

MAINE STATE LEGISLATURE

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

1899.

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Bill an act to incorporate the Northboro Trust Co.

Bill an act to annex Franklin Plantation in the county of Oxford, to the towns of Rumford Falls and Peru.

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.

This bill came up for its second reading.

Mr. Stearns of Aroostook, moved to amend by striking out the word "leases" in the fourth line and inserting instead thereof the word "leases." The amendment was adopted and the bill passed to be engrossed as amended.

ORDERS OF THE DAY.

A message came from the House by Mr. Philbrook of Waterville, announcing the concurrence of that branch with the Senate in the passage of the order for a joint assembly at 11 o'clock.

Mr. Stearns of Aroostook: Senate document No. 15, the judges' salary bill, was to come up, today, by special assignment. I suppose that will go over as unfinished business as it is nearly time for the joint assembly?

The President: The Chair rules that this will go over as unfinished business.

The hour having arrived for the convening of the Senate and House in joint assembly for the purpose of holding exercises in memory of the late Hon. Nelson Dingley, the Senate proceeded to the hall of Representatives.

(For exercises in joint assembly see House report).

On the return of the Senate to their chamber Mr. Stearns of Aroostook, said: As a further token of our respect for the memory of the late Hon. Nelson Dingley, I move that the Senate do now adjourn.

Adjourned.

HOUSE.

Wednesday, Feb. 15, 1899.

The House was called to order by the Speaker.

Prayer by Rev. Mr. Newbert of Augusta.

The Speaker announced that he was in receipt of the following telegram from the President of the United States in answer to the message sent by the House in regard to the passage of the treaty with Spain:

Executive Mansion, Washington,
Feb. 8, 1899.

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

The President requests me to thank you very sincerely for your kind telegram of the 7th, and to assure you that he heartily appreciates the cordial expressions of congratulation therein contained.

(Signed) J. H. PORTER,
Secretary to the President.

Papers from the Senate disposed of in concurrence.

The following Senate bills were read and assigned:

Resolve for an appropriation for the use of the commissioner of sea and shore fisheries.

Bill an act to authorize the construction of a dam at the outlet of the mill pond at New Harbor, in the town of Bristol.

Bill an act in relation to enforcing the liability of shareholders in trust and banking companies.

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

Bill an act to fix the salary of the register of probate for the county of Cumberland.

Mr. McFadden of Dresden, offered an amendment by changing the word "fix" in the title to the word "increase," which was adopted, and the bill was then read twice and assigned for tomorrow morning.

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

JUDICIARY.

By Mr. Burns of Westbrook—Petition of W. Lyons and 11 others of Westbrook in favor of an act relating to the printing and distributing ballots at the public expense and to regulate voting at State and city elections.

By Mr. Smith of Presque Isle—Bill an act relating to the decrees of courts of probate.

LEGAL AFFAIRS.

By Mr. Hill of Belfast—Remonstrance of John N. Fletcher and 53 others of Belfast against an act to create the office of State engineer.

Remonstrance of Otis B. Wilson and 20 others of Waldo county against same.

By Mr. Harris of Auburn—Remonstrance of George S. Woodman and others of Auburn against the repeal of Section 1 of Chapter 293 of the Public Laws of 1897, relating to the transfer of stock.

RAILROADS, TELEGRAPHS AND EXPRESSES.

By Mr. Powers of Fort Fairfield—Petition of F. P. Grant and 34 others of Fort Fairfield that railroads be required to issue mileage books good to bearer for two cents per mile.

Petition of George L. Foss and 13 others of Fort Fairfield for same.

By Mr. Brown of Warren—Petition of John M. Clements and 189 others of Warren for same.

By Mr. Woodbridge of Newcastle—Petition of H. E. Webster and 75 others of Newcastle for same.

By Mr. Beath of Kenduskeag—Petition of H. W. Peaks and 35 others of Charleston for same.

By Mr. Johonnett of Palmyra—Petition of L. W. Cross and 23 others of Palmyra for same.

By Mr. Powers of Fort Fairfield—Petition of J. N. Ward and 46 others of Limestone for same.

By Mr. Cleveland of Houlton—Petition of John B. Madigan and 33 others of Houlton for same.

By Mr. Freese of Argyle—Petition of Frank Haynes and 45 others of Passadumkeag for same.

By Mr. Beath of Kenduskeag—Petition of Henry W. Briggs and 26 others of Hudson for same.

By Mr. McFarlane of Greenville—Petition of E. W. Kingsbury and 32 others of Greenville for same.

BANKS AND BANKING.

By Mr. Bennett of Hollis—Bill an act to amend Section 6 of Chapter 562 of the Private and Special Laws of 1868, said chapter being entitled "an act to incorporate the Buxton and Hollis Savings Bank."

By Mr. Cleveland of Houlton—Bill an act to incorporate the Houlton Trust and Banking Company.

TAXATION.

By Mr. Parkhurst of Bangor—Bill an act to provide for the return to assessors of a proper list of the persons domiciled in hotels, boarding houses and lodging houses.

MANUFACTURES.

By Mr. Merrill of Skowhegan—Petition of Harrison Baker and 25 others of Skowhegan in favor of the passage of an act to create a lien on monumental work.

By Mr. Hill of Belfast—Petition of A. E. Hutchings and 36 others of Belfast for same.

By Mr. Deering of Saco—Petition of Charles H. Cleaves and 51 others for same.

By Mr. Dunning of Winslow—Petition of D. S. Sullivan and 24 others of Clinton for same.

By Mr. Cartret of Baldwin—Petition of S. E. Sawyer and nine others of Standish for same.

By Mr. Spurr of Otisfield—Petition of Clarence Winslow and 42 others of Casco for same.

By Mr. Gordon of Readfield—Petition of Henry P. Miller and 11 others of Readfield for same.

By Mr. Woodbridge of Newcastle—Petition of F. D. March and 19 others of Newcastle for same.

By Mr. Staples of Bridgton—Petition of J. F. Frisdie and 54 others of Bridgton for same.

By Mr. Maxwell of Richmond—Petition of E. C. Boston of Richmond for same.

By Mr. Bodwell of Hallowell—Petition of John B. Lord of Hallowell for same.

By Mr. Virgin of Portland—Petition of McAubry and others of Portland for same.

By Mr. Stetson of Monmouth—Petition of Allen E. White and 19 others of Wayne for same.

By Mr. Macomber of Augusta—Petition of A. T. Fuller and others of Augusta for same.

By Mr. Drummey of Ellsworth—Petition of N. H. Higgins and others of Ellsworth in favor of same.

SHORE FISHERIES.

By Mr. Wilson of Cherryfield—Bill an act to amend Section 1 of Chapter 119 of the Private and Special Laws of 1881, entitled "an act to prohibit the taking of spawn herring within certain limits in Milbridge on Narraguagus bay."

LINCOLN COUNTY DELEGATION.

By Mr. Turner of Somerville—Petition of M. N. Greenlaw and 16 others of Bristol for an increase of salary for register of probate, Lincoln county.

By Mr. Woodbridge of Newcastle—Petition of Byron Giles and 45 others of Boothbay for same.

PLACED ON FILE.

By Mr. Brown of Warren—Remonstrance of S. J. Hills and 42 others of Union, against increase of salary of judges of the supreme judicial court.

Bill an act to repeal the provisions of chapter 215, of the Resolves of 1897, appropriating \$20,000 a year for 10 years for the University of Maine, so far as the same relates to the years subsequent to 1898.

Was tabled and ordered printed on motion by Mr. Plummer of Portland.

ORDERS.

On motion of Mr. Wilson of Cherryfield,

Ordered, That the committee on sea and shore fisheries be directed to inquire into the expediency of so amending section 15. of chapter 285, of the Public Laws of 1897, as to make it legal to use seines or nets in weirs in tide waters east of the west shore of Penobscot bay and river.

REPORTS OF COMMITTEES.

Mr. Manley from the committee on the judiciary, reported ought not to pass on bill an act to extend one-half of the salaries of justices of the supreme judicial court.

Mr. Philbrook from the committee on the judiciary, reported ought to pass on bill an act to incorporate the Messalanskee Water Power Company.

Mr. Carr from the committee on interior waters, on bill an act to amend

chapter 549, of the Private Laws of 1893, entitled "An act to incorporate the Wilson Stream Dam Company," reported ought to pass in new draft bill an act to incorporate the Wilson Stream Dam Company.

Mr. Reed from same committee, reported ought to pass on bill an act to incorporate the Ripley Water Company of Andover, Maine.

Mr. Garcelon from same committee, reported ought to pass on bill an act to amend chapter 230, of the Private and Special Laws of 1854, as amended by chapter 673, of the Private and Special Laws of 1871, entitled "An act to prevent obstructions in the Narraguagus river."

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

READ AND ASSIGNED.

Bill an act to establish travelling libraries.

Resolve appropriating money to carry into effect an act establishing travelling libraries.

Resolve in favor of blasting a ledge in the town of Frenchville in the county of Aroostook.

Resolve in favor of repairing and maintaining Babbitt Ridge Road in the town of Moscow in the county of Somerset.

PASSED TO BE ENGROSSED.

Resolve in favor of a road in Jersua-lem Plantation.

Resolve in favor of the State reform school.

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

Mr. McFadden of Dresden: This is one of those resolves which ought not to pass, because it is of a local character. I hope the members of the House will look at the statement of facts which accompanies this resolve. This statement of facts shows that the number at present in the asylum is 71, and that 55 of those came from Portland, and 9 from Bangor, 3 from Lewiston, one from Rockland—all of those children with the exception of three being from the cities. This is a local charity which should be supported by the city of Portland. They should not come to the State of Maine. I have not the least prejudice against

this institution on account of the sect which is behind it; I would vote to give money to that just as quick as to any other. But it should not be given to any institution like this which are purely city institutions. I hope that the resolve will not be passed by this House.

The question being on the passage of the resolve to be engrossed,

The motion was agreed to.

Mr. McFadden doubted the vote and called for a division.

A division being had, the resolve was refused a passage to be engrossed, by a vote of 39 for to 43 against.

Mr. King of Caribou: I move that the resolve be laid on the table pending its passage to be engrossed.

Mr. Deering of Saco: I move to reconsider the vote whereby the matter was tabled.

Mr. Murphy of Lewiston: I trust this matter will continue on the table for a while. It is a matter of considerable importance, and a matter that I should like every member of the House to thoroughly understand. Therefore I hope the House will continue it on the table for the present.

Mr. Manley of Augusta: I hope the matter will lie on the table for further examination, and I think upon further examination my friend from Dresden (Mr. McFadden) will say that this institution is one of the oldest institutions that has been helped by this State of all the charitable institutions. It was formerly located in his own county. It was moved from his county to Portland. It is purely a charitable institution and it is not a city institution by any manner of means, as the testimony appeared before the finance committee. I do not care to go into the matter now, but I hope it will be laid on the table in order that all the members may thoroughly examine this question and that no injustice may be done.

Mr. McFadden: The question of its local character is shown by the statement of facts accompanying the resolve, which I hope the gentlemen of the House will examine.

Mr. Leavitt of Eastport: It seems to me, in justice to the cause itself, that we should take action upon it now, and I hope that the motion made by the gentleman from Saco (Mr. Deering) will prevail, that we reconsider the vote by

which it was laid on the table, and take action now. It seems to me that the resolve has merit enough in it to warrant its passage at this time.

Mr. Parkhurst of Bangor: I understand that there has been no vote to lay this resolve on the table. I will ask the gentleman from Caribou (Mr. King) to withdraw his motion to lay on the table, and then I will move that we reconsider our vote by which we refused the resolve a passage to be engrossed, and then will move that the whole matter lay on the table.

At this point a message was received from the Senate, through its secretary, proposing a Joint Assembly of the Senate and House at 11 o'clock on this day for the purpose of holding exercises in memory of the late Nelson Dingley.

Mr. King of Caribou: As I understand the situation, the vote was had on the question of the passage of the resolve to be engrossed, and the nays prevailed. I then moved to lay the resolve on the table. If I am correct, this motion is not the subject of debate, and I have not withdrawn my motion to table, and I ask for the question, which is on my motion to lay the resolve on the table.

The question being to lay the resolve on the table,

The motion was agreed to.

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

Resolve in favor of repairing a road leading from Van Buren to Caribou, Aroostook county, at a point in Cyr Plantation leading to Connor Plantation;

Resolve making appropriations for the Passamaquoddy tribe of Indians;

Resolve in favor of the town of Beddington;

Resolve in favor of Anson Academy; Tabled pending second reading, on motion of Mr. Walker of Starks.

On motion of Mr. Philbrook of Waterville, that gentleman was appointed to communicate to the Senate the concurrence of the House in the proposition for a Joint Assembly at 11 o'clock.

Mr. Philbrook subsequently reported that he had discharged the duty assigned him.

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

An act additional, relating to the appointment and compensation of the re-

corder of the municipal court of the city of Biddeford.

An act to change time for holding sessions of county commissioners in Washington county.

An act for protection of fish in Bagaduce river, bay and tributaries.

ORDERS OF THE DAY.

On motion of Mr. King of Caribou, resolve in favor of the St. Elizabeth Roman Catholic Orphan Asylum of Portland, was taken from the table.

Mr. Blackstone of Perham: I move to reconsider the vote whereby this resolve was refused a passage to be engrossed.

Mr. McFadden of Dresden: The House seemed to wish for time to consider this matter, and I was willing to grant it—at least, not to oppose the motion to table it. And now they seem anxious to take it up when there has been really no time for the consideration which they sought. All I have to say is that if this House is willing to go on with these appropriations to the cities, half a dozen to one city sometimes, for charitable and semi-charitable institutions, then perhaps you ought to vote for this resolve. If you think it is time to call a halt, it must be done upon this, or there can be no excuse for any that come hereafter. It is as purely a local institution as any that will come up here for your consideration. If you will look at the statement of facts connected with it, you will see that it is. I say that the smaller towns of the State are caring for their own orphans, for their own unfortunate women and children, and still are helping pay for these benefits to these institutions located in the rich cities. It is wrong and unreasonable and unjust.

This is a good thing. So are they all. But the State cannot afford to make these expenditures that are being asked for everywhere. If we make this appropriation, and if it is understood that all they have to do is to ask for a thing, the State will be swamped and the treasury bankrupt by donations. It is wrong to the taxpayer, wrong to those who support everything in the State. Now, gentlemen, stand firm, or else make a clean surrender of yourselves upon everything.

Mr. Smith of Presque Isle: It does not seem to me that this is a proper time to debate this question, as we have much other business to attend to, and the pending question, as I understand it, is on the motion to reconsider made by the gentle-

man from Perham (Mr. Blackstone). Now it seems to me that the members of this House want time to consider this question before they vote to dispose of it now, for all time and eternity. I therefore move that the motion to reconsider be laid on the table and assigned for a hearing, tomorrow morning at 10 o'clock. (Applause).

The motion was agreed to.

The hour having arrived for holding the Joint Assembly, for the purpose of holding exercises in memory of the late Nelson Dingley, the Senate came in and the Assembly was formed.