Ordered, That when the Senate adjourn, it be until tomorrow morning at 10 o'clock.

Mr. Drummond, chairman of the committee on claims, submitted their final report, that they had acted on all matters referred to them. Report accepted.

### Recess.

### PASSED TO BE ENACTED.

An act to amend chapter 30 and chapter 40 of the Revised Statutes, relating to inland fish and game.

An act to amend section 1 of chapter 22 of the Revised Statutes, relating to division fences.

An act additional to chapter 31 of the Revised Statutes, relating to sales of property deposited in public warehouses, on which the charges thereon shall not have been paid.

An act to amend section 112 of chapter 11 of the Revised Statutes, as amended by chapter 37 of the Public Laws of 1891, and chapter 121 of the Public Laws of 1895, relating to normal schools and the Madawaska Training School.

An act to amend chapter 65 of the Public Laws of 1895, entitled "An act in relation to State taxes on organized plantations taxed by the State as wild lands."

An act in relation to political caucuses in cities.

An act for the better preservation of

highways and accommodating public travel.

An act to prevent the use of diseased meat for food purpose.

An act to regulate the sale of agricultural seeds.

An act to prevent the reproduction of prize fights by photographs.

An act to change the time of holding the October and January terms of the Supreme Judicial Court in the county of Washington.

An act to amend an act entitled "An act to establish the State college of Agriculture and Mechanic Arts."

An act in reference to trustees of State College of Agriculture and Mechanic Arts.

An act to determine the privileges of graduates of the State College.

An act to amend chapter 366 of the Private and Special Laws of 1897, entitled

"An act to incorporate the Livermore Falls Water Company."

An act to amend section 5 of chapter 226 of the Private and Special Laws of 1895, relating to the capital stock of the Buckfield Aqueduct Company.

An act to repeal certain old and obsolete laws relating to close time for fishing in public waters of the State.

An act to amend section 8 of chapter 319 of the Private and Special Laws of 1895, entitled "An act to incorporate the Somerset Traction Company."

An act to incorporate the South Portland Trust and Banking Company.

An act to incorporate the Hartland Trust and Banking Company.

An act to incorporate the Chain Lake Dam and Improvement Company.

An act to authorize the Georges River Mills to develop, sell and use electric power, and to transmit by electricity for use, lease or sale, heat, light and power.

An act to incorporate the Wiscasset & Moosehead Lake Telegraph & Telephone Co.

An act to prevent the throwing of slabs and other refuse into Ellis river and its tributaries.

An act to amend chapter 214, of the Private and Special Laws of 1883, entitled

"An act to incorporate the Penobscot River Dam and Improvement Co., as amended by chapter 74, of the Private and Special Laws of 1887, and by chapter 482, of the Private and Special Laws of 1889, and by chapter 620, of the Private and Special Laws of 1893.

An act to amend section 60, of chapter 27, of the Revised Statutes, relating to intoxicating liquors.

An act to incorporate the Union Gas and Electric Co.

An act for the promotion of medical education and the prevention of unauthorized use of and traffic in dead human bodies.

An act to enforce the payment of State and county taxes on timber and grass on reserved lands in this State.

### FINALLY PASSED.

Resolve requesting the senators and representatives in Congress from Maine to exert their influence to secure an ap-

proprietor for a dry dock at some port on the coast of Maine.

Resolve in favor of the Maine Insane hospital.

Resolve to enable the State librarian to complete additional sets of York Deeds.

Resolve in favor of summer training school for teachers, and the distribution of educational documents.

Resolve in favor of the purchase and distribution of photographic views.

Resolve in favor of Frank E. Southard.

Resolve to provide for the extinguishment of the claim of Don A. H. Powers and A. G. Sirois, M. D., against the State for services rendered in connection with the shooting of Game Warden E. O. Collins by Charles Morris.

On motion by Mr. Savage of Auburn, the Senate adjourned.

## HOUSE.

Friday, March 26, 1897.

Prayer by Rev. Mr. Ringold of Gardiner.

Papers from the Senate disposed of in concurrence.

An act regulating the manner of electing town superintendents and defining the powers and duties of school committees and school superintendents.

In Senate passed to be engrossed as amended by Senate amendment A. The House reconsidered the vote whereby it passed this bill to be engrossed.

Pending the adoption of Senate amendment "A," on motion of Mr. Walton of Skowhegan the bill was laid on the table.

An act to amend the charter of the city of Bangor.

In Senate passed to be engrossed as amended by Senate amendments "A" and "B."

The House has non-concurred in the adoption of Senate amendments "A" and "B" and the Senate has adhered. The House receded from its position whereby it denied the adoption of Senate amendments "A" and "B" and concurred with the Senate in their adoption.

On motion of Mr. Palmer of Bangor, pending the passage of the bill to be engrossed, it was indefinitely postponed.

An act to authorize the Brewer Light and Power Company to transact business within the limits of the city of Bangor.

In Senate indefinitely postponed in non-concurrence. The House receded from its position whereby it passed this bill to be engrossed and concurred with the Senate in indefinitely postponing the bill.

Mr. Pattangall of Machias, presented an act to amend a clerical error in chapter 259 of the Public Laws of 1897 relating to the recording of attachments of personal property.

On motion of Mr. Pattangall the rules were suspended, the bill received its first and second reading.

On motion of Mr. Dickey of Ft. Kent the bill was laid on the table pending its third reading.

Mr. Hamilton of Biddeford, presented a resolve appropriating \$1500 for the year 1897 and \$1500 for the year 1898 to care for

the unfinished buildings of the Eastern Maine Insane Hospital.

On motion of Mr. Hamilton the rules were suspended, the resolve received its two several readings and was passed to be engrossed.

An act to amend section 2 of chapter 169 of the Private and Special Laws of 1891 relating to the Oxford Village Corporation.

This bill came from the Senate, and in the House was read three times and passed to be engrossed under suspension of the rules.

## ORDERS.

Orders were presented and passed excusing the following members from further attendance at this session on and after today: R. H. Reed of Harmony, W. E. Sanborn of Sanford, George H. Smith of Presque Isle, S. H. Garvin of Acton, Eben S. Goodrich of Maxfield, G. H. Mitchell of Newfield, B. B. Larrabee of Sebago, James E. Coffin of Shapleigh, T. J. York of Nobleboro.

Orders were presented and passed excusing the following members from further attendance at this session on and after tomorrow: Albert J. Ames of Jefferson, J. M. Hutchins of Penobscot, and H. W. Golder of Belgrade.

Mr. Jewell of Hallowell, presented the following order:

Ordered, that the sum of fifty dollars be paid from the State treasury to each of the following named parties, laborers and night watch at the State House for extra services during the legislative session: H. M. Breen, C. B. Pettengill, Fred Brown, Joseph Fassett, D. W. Pettengill, J. M. Libby, E. Pedder, O. I. Stone, J. A. McDonald, W. H. Holmes, E. D. Cram, F. W. Miller, C. W. Weymouth, John Jones, W. L. Stevens and O. O. Stetson.

On motion of Mr. Searls of Chelsea, this order was laid on the table pending its passage.

An act to repeal chapter 177 of the Public Laws of 1889 as amended by chapter 194 of the Public Laws of 1893, relating to the extirpation of contagious diseases among cattle.

The bill was read the first time.

Mr. Jewell of Hallowell, moved that the bill be indefinitely postponed.

Pending action on the motion to indefinitely postpone the bill was laid on the table on motion of Mr. King of Caribou.

Mr. Williams for the committee on financial affairs, reported in a new draft and ought to pass resolve in favor of the ex-Governor King lot in Oak Grove cemetery in the city of Bath.

This resolve received its two several readings and was passed to be engrossed under suspension of the rules.

Resolve in favor of the Maine cattle commission.

Mr. Pattangall of Machias, withdrew amendment "A."

Mr. Holbrook of Brunswick, offered amendment "B," to add after Senate amendment "A," the following: "and further provided that no part of this appropriation shall be paid to the commis-