

MAINE STATE LEGISLATURE

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

1899.

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missioners for the promotion of uniformity of legislation in the United States, was taken from the table and referred to the committee on judiciary.

On motion by Mr. Witham of Cumberland,

Adjourned.

HOUSE.

Thursday, Jan. 19, 1899.

Prayer by Rev. Dr. Stackpole of Augusta.

Papers from the Senate disposed of in concurrence.

The following Senate resolve was read and assigned: Resolve in favor of the town of Jay.

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

JUDICIARY.

By Mr. Kernon of Sanford—Petition of Sanford Mills, to have its organization ratified, confirmed and declared to be legal and valid, and to have its charter and rights extended.

By Mr. Morey of Lewiston—Petition of F. M. Drew and others, in favor of raising the salaries of the supreme court judges.

By Mr. Hutchings of Brewer—Petition of A. L. Boyd and 32 others, in favor of same.

By Mr. Buck of Orland—Bill, "An Act in relation to the municipal court of Waterville, Maine."

By Mr. Maxcy of Gardiner—Bill, "An Act in relation to the police court of the city of Gardiner."

LEGAL AFFAIRS.

By Mr. Ridlon of Stetson—Petition of S. J. Ridlon and 40 others of Stetson, for the repeal of chapter 329, of the Public Laws of 1897, relating to the election of road commissioners.

By Mr. Spofford of New Sharon—Petition of William Collins Hatch in favor of an amendment to chapter 170, Acts of 1895, entitled "An Act to regulate the practice of medicine and surgery."

By Mr. Webb of Portland—Bill, "An Act to amend the charter of the Marine Society."

By Mr. Powers of Fort Fairfield—Bill, "An Act to amend Section 2,

chapter 166, of the Private and Special Laws of 1887, entitled 'An Act creating the Fort Fairfield Village Corporation.'"

By Mr. Spofford of New Sharon—Bill, "An Act amendatory to Chapter 170, Acts of 1895, entitled 'An Act to regulate the practice of medicine and surgery.'"

FINANCIAL AFFAIRS.

By Mr. Virgin of Portland—Petition of Seth L. Larrabee and eight others of Portland, in favor of an appropriation in aid of Temporary Home for Women and Children at Deering.

MILITARY AFFAIRS.

By Mr. Leavitt of Eastport—Petition of James H. Camplin and 25 others of Eastport, for better observance of Memorial day.

INTERIOR WATERS.

By Mr. Powers of Fort Fairfield—Bill, "An Act to authorize the Stevens Lumber Company, to erect and maintain a dam across the Aroostook river, in the town of Fort Fairfield."

INLAND FISHERIES AND GAME.

By Mr. Wilbur of Avon—Petition of Jacob Witham and 64 others for the repeal of the law prohibiting the trapping and killing of beaver.

SHORE FISHERIES.

By Mr. Leavitt of Eastport—Petition of Tilton Emery and 100 others of Eastport, for an amendment to the law, so as to permit the taking, selling, and transportation of smelts.

TOWNS.

By Mr. Hopkins of Deering—Petition of Fred V. Matthews and 86 others, in favor of annexation of Deering to Portland.

By Mr. Hopkins of Deering—Petition of Edward H. Winslow and 127 others for same.

By Mr. Hopkins of Deering—Petition of Ira F. Tibbetts and 21 others, in favor of same.

WAYS AND BRIDGES.

By Mr. Bryant of Knox—Petition of C. J. Bartlett and 52 others, for repeal of the law relating to road commissioners.

By Mr. Kernon of Sanford—Petition of the Cape Porpoise Land Company for authority to erect, construct and maintain a toll bridge across tide

waters between the main land at Cape Porpoise and Trotts Island, and between said main land and Stage island, in the town of Kennebunkport, in the county of York.

LIBRARY.

By Mr. Nickerson of Swanville—Petition of Augustus L. Walker and nine others of Swanville in favor of traveling libraries.

AROOSTOOK COUNTY DELEGATION.

By Mr. Powers of Fort Fairfield—Bill, "An Act relating to the salary of the judge of probate in and for the county of Aroostook."

WASHINGTON COUNTY DELEGATION

By Mr. McFaul of Machias—Petition of George A. Curran and 23 others, for an amendment of chapter 115, section 5, Revised Statutes, fixing the salary for clerk of courts in Washington county, in lieu of fees.

By Mr. McFaul of Machias—Petition of John H. McFaul and 15 others, for an amendment to chapter 78, section 6 of Revised Statutes relating to date for holding sessions of county commissioners.

ORDERS.

On motion of Mr. Macfarlane of Greenville,

Ordered, That C. S. Hassell of Sebec, be excused from attendance on this House for one week on account of the death of his mother.

On motion of Mr. Leavitt of Eastport,

Ordered, That the committee on legal affairs be requested to inquire into the expediency of so amending chapter 17 of the Revised Statutes, that one-half of the fines paid under said chapter for violation of the liquor law shall be paid to the municipalities where the person resides or maintains the nuisance for which a fine is imposed, and report by bill or otherwise.

REPORTS OF COMMITTEES.

Mr. Macfarlane from the committee on inland fisheries and game, on resolve for the better enforcement of the fish and game laws by establishing a permanent fund, which resolve was referred from the last Legislature, reported ought not to pass.

Mr. Chase from the committee on legal affairs, on bill, an act to provide for the appointment of a State highway engi-

neer to improve the public roads, and to define his duties, reported that the same be printed and recommitted.

Mr. Macomber from the committee on railroads, telegraphs and expresses, on bill, "An Act entitled 'An Act to ratify purchase of the Bangor and Piscataquis Railroad by the Bangor and Aroostook Railroad Co.," reported ought to pass. Printed under rule.

Mr. Leavitt from the same committee, on bill, "An Act to amend section 51 of chapter 51 of the Revised Statutes, relating to assignment of charter or rights under it by railroad corporations," reported the same in a new draft under same title and that it ought to pass. Printed under rule.

Mr. Murchie from the same committee, on bill, "An Act for the extension of the Waterville and Wiscasset Railroad charter," reported ought to pass. Printed under rule.

The committee on elections, to which was referred the petition of Francis Keefe of Eliot, praying that he be admitted to the seat held by Thomas F. Staples of Eliot, as a representative from the class towns of Kittery and Eliot un-animously reported the following resolve:

Resolved, That it is the judgment of this House that Thomas F. Staples of Eliot, the sitting member from the representative district comprising the towns of Kittery and Eliot, was not legally elected and shall no longer act as a representative from said district.

Resolved, That said Francis Keefe of Eliot, was legally elected as representative from said district, and that he be admitted to take his seat as soon as he shall have taken and subscribed the oath of allegiance to the oace.

Mr. Melcher of Portland—I move that this report be laid on the table to be printed, and that Thursday of next week be assigned for its consideration.

Mr. Hopkins of Deering—As chairman of the committee on elections I would like to inquire from the gentleman from Portland (Mr. Melcher) if an earlier day would not be equally convenient for him. And in that connection I wish to say that this report of the committee was entirely unanimous, that at the hearing a large number of the members of the House were present and heard the evidence and the arguments of the counsel; and unless there is some special reason for the de-

lay it would seem as though an earlier time might be fixed for its consideration, bearing in mind that this is one of those questions which relate to the conduct of the business of the House, the right of the contestant to his seat, which ought to be decided as soon as possible.

The question being on the motion that the report lie on the table to be printed and that Thursday of next week be assigned for its consideration.

The motion was lost.

The report of the committee was then accepted.

On motion of Mr. Hopkins of Deering, the resolution received a passage.

Mr. Perkins of Cornish announced that Mr. Keefe was in waiting, and was charged with the duty of conducting him to the Governor and Council for the purpose of taking and subscribing the oaths necessary to qualify him to enter upon the discharge of his official duties.

Mr. Perkins subsequently reported that he had discharged the duty assigned him, and that Mr. Keefe had taken and subscribed the oaths necessary to qualify him to enter upon the discharge of his official duties.

On motion of Mr. Macomber of Augusta,

Ordered, That the clerk of the House be directed to include in the pay roll and mileage of the House the name of Thomas F. Staples of Elliot.

ORDERS OF THE DAY.

On motion by Mr. Donham of Hebron, the petition of William J. Wheeler and Joseph A. Stewart for a corporation to be known as the South Paris Water Company for domestic and other purposes, was taken from the table.

On further motion by the same gentleman the House nonconcurring with the Senate in its reference to the committee on legal affairs.

On further motion by the same gentleman the petition was referred to the judiciary committee.

Mr. Macomber of Augusta—Mr. Speaker and Gentlemen of the House: In consequence of the practical unanimity with which Senator Hale was elected on Tuesday last by this Legislature, the impression has gone forth that we endorse all the opinions of Senator Hale growing out of the Spanish war. I believe that they are contrary to the sentiments both of this Legislature and of the State of

Maine; and that we may place ourselves squarely on record on these matters I present for your consideration a resolution which I will ask to have adopted without reference to a committee:

Whereas, within the past year under the wise and firm leadership of William McKinley, President of the United States, the forces of the United States, regular and volunteer, by their skill and valor on land and sea have brought the war with Spain to a speedy and victorious termination; American statesmen have negotiated a treaty ensuring to Cuba the freedom for which the war was undertaken, and, to their country, the right to extend under its flag the domain of civilization and to bear the blessings of good and stable government to peoples who have never known them; and the United States has been advanced to a recognized place among the great powers of the world. Therefore,

Resolved, That President McKinley has well earned the gratitude of his country in the conduct of his great office; that the treaty with Spain should be speedily ratified; that the supremacy of the United States should be established and all the rights and obligations of sovereignty should be exercised and discharged in the Philippines in accordance with the instructions which have been given by the President to the commanding officer of those islands; and that the relinquishment of sovereignty over them should not be considered until it shall appear that the duties and responsibilities of government may with safety to the interests of all concerned be committed to the people of the Philippines.

Resolved, That the State of Maine pledges her earnest and faithful support to the President in the execution of this policy.

Resolved, That the Governor, the President of the Senate, and the Speaker of the House of Representatives, be authorized to invite, in the name of the government and people of the State of Maine, William McKinley, President of the United States, to visit this capitol, at such time in the present session of this Legislature as he may be pleased to appoint, as the guest of the State.

I move that the rules be suspended and that the resolves have a passage. (Aplause.)

The resolves received a unanimous passage by a rising vote. (Applause.)

The Speaker appointed Mr. Keefe of Eliot to fill the vacancy on the committee of mercantile affairs and insurance, caused by the retirement of Mr. Staples.

The Speaker appointed Mr. Grindle of Islesboro, to fill the vacancy on the committee on ways and means, caused by the death of Mr. O'Brien of Thomaston.

On motion of Mr. Chase of Portland, Adjourned to 8 o'clock tomorrow morning.

SENATE.

Friday, Jan. 20, 1899.

Senate met according to adjournment.

Prayer by Rev. Mr. Livingston of Augusta.

Journal of yesterday read and approved.

Papers from the House disposed of in concurrence.

Petition of Wm. J. Wheeler and Joseph A. Stewart for a corporation to be known as the South Paris Water Co., came from the House, that branch nonconcurring in the Senate reference to the committee on legal affairs and referring to the committee on judiciary. The Senate reconsidered its reference and referred the petition in concurrence to the committee on judiciary.

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

JUDICIARY.

By Mr. Drummond of Cumberland—Resolve in favor of York deeds.

LEGAL AFFAIRS.

By Mr. King of Oxford—Petition of P. C. Fickett and 18 others against the establishing of a State road commissioner.

By Mr. Vickery of Kennebec—Petition of A. T. Clark and 187 others for the repeal of law of 1897 creating the office of road commissioner.

RAILROADS.

By Mr. Hamlin of Hancock—Bill an act to extend the charter of the Ellsworth Street Railway.

ORDER.

By Mr. Chamberlain of Lincoln—Ordered, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Monday, Jan. 23, at 4.30 o'clock P. M.

This order was sent to the House and subsequently returned passed in concurrence.

COMMITTEE REPORTS.

Mr. Johnston for the committee on pensions, reported ought to pass, resolve to provide means for the examination of claims for State pensions. Tabled for printing under rule.

Mr. Drummond for the committee on judiciary, reported ought to pass, bill "An Act to amend the charter of the Maine Charitable and Mechanic Association." Tabled for printing under rule.

Mr. Drummond for the same committee, reported ought to pass, bill "An act to amend chapter 203, Public Laws of 1893, relating to the education of the deaf, dumb and blind." Tabled for printing under rule.

PASSED TO BE ENGROSSED.

Bill "An act to change the name of Colby University.

ORDERS OF THE DAY.

Resolutions approving the administration of President William McKinley and extending an invitation to visit the Capitol during the present session of the Legislature, came from the House passed under suspension of rules.

On motion by Mr. Weeks of Somerset, the rules of the Senate were suspended, and the resolutions were unanimously passed by a rising vote.

Senate order providing for a joint special committee on salaries, came from the House passed in concurrence, and the president appointed as committee on the part of the Senate, Messrs. Weeks of Somerset, Stearns of Aroostook and Hargraves of York.

On motion by Mr. Plummer of Penobscot,

Adjourned.