

MAINE STATE LEGISLATURE

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

1899.

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HOUSE.

Monday, Feb. 6. 1899.

Prayer by Rev. Mr. Struthers of South Gardiner.

Papers from the Senate disposed of in concurrence.

Mr. Manley of Augusta, said: I desire to ask the indulgence of the House while I read a telegram which I have just received, and which I think will meet with the hearty approval of every member of this House:

Washington, D. C., Feb. 6.

J. H. Manley, Augusta, Me..

The treaty of peace between the United States and Spain has been ratified by a majority of three.

Signed) WM. P. FRYE.
(Applause and cheers).

The following Senate bills were read and assigned:

An act in relation to the school committee of the city of Portland.

Senate amendments A and B were adopted, the bill read as amended, and assigned for tomorrow morning.

An act to amend section 34, of chapter 11, of the Revised Statutes.

Senate amendment A was adopted, the bill read as amended, and assigned for tomorrow morning.

The following petitions, bills, etc., were presented and referred, matters of a private nature being introduced under suspension of the rule limiting the same to February 1:

JUDICIARY.

By Mr. Libby of Albion—Remonstrance of C. W. Jones and 24 others of China, against the passage of any act creating a board of veterinary examiners.

By Mr. Chase of Portland—Bill an act to amend sections 16 and 17, of chapter 102, of the Revised Statutes, as amended by chapter 261, of the Public Laws of 1893, relating to writs of mandamus.

By Mr. Brown of Warren—Bill an act to amend section 11, of chapter 393, of the Private and Special Laws of 1897, entitled "An act to incorporate the Warren Water Company."

LEGAL AFFAIRS.

By Mr. Esty of Rangeley—Petition of I. N. Stanley and 37 others of Kingfield, for the passage of a law so that

paupers in plantations shall be cared for by the county commissioners.

By Mr. Fitz of Durham—Petition of W. H. McLaughlin and 50 others of Scarborough, for repeal of chapter 329, Public Laws of 1897, relating to road commissioner.

By Mr. Hopkins of Deering—Bill an act to abolish the use of seals on deeds and other contracts.

By Mr. Brown of Warren—Remonstrance of Lewis Anderson and 12 others of North Warren, against creation of State road engineer.

EDUCATION.

By Mr. McFaul of Machias—Resolve in favor of the establishment of a Normal school at Machias to be known as Washington County Normal school.

RAILROADS, TELEGRAPHS AND EXPRESSES.

By Mr. Powers of Fort Fairfield—Petition of M. H. Martin and 52 others of Fort Fairfield, that the Van Buren & Caribou Railroad Company be subrogated to the rights of the Bangor & Aroostook Railroad Company as to that part of the line between Van Buren and Caribou.

By Mr. Laliberte of Fort Kent—Petition of I. Hampton Page and others of Fort Kent, for same.

By Mr. Burns of Westbrook—Petition of K. S. Raymond and 45 others of Westbrook, in favor of the Westbrook, Windham & Harrison Railroad Company.

By Mr. Noyes of Pownal—Petition of T. J. Mann and 43 others of Windham, for same.

Petition of A. R. Hawks and 81 others of Windham, for same.

By Mr. Wilson of Gorham—Petition of Golf, Plummer & Company and 80 others of Gorham, in favor of same.

By Mr. Carr of Old Town—Petition of O. S. Pease and 40 others of Old Town, in favor of the act requiring railroads to issue two cent mileage books good to bearer.

By Mr. Webster of Chesterville—Petition of Charles T. Walker and 32 others for same.

By Mr. Gardner of Patten—Petition of T. R. Savage & Co., and 87 other business men of Bangor, for same.

Petition of John G. Fleming and 45 others of Chester, for same.

Petition of D. S. Chadbourne and 27 others of Mattawamkeag, for same.

Petition of W. A. Vinal, Jr., and 90 others of Ashland, for same.

By Mr. Pierce of Blaine—Petition of D. O. Orcutt and 65 others of Ashland, for same.

By Mr. Bryant of Knox—Petition of C. E. Knowlton and 67 others of Freedom, for same.

By Mr. Parkhurst of Bangor—Petition of D. D. Finnigan and 37 others of Bangor, for same.

By Mr. Craig of Island Falls—Petition of L. E. Jackman and 65 others of Sherman, for same.

By Mr. Fogg of Freeport—Petition of H. C. Brewer and 64 others of Freeport, for same.

Petition of J. E. Oxnard and 89 others of Freeport, for same.

By Mr. Powers of Fort Fairfield—Petition of D. H. Bates and 143 others for same.

By Mr. Bird of Rockland—Petition of Charles McNeal and 30 others of Portland, in favor of same.

By Mr. McFaul of Machias—Bill an act to extend the rights, powers and privileges of the Eastport Street Railway.

INTERIOR WATERS.

By Mr. Freese of Argyle—Remonstrance of H. M. Prentiss and 39 others of Bangor, against granting a charter to build a bridge over Kenduskeag stream in said city without first being authorized by a vote of the people.

By Mr. McFaul of Machias—Bill an act to extend the rights, powers and privileges of the Mopang Dam and Improvement Company.

INLAND FISHERIES AND GAME.

By Mr. Bird of Rockland—Petition of E. B. Ingraham and 38 others for open time on deer in Knox county.

By Mr. Webster of Chesterville—Petition of A. F. Fellows and 35 others in favor of a law to prohibit fishing through the ice in the ponds of Chesterville.

Bill an act to prohibit ice fishing in the ponds in the town of Chesterville in the county of Franklin.

TOWNS.

By Mr. Crane of Whiting—Remonstrance of Lester Robinson and 42 others of Jonesport, against taking Roque and other islands from the town

of Jonesport and annexing same to Roque Bluffs.

CLAIMS.

By Mr. Laliberte of Fort Kent—Petition of V. M. Theriault and others of Fort Kent, that the town be reimbursed for money expended under direction of the State Board of Health.

LINCOLN COUNTY DELEGATION.

By Mr. Turner of Somerville—Petition of Lendon W. Soule and others in favor of an increase of salary of the register of probate for Lincoln county.

By Mr. Woodbridge of Newcastle—Petition of F. Irvine Carney and 27 others of Newcastle, for same.

Petition of A. B. Erskins and 10 others of Alna, for same.

Petition of Thomas J. York and 62 others of Nobleboro, for same.

By Mr. McFadden of Dresden—Petition of A. L. Trouant and 53 others of Bremen, for same.

Petition of L. H. Bickford and 93 others of Dresden, for same.

By Mr. Turner of Somerville—Petition of William H. Hilton and 91 others of Damariscotta, for same.

By Mr. Peaslee of Wiscasset—Petition of H. W. Hawes and 112 others of Wiscasset, for same.

Petition of Q. C. Hodgdon and 16 others of Westport, in favor of same.

PLACED ON FILE.

By Mr. Fitz of Durham—Remonstrance of W. H. McLaughlin and 60 others of Scarboro, against an increase of salaries of justices of the supreme judicial court.

Remonstrance of F. M. Day and 34 others of Greene, against same.

By Mr. Merrill of New Gloucester—Remonstrance of J. R. Rideout and 53 others of New Gloucester, against same.

By Mr. Bryant of Knox—Remonstrance of E. D. Tasker and 26 others of Jackson, against same.

By Mr. Colburn of Windsor—Remonstrance of J. H. Barton and 32 others of Windsor, against same.

By Mr. Jones of Springfield—Remonstrance of Jacob Eastman and 46 others of Exeter, against same.

By Mr. Craig of Island Falls—Remonstrance of V. E. Wilder and 21 others of Washburn against same.

By Mr. Stetson of Monmouth—Remonstrance of H. M. Starbird and 80 others of Litchfield against same.

By Mr. Bird of Rockland—Remonstrance of E. T. Benner and nine others of North Warren against same.

By Mr. Britton of Bucksport—Remonstrance of Milton W. Herrick and 17 others of Penobscot against same.

Remonstrance of C. H. Perkins and 56 others of Brooksville against same.

By Mr. Gardner of Patten—Petition of Charles W. Wescot and 40 others against hunters' tax.

ORDERS.

On motion of Mr. Guernsey of Dover, Ordered, That the Speaker of the House be authorized to express by message to the President of the United States the gratification of the members of this Maine House of Representatives at the ratification of the treaty of peace between the United States and the nation of Spain.

On motion of Mr. Bird of Rockland, Ordered, That the committee on education be requested to inquire into the expediency of placing fire insurance upon the Normal school buildings of the State.

REPORTS OF COMMITTEES.

Mr. Merrill from the committee on judiciary, reported ought not to pass on bill an act to amend Section 2 of Chapter 142 of the Revised Statutes relating to minors.

The report was accepted and sent to the Senate.

Mr. Harman from the committee on shore fisheries, reported ought to pass in new draft under same title bill an act to amend Chapter 285 of the Public Laws of 1897.

Mr. McPaul from the Washington county delegation, on petition reported bill an act to change time for holding sessions of county commissioners in Washington county.

The reports were accepted and bills ordered printed under joint rules.

READ AND ASSIGNED.

Bill an act to amend Chapter 450 of Private Laws of 1893, relating to school board of Eastport.

Bill an act to amend Chapter 144 of the Revised Statutes relating to State pensions.

Bill an act to establish a municipal court in the town of Newport.

Were severally read twice and tomorrow assigned for third reading.

Resolve to pay to Howard Whittier of Mt. Vernon, in the county of Kennebec, a pension of \$2 per month.

Resolve in favor of Charles T. Powers.

On motion by Mr. Merrill of Skowhegan, this resolve was laid on the table pending second reading.

Resolve in favor of repairing a road leading from Van Buren to Caribou, Aroostook county, at a point in Cyr plantation leading to Conner plantation.

PASSED TO BE ENGROSSED.

Bill an act to amend Chapter 207 of the Private and Special Laws of 1895, as amended by Chapter 344 of the Private and Special Laws of 1897, relating to the Rockland and Vinalhaven Telegraph and Telephone Company.

Bill an act for the better protection of deer in the counties of Cumberland, York and Sagadahoc.

Bill an act to amend Section 2 of Chapter 96 of the laws of the year 1887, providing for the extension of railroads.

Bill an act to amend Chapter 136 of the Public Laws of 1895.

On motion by Mr. Manley of Augusta, this bill was laid on the table pending its passage to be engrossed.

Bill an act to amend Section 1 of Chapter 436 of the Special Laws of 1834, entitled "an act to incorporate the city of Bangor, approved February 12, 1834."

Resolve to enable the county of Aroostook to refund its debt.

PASSED TO BE ENACTED.

An act to annex the city of Deering to the city of Portland.

An act amendatory of an additional to Chapter 458 of the Private and Special Laws of 1897, entitled "an act to incorporate the Northern Development Company."

An act to amend Section 1 of Chapter 350 of the Private and Special Laws of 1897, relating to the erection and maintenance of booms in the Penobscot river.

Resolve in favor of the roads in the Indian township, Washington county.

Resolve in favor of Thomas Bailey, representative of the Passamaquoddy tribe of Indians.

ORDERS OF THE DAY.

On motion of Mr. Manley of Augusta, the following order was taken from the table: Ordered, That the commit-

tee on legal affairs be directed to inquire into the expediency of revising the Public Laws of the State of Maine and report a resolve relating thereto, or otherwise.

Mr. Manley moved to amend the order by striking out the words "legal affairs" and inserting the word "judiciary."

The amendment was adopted.

Mr. Manley of Augusta: I move to take from the table House bill No. 42, an act to provide in part for the expenditures of government for the year 1899. I desire to have this bill take its first and second reading at the present time, and that tomorrow morning at 11 o'clock be assigned as a special assignment for its third reading and passage to be engrossed.

Mr. Gardner of Patten: I would suggest that, as to those of us who are new members, so early an assignment gives us hardly time to look into it, and if the gentleman from Augusta (Mr. Manley) does not object I would ask, for one, for a little more time.

Mr. Manley: You may have all the time you wish, tomorrow. I am not asking for any hurried action on the bill. And I will divide the motion. I move that it take its first and second readings at the present time.

The motion was agreed to.

The bill was then read the first time.

Mr. Guernsey of Dover: Pending its second reading I move that it lie upon the table.

Mr. Manley: I raise the point of order that the House has just voted that the bill should take its first and second readings.

The Speaker: The Chair sustains the point of order of the gentleman from Augusta (Mr. Manley).

Mr. Guernsey: I move that we reconsider the vote by which it takes its first and second readings at this time. It is an important matter, it covers appropriations that will make an extensive inroad into the State treasury, it covers appropriations of nearly \$1,600,000, and there are amendments that are likely to be made to it, or at least offered, in this House. And I believe, as it was understood when it was laid on the table that it should be placed on the desks of the members, last week, to give us more opportunity to look into it, that it should not be hurried through at this time, and I

hope the House will reconsider the vote.

Mr. Manley: If the gentleman desires more time I am perfectly willing that the third reading shall be taken at any day that he proposes. I am not trying to hasten the bill through. If it takes its second reading, tonight, it does not hasten its progress at all. This bill does not appropriate a single penny except in conformity with the laws of this State, and the gentleman from Dover (Mr. Guernsey) ought to have had ample time to familiarize himself with the law, being a lawyer and in full practice.

It is an unusual thing to attempt to take out of the hands of the chairman of a committee a bill which is placed in his charge and which he must explain and defend upon the floor of this House. I am willing that the gentleman (Mr. Guernsey) should have all the time he desires; but I do object to his proposition to lay it upon the table and put it under his control. The bill properly belongs in the control of the chairman of the committee on financial affairs. If any member desires that the third reading should be postponed to a later date, I am perfectly willing to agree to that; but I do not want the bill, in this unusual way, taken out of the hands where it belongs and placed in the hands of another member to control it as he sees fit.

The question being on the motion to reconsider the vote whereby the bill was to take its first and second reading at the present time,

The motion was lost.

The bill was then read the second time.

Mr. Manley moved that tomorrow morning at 11 o'clock be assigned for its third reading.

The motion was agreed to.

On motion by Mr. Macomber of Augusta,

Adjourned.