

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**  
OF THE  
**Sixty-Ninth Legislature**  
OF THE  
**STATE OF MAINE.**  
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**1899.**

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## HOUSE.

Thursday, Feb. 9, 1899.

Prayer by Rev. Mr. Quimby of Gardiner.

Papers from the Senate disposed of in concurrence.

The Speaker announced that he was in receipt of the following telegram:

Washington, Feb. 8, 1899.

To Isaiah K. Stetson, Speaker of the House of Representatives:

Please convey to the House my appreciation of their resolution of confidence and approval, and assure them that no message ever before gave me so much comfort.

(Signed) WM. P. FRYE.

The reading of the telegram was received with applause.

The following order was received from the Senate:

Ordered, that the trustees of the University of Maine be instructed to obtain for the benefit of the members of the Legislature the salary and perquisites received by the president, professors and instructors, and all other attaches, including clerks, stenographers and typewriters, and all others drawing compensation at the University of Maine, and the duties of each and report the same as soon as practicable to the Legislature.

The order comes from the Senate with House amendment A adopted in concurrence, and amended by Senate amendment A.

The House adopted Senate amendment A.

Mr. Leavitt of Eastport, offered House amendment B which was adopted, and the order received a passage as amended.

Mr. Maxcy of Gardiner, said: Mr. Speaker, I have a resolution which I wish to introduce:

Whereas, Brigham H. Roberts has been elected a representative from the state of Utah to the national House of Representatives, and as he is an avowed polygamist, living in open violation of the laws of our country and outraging the best moral sense of our people, therefore,

Resolved, That the Legislature of this State most emphatically protests against his holding his seat in said House of Representatives, and earnestly requests the members of the Maine

delegation to use all their influence to prevent the said Roberts retaining membership in that honorable body.

Resolved, That a copy of these resolutions be forwarded to each member of said delegation.

I move, Mr. Speaker, that the rules be suspended and this resolution have its several readings at this time and be passed to be engrossed.

Mr. McFadden of Dresden: Mr. Speaker, I really am entirely ignorant of this matter and I think a good many others are. I could not endorse such a resolution without knowing something about it, and I move that it be laid on the table until tomorrow.

Mr. Leavitt of Eastport: If the gentleman will accept an amendment, I think this matter should be referred to the committee on federal relations. (Laughter and applause).

Mr. Hill of Belfast: I wish to introduce, on the same subject, a memorial: To the State of Maine Members of the House of Representatives of the 56th Congress of the United States of America:

Whereas, a portion of the people of the state of Utah have chosen as their representative to that honorable body a man who, it is alleged, is an open and avowed polygamist, and,

Whereas, he is, under the laws of the United States, for that reason, a criminal, and disqualified for holding office, therefore be it

Resolved, That the Senate and House of Representatives of the State of Maine, in Legislature assembled, do earnestly request, if he be admitted to a seat, that they, in the exercise of their prerogatives, expel him from a seat in the national House of Representatives.

And I move, Mr. Speaker, that this be referred to the committee on federal relations.

The question being to lay on the table the resolution presented by Mr. Maxcy of Gardiner,

The resolution was lost.

The resolution and memorial were then referred to the committee on federal relations.

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

**JUDICIARY.**

By Mr. Merrill of New Gloucester—Petition of F. A. Cummings and others of Bangor, in favor of an act to amend the present ballot law.

By Mr. Wilson of Brunswick—Bill an act to prevent incompetent persons from conducting the business of an apothecary.

By Mr. Smith of Presque Isle—Bill an act to amend Section 1 of Chapter 6 of the Revised Statutes relating to poll taxes, by adding to said section the words "which said poll tax shall not exceed \$3 and shall not be less than \$1."

By Mr. Perkins of Cornish—Bill an act to amend Paragraph 10, Section 1 of Chapter 71 of the Revised Statutes.

By Mr. Laliberte of Fort Kent—Bill an act to amend Section 7 of Chapter 349 of the Public Laws of 1885, relating to the northern district of Aroostook county.

**LEGAL AFFAIRS.**

By Mr. Sargent of Portland—Petition of Charles S. Fobes and 180 others relating to overseers of poor of the city of Portland.

By Mr. Fitz of Durham—Petition of M. D. Dingley and others of Durham, for repeal of Chapter 329 of the Public Laws of 1897, relating to the repair of highways.

By Mr. Burns of Westbrook—Petition of Charles P. Ames and 30 others of Westbrook, in favor of act to create a lien upon monumental work.

By Mr. Noyes of Pownal—Remonstrance of George H. Hill and 45 others of Lyndon, against the creation of a State road commissioner.

By Mr. Nickerson of Orrington—Remonstrance of J. D. Hodgdon and 48 others of East Orrington.

Remonstrance of G. A. Knowles and 32 others of Hampden, against same.

By Mr. Prince of Yarmouth—Bill an act to repeal Chapter 334 of the Public Laws of 1897, relating to concentrated commercial feeding stuff.

By Mr. Garcelon of Lewiston—Bill an act to amend Section 1 of Chapter 102 of the Public Laws of 1895, relating to the incorporation and control of gas and electric companies for lighting, heating, manufacturing and mechanical purposes.

**EDUCATION.**

By Mr. Melcher of Portland—Petition of Daniel R. Stover and 27 others

relating to change of school district lines.

By Mr. Prince of Yarmouth—Resolve in favor of North Yarmouth Academy.

**RAILROADS, TELEGRAPHS AND EXPRESSES.**

By Mr. Smith of Presque Isle—Petition of A. G. Fenlason and 73 others of Fort Kent, including Major Dickey, Duke of Fort Kent, for two cent mileage books good in hands of bearer.

By Mr. Murphy of Lewiston—Petition of F. W. Dana and 49 others of Lewiston for same.

By Mr. Fitz of Durham—Petition of S. B. Libby and others of Durham, for same.

By Mr. Stetson of Monmouth—Petition of F. S. Cheney and 42 others of Wayne, for same.

By Mr. Maxwell of Richmond—Petition of C. D. Newell and 67 others of Richmond, for same.

By Mr. Gardner of Patten—Petition of L. W. Kilgore and 32 others of Moro, for same.

By Mr. Rowell of Solon—Petition of Waland Leighton and 54 others of Athens, for same.

By Mr. Hutchings of Brewer—Petition of George Curtis and 38 others of Brewer, for same.

By Mr. Spofford of New Sharon—Petition of J. H. Thompson and 96 others of Farmington, for same.

By Mr. Sargent of Sedgwick—Petition of K. B. Stevens and 20 others of Brooklin, for same.

By Mr. Ridlon of Stetson—Petition of M. C. Chapman and 62 others of Newburg, for same.

By Mr. Turner of Somerville—Petition of Fred H. Gay and 52 others of Damariscotta, for same.

By Mr. Nickerson of Orrington—Petition of F. W. Patterson and 28 others of Industry, for same.

By Mr. Wilson of Minot—Petition of Willis E. Webster and 31 others of Wales, for same.

Petition of J. W. Maxwell and 46 others of Webster, for same.

By Mr. Porter of Burlington—Petition of L. L. Buswell and 20 others of Lincoln, for same.

By Mr. Jordan of Lisbon—Petition of William Parkin and 70 others of Lisbon, for same.

By Mr. McFadden of Dresden—Petition of G. E. Havner and 19 others of Bremen, for same.

By Mr. Bryant of Knox—Petition of F. N. Vose and 44 others of Klondike, for same.

By Mr. Stetson of Monmouth—Petition of H. E. Lidsey and 67 others of Monmouth, for same.

By Mr. Burns of Westbrook—Petition of W. H. Parker and 25 others of Westbrook, for same.

By Mr. Johannett of Palmyra—Petition of G. H. Morse and 77 others of Pittsfield, for same.

By Mr. McFaul of Machias—Petition of George D. Bridgham and 58 others of Whitneyville, for same.

By Mr. Prince of Yarmouth—Petition of L. B. True and 71 others of Yarmouth, for same.

By Mr. Stetson of Monmouth—Petition of E. A. Dudley and 134 others of Monmouth, for same.

By Mr. Rankin of Wells—Petition of J. H. Littlefield, and 18 others of Ogunquit, for same.

By Mr. Spratt of Palermo—Petition of J. J. Clement and 47 others of Montville, for same.

Petition of Arthur Richie and 85 others of Liberty for same.

By Mr. Cleveland of Houlton—Petition of George H. Gilman and 79 others of Houlton, that the Van Buren & Caribou Railroad Company be subrogated to all the rights of the Bangor & Aroostook Railroad Company.

#### MANUFACTURES.

By Mr. Hill of Belfast—Petition of Harrison, Wood & Co., and 63 others of Belfast, in favor of an act to create a lien upon monumental work.

#### MILITARY AFFAIRS.

By Mr. Ledyard of Bath—Petition of J. S. Wiggin and 28 others of Bath, for a law requiring a better observance of Memorial day.

#### SHORE FISHERIES.

By Mr. Nickerson of Swanville—Petition of J. M. Treat and 39 others of Stockton Springs, for a law prohibiting the use of purse nets or seines in any waters, bays or tributaries of Penobscot bay except for taking smelts and salmon.

By Mr. Peaslee of Wiscasset—Bill an act to authorize Wilford F. Levensaler, Waldoboro, Lincoln county, Maine, his

successors, associates, heirs and assigns, to propagate lobsters.

On motion by Mr. Peaslee, this bill was re-referred to the committee on shore fisheries.

#### TOWNS.

By Mr. Noyes of Pownal—Petition of W. H. Harrison and 31 others of Windham, in favor of division of town of Windham and creation of new town of South Windham.

Petition of F. E. Cobb and 25 others of Windham, in favor of same.

Resolutions against division of town of Windham, by Pleasant River Grange.

Remonstrance of Dana T. Lovell and 60 others of Windham, against division of said town.

Remonstrance of William H. Akers and 59 others of Windham, against same.

Remonstrance of Frank Haskell and 171 others of Windham, against same.

#### LINCOLN COUNTY DELEGATION.

By Mr. Turner of Somerville—Petition of J. W. Brackett and 79 others of Bristol, for an increase of salary of register of probate, Lincoln county.

By Mr. Peaslee of Wiscasset—Petition of G. B. Kenniston and 8 others, in favor of same.

By Mr. McFadden of Dresden—Petition of A. A. Skinner and 29 others of Jefferson, in favor of same.

By Mr. Hahn of Waldoboro—Petition of George Bliss and 102 others of Waldoboro, in favor of same.

#### PLACED ON FILE.

By Mr. Noyes of Pownal—Remonstrance of George H. Hill and 59 others against increase of salaries of judges of the supreme judicial court.

#### ORDERS.

On motion of Mr. Wood of Camden, Ordered. That leave of absence be granted to Mr. Erimmer of Mariaville, until Monday, February 20, on account of urgent town business.

On motion of Mr. Brown of Warren, Ordered. That the State printer be directed to print 3000 additional copies of the annual report of the commissioners of inland fisheries and game for the use of this Legislature.

#### REPORTS OF COMMITTEES.

Mr. Smith from the committee on the judiciary reported ought to pass in new draft under same title, bill an act to amend section 6 of chapter 157 of the

Public Laws of 1895, relating to the rights of widows and widowers in the real estate of deceased husbands and wives.

Mr. Harris from same committee, reported ought to pass on bill an act to establish a municipal court in the town of East Livermore.

Mr. Virgin from same committee, reported same on bill an act relating to the organization and stock and bonds of the United States Envelope Company.

Mr. Guernsey from the committee on legal affairs, reported ought to pass in new draft under same title, bill an act to establish a municipal court at Rumford Falls, in the county of Oxford.

Mr. Chase from same committee, reported same on bill an act to legalize and make valid the meeting and doings of the corporation known as the Trustees of the Charity Fund of Caribou Lodge, located at Caribou in the county of Aroostook in the State of Maine.

Mr. Wilbur from the committee on railroads, telegraphs and expresses, reported ought to pass on bill an act for the extension of the Somerset Railway.

Mr. Maxwell from the committee on railroads, telegraphs and expresses reported leave to withdraw on petition of Edgar N. Stevens and others that the Lincoln, Lakeville & Winn Telephone Company be incorporated.

Mr. Leavitt from same committee, reported ought not to pass on bill an act to require street railway companies operating electric cars, cable or other cars, propelled by steam, cable or electricity, to protect certain of their employes from the inclemency of the weather during certain months of the year.

Mr. DeCoster from the committee on agriculture, reported ought not to pass on bill an act to amend section 1, chapter 313, of Public Laws of 1897, relating to the sale of agricultural seeds.

Mr. Daigle from the committee on ways and bridges, on bill an act to amend chapter 226 of the Private and Special Laws of 1849, as amended by chapter 502 of the Private and Special Laws of 1852, relating to the free bridge across Salt Pond in Bluehill, reported that same be referred to the committee on legal affairs.

Mr. Macfarlane from the committee on inland fisheries and game, on petition of M. T. Rokes and 50 others for the protection of pickerel in Grassy pond, reported that same be referred to the commissioners of inland fisheries and game.

Same gentleman from same committee, reported same on bill an act for the protection of fish in Littlefield's pond in Sanford in the county of York.

Same gentleman from same committee, reported same on communication of T. S. Bowden asking for protection of salmon in Crystal lake.

Same gentleman from same committee, on petition of H. A. Furbush and 109 others to prohibit bait fishing in the Seven ponds in Franklin county, reported that same be granted and will be incorporated in the general law to be submitted hereafter.

Same gentleman from same committee, reported leave to withdraw on petition of

F. C. Foster and 24 others that the law be so amended that ice fishing for black bass, white perch and pickerel be permitted in Great and Long ponds in the county of Kennebec through the months of December, January, February and March, with not more than five lines to be used by any one person, the same to be taken up at night.

Same gentleman from same committee, reported same on petition of Thomas Golder and 63 others that the law be so amended that ice fishing for black bass, white perch and pickerel be permitted on Great and Long ponds in the county of Kennebec through the months of December, January, February and March, with not more than five lines to be used by any one person, the same to be taken up at night.

Same gentleman from same committee, reported same on petition of Jacob Witham and 64 others that the law prohibiting the trapping and killing of beaver be repealed.

Same gentleman from same committee, reported legislation inexpedient on order directing the committee on inland fisheries and game to inquire and report what changes, if any, are necessary in the laws pertaining to ice fishing in the lakes and ponds in the Belgrade waters, so called.

Mr. Jellison from the committee on claims, reported leave to withdraw on the petition of Stephen Clark and others that the claim of Cyrenus B. Downes for reimbursement for commutation money paid in 1863.

Mr. Fuller from same committee, reported ought not to pass on resolve in favor of the town of Norway.

Mr. West from same committee, reported same on resolve in favor of the town of Waterford.

Mr. Deering from the committee on banks and banking, reported ought to pass on bill an act authorizing the Lewiston Trust and Safe Deposit Company to establish a bank at Lisbon.

Same gentleman from same committee, reported same on bill an act to incorporate the North Berwick Trust Company.

Mr. Farnsworth from the committee on agriculture, reported ought to pass on bill an act entitled "an act to incorporate the Madawaska Agricultural Society."

Mr. Macfarlane from the committee on inland fisheries and game, reported ought to pass on bill an act to permit the breeding and raising of quail for purposes of sale, by Henry J. Simpson of Sullivan, Me.

Mr. Wilson from the committee on towns, on petition, reported bill an act to annex Franklin Plantation, in the county of Oxford, to the towns of Rumford and Peru.

Mr. Dunning from the committee on claims, reported ought to pass on resolve in favor of the town of Beddington.

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

Paper from the Senate:

Report of committee on State lands and State roads, on resolve in favor of Ignace Blois, reporting ought to pass and

recommitting the resolve to the committee on State lands and State roads.

The House accepted the report and re-committed the resolve in concurrence.

**READ AND ASSIGNED.**

Bill an act for the protection of fish in Bagaduce river, bay and tributaries.

Bill an act additional, relating to the appointment and compensation of the recorder of the municipal court of the city of Biddeford.

Bill an act to amend chapter 130 of the Private Laws of 1866, entitled "An act to incorporate the Sebec Dam Company."

Resolve in favor of the Bath Military and Naval Orphan Asylum.

Was tabled pending first reading, on motion of Mr. Brown of Palmouth.

Resolve providing for the preservation of regimental rolls in the adjutant general's office.

Was read once, tabled, and Tuesday next assigned, on motion of Mr. Leavitt of Eastport.

**PASSED TO BE ENGROSSED.**

Bill an act to authorize the town of Damariscotta to fund its indebtedness at maturity and to issue new bonds.

Bill an act to amend section 25 of chapter 40 of the Revised Statutes, relating to the taking of clams and shell fish.

Bill an act to change time for holding session of county commissioners in Washington county.

Bill an act to amend chapter 285 of the Public Laws of 1897.

Pending third reading, re-committed to the committee on shore fisheries, on motion of Mr. Grindel of Islesboro.

**PASSED TO BE ENACTED.**

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

An act to prevent the wearing of spike boots or shoes in public places.

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

An act to amend paragraph 4 of section 1 of chapter 71 of the Revised Statutes, relating to licenses to sell real estate.

An act to amend section 2 of chapter 96 of the Laws of the year 1887, providing for the extension of railroads.

An act to amend section 18 of chapter 133 of the Revised Statutes, relating to the satisfaction of prosecutions for assault and battery and other misdemeanors.

An act to amend section 34, chapter 11 of the Revised Statutes, relating to the powers and duties of the superintending school committee to contract with the trustees of academies for free High school instruction.

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."

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.

**FINALLY PASSED.**

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

Resolve in favor of committee appoint-

ed to attend the funeral of the late Colonel E. K. O'Brien at Thomaston.

**ORDERS OF THE DAY.**

On motion of Mr. Gardner of Patten, bill an act requiring railroad corporations to issue mileage tickets at a uniform rate good for passage of bearer, was taken from the table, referred to the committee on railroads, telegraphs and expresses.

On motion of Mr. Webb of Portland, bill an act requiring railroad corporations to issue mileage tickets at a uniform rate good for passage of bearer, was taken from the table, referred to the committee on railroads, telegraphs and expresses and sent to the Senate.

On motion of Mr. Turner of Somerville,