

MAINE STATE LEGISLATURE

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

1899.

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An Act to amend section 1 of chapter 298 of the Public Laws of 1889, relating to hawkers and peddlers.

An act to incorporate the Wilson Stream Dam Company.

ORDERS OF THE DAY.

Mr. Weeks of Somerset: I move that House document 153, (bill an act amendatory of and additional to chapter 18, of the Revised Statutes as amended by chapter 329, of the Public Laws of 1897, relating to the repair of highways,) which was passed this morning, under suspension of the rules, upon my motion, be printed and placed upon the desks of the members. I have no doubt there will be a large demand made upon the members of the Senate and the House for copies of this bill next week, and I move that 3000 copies be printed for distribution.

The motion was agreed to.

On motion by Mr. Reynolds of Cumberland, resolve in favor of summer training schools for teachers and the distribution of educational documents, was taken from the table.

Mr. Reynolds offered Senate amendment A, which was adopted. The bill was then read the second time and passed to be engrossed.

On motion by Mr. Drummond of Cumberland, bill an act amendatory of and additional to chapter 511, of the Private and Special Laws of 1898, entitled, "An act to incorporate the Mechanic Falls Water and Electric Light and Power Company, as amended by chapter 494, of the Private and Special Laws of 1889," was taken from the table.

Mr. Drummond: This bill was tabled pending adoption of Senate amendment "A" and passage of the bill to be engrossed as amended. I now offer Senate amendment "B," and move the adoption of both amendments.

The motion was agreed to, the amendments severally adopted and the bill passed to be engrossed as amended.

On motion by Mr. Sawyer of Washington,

Adjourned.

HOUSE.

Friday, Feb. 24, 1899.

Prayer by Rev. Mr. Leshner of Augusta.

Papers from the Senate disposed of in concurrence.

The following Senate bills were read and assigned:

An act to establish the Bar Harbor municipal court.

Read the third time and passed to be engrossed under suspension of the rules on motion by Mr. Philbrook of Waterville.

Bill an act authorizing the city of Lewiston to issue its bonds to an amount not exceeding \$51,000, to meet its bonds now outstanding and maturing in the year 1900.

Read the third time and passed to be engrossed under suspension of the rules on motion by Mr. Philbrook of Waterville.

Resolve in favor of the city of Biddeford.

Resolve in favor of roads in Indian Township, Washington county.

This resolve comes from the Senate amended by Senate amendment "A."

On motion by Mr. Smith of Presque Isle the votes were reconsidered whereby the resolve was finally passed, and passed to be engrossed. Senate amendment "A" was then adopted and the resolve was passed to be engrossed as amended.

An act in relation to the salaries of the judges of the supreme judicial court.

Mr. Merrill of Skowhegan moved that the bill be laid on the table.

The motion was lost.

The bill was then read for the first time.

Mr. Murphy of Lewiston moved that the bill be indefinitely postponed.

The motion was agreed to.

Mr. Bird of Rockland moved to reconsider the vote and called for the yeas and nays.

Mr. Macomber of Augusta inquired whether the gentleman voted in favor of the proposition.

The SPEAKER: As there is no record of the vote the Chair rules that the gentleman can make the motion.

The call for the yeas and nays was sustained.

Mr. PHILBROOK of Waterville: I understand the vote on the indefinite

postponement of the bill to have been declared, and then I understood the gentleman from Rockland (Mr. Bird) to move to reconsider.

Mr. BIRD: I will recall that motion and ask for the yeas and nays on the indefinite postponement of the bill.

The question being on the motion to indefinitely postpone the bill, the yeas and nays were ordered.

Yeas—Abbott, Adams, Beath, Bennett, Berry, Bird, Blackstone, Bridgham, Brimmer, Bryant, Carr, Chamberlin, Chick, Colburn, Craig, Crane, Daigle, Davis, Dawson, De Coster, Eaton, Esty, Farrell, Fitz, Fogg, Forhan, Freese, Fuller of Auburn, Fuller of Kennebunk, Fuller of South Portland, Garcelon, Gardner, Gentleman, Gordon, Grindel, Hahn, Harman, Hassell, Hill, Hix, Hodgkins, Hopkins, Hughes, Jellison, Jonhonnott, Jordan, Keefe, Kilborn, Libbey of Albion, Libbey of South Berwick, McFadden, Melcher, Merrill of North Gloucester, Mosher, Murphy, Nickerson of Orrington, Nickerson of Swanville, Parker, Peabody, Porter, Prince, Purinton, Rankin, Ridlon, Rowell, Ryerson, Sargent of Portland, Sargent of Sedgwick, Sawyer, Smith of Hartland, Some, Spofford, Spratt, Spurr, Staples, Stetson of Monmouth, Sutherland, Teel, Thayer, Turner, Tyler, Walker, Webster, Weed, West, Wilbur, Wilson of Brunswick, Wilson of Cherryfield, Wilson of Gorham, Wilson of Minot, Wood, Woodbridge—92.

Nays—Belleau, Bodwell, Brown of Falmouth, Burns, Chase, Drummey, Guernsey, Harris, Hutchings, Keron, Ledyard, Macomber, Manlev, Maxcy, Merrill of Skowhegan, Morey, Parkhurst, Perkins, Philbrook, Plummer, Powers, Sanborn, Smith of Presque Isle, Virgin, Webb—25.

Absent—Beal, Britton, Brown of Warren, Buck, Cartret, Cleveland, Cobb, Coffin, Deering, Donham, Dunning, Farnsworth, Field, Girdler, Goss, Gould, Hyde, Irving, Jones, Kalloch, Laliberte, Macfarlane, Maxwell, McFaul, Murchie, Noyes, Peaslee, Pierce, Reed, Taylor—31. Paired—King, yes; Leavitt, no.

So the bill was indefinitely postponed. (Applause)..

Mr. WILSON of Gorham: I move to reconsider the vote whereby this House voted for indefinite postponement.

Mr. WALKER of Starks: I second the motion.

The motion was lost.

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

JUDICIARY.

By Mr. Daigle of Madawaska—Remonstrance of Florent Sanfacon and others against the moving of Northern Aroostook registry of deeds from Madawaska to Fort Kent.

By Mr. Harris of Auburn—Remonstrance of I. D. Wiggin and others of Auburn against proposed change in trustee law.

By Mr. Philbrook of Waterville—An act to repeal Chapter 252 of the Private and Special Laws of 1897, relating to Frank E. Southard.

FINANCIAL AFFAIRS.

By Mr. Manley of Augusta—Resolve apportioning the appropriation for the deaf, dumb and blind for the year 1899.

RAILROADS, TELEGRAPHS AND EXPRESSES.

By Mr. Libbey of Albion—Petition of F. O. Brainerd and 18 others of China in favor of requiring the railroads of this State to issue 2-cent mileage books good to bearer.

By Mr. Dawson of Monroe—Petition of F. L. Hopkins and 18 others of Frankport for same.

By Mr. Merrill of Skowhegan—Petition of H. H. Allen and 81 others of Skowhegan for same.

By Mr. Beath of Kenduskeag—Petition of W. I. Kingsbury and 32 others of Bradford for same.

By Mr. Guernsey of Dover—Petition of William Allen and 53 others of Wellington in favor of same.

INLAND FISHERIES AND GAME.

By Mr. Porter of Burlington—Petition of George A. Lord and 27 others of Burlington for a law limiting to 25 pounds per annum the amount of trout and land-locked salmon to be taken by any person in Nicasioes lake, stream and tributaries.

Petition of F. L. Scammon and 11 others for same.

TOWNS.

By Mr. Philbrook of Waterville—Petition of A. E. Purinton and 13 others of Waterville for the setting off of Ocean Park from the town of Old Orchard and annexing the same to the city of Saco.

By Mr. Spratt of Palermo—Petition of G. H. Randall and 10 others of Montville for same.

By Mr. Wilbur of Avon—Petition of Geo. W. Harris and 10 others of Salem for same.

By Mr. Bodwell of Hallowell—Petition of T. T. Burnham and 50 others of Hallowell for same.

By Mr. Craig of Island Falls—Petition of Z. M. Miller and 15 others of Island Falls for same.

PLACED ON FILE.

By Mr. Spofford of New Sharon—Remonstrance of A. J. Butterfield and 50 others of North Chesterville against an

ORDERS.

On motion of Mr. Nickerson of Swanville,

Ordered, That the use of the Hall of Representatives be given to the G. A. R. for an entertainment, Thursday evening, March 2, 1899.

Was read and passed. Subsequently on motion of same gentleman the vote whereby the order received a passage was reconsidered. House amendment "A" adopted and the order as amended passed.

REPORTS OF COMMITTEES.

Mr. Manley from the committee on the judiciary on bill an act to secure the secret ballot reported that same be referred to the next Legislature.

Mr. Webster from the committee on education on bill an act to establish a Normal school at Presque Isle, reported that same be referred to the next Legislature.

Mr. Ryerson from same committee reported same on resolves on amendment to the constitution relating to education.

Mr. Burns from same committee reported same on resolve in favor of the establishment of a Normal school at Newport.

Mr. Jellison from the committee on claims on bill of A. J. Cameron for balance claimed to be due him for work done under contract of 1878 and 1879, reported that same be referred to the Governor and Council with power to act.

Mr. Perkins from the committee on the judiciary reported ought not to pass on bill an act to amend Paragraph 10, Section 1 of Chapter 71 of the Revised Statutes.

Same gentleman from same committee reported same on bill an act to provide for notice of actions against railroad and steamboat companies.

Mr. Manley from same committee reported same on bill an act authorizing M. B. Spinney and others to construct and maintain bridges across Morse's and Sprague's rivers in the town of Phippsburg.

Mr. Smith from same committee reported same on bill an act to incorpo-

rate the Winthrop Electric Light and Power Company.

Mr. Philbrook from same committee reported same on bill an act relating to the title of real estate.

Same gentleman from same committee on resolve in favor of F. E. Southard reported that same be referred to the Governor and Council with full power to act upon the subject matter and if any sum be found to be due to pay the same from any funds of the State not otherwise appropriated.

Mr. Bird from the committee on railroads, telegraphs and expresses reported leave to withdraw on petition of E. M. Goodall and others for authority to build a street railroad from Biddeford to York Beach.

Mr. Webster from the committee on State lands and State roads, reported leave to withdraw on remonstrance of A. R. Page and others against resolve in favor of Annie Belden of Drew plantation.

Mr. Wood from the committee on shore fisheries, reported leave to withdraw on petition of George A. Welch and others that the taking of fish with trawls in certain waters of the State be prohibited.

Same gentleman from same committee, reported same on petition of G. L. Skolfield and others, that section 15, of chapter 285, of the Public Laws of 1897, be so amended that it shall be unlawful to use purse or drag seines for the taking of smelts in certain parts of Casco bay.

Same gentleman from same committee, on petition of F. S. Stevens and others that a law be enacted to prohibit trawling within three miles of the shore, reported that the petitioners have leave to withdraw as legislation is inexpedient.

Same gentleman from same committee, on petition of J. P. Kelsey and others of Freeport that a close time be made on clams in Cumberland county, reported leave to withdraw as a general act covering this matter is to be reported to the Legislature.

Same gentleman from same committee, on petition of E. P. Spofford and others, for a close time on digging of clams in Hancock county, reported that the petitioners have leave to withdraw as the committee will report a general act covering this matter.

Mr. Dawson from the committee on pensions, reported ought not to pass on resolve in favor of Mary Ann Merrill of New Sharon.

Mr. Hill from the committee on claims, reported ought not to pass on resolve in favor of Isaac Moore.

Mr. Walker from the committee on temperance, reported ought not to pass on bill an act to secure a better enforcement of the law prohibiting the sale of intoxicating liquors.

The reports were accepted and sent to the Senate.

Mr. Brown from the committee on military affairs, reported leave to withdraw on petition of Rose White and 2960 others, that suitable laws be enacted with appropriate penalties for the better observance of Memorial day.

Same gentleman from same committee, reported ought not to pass on bill an act to regulate the observance of Memorial day.

Mr. BROWN of Falmouth: Mr. Speaker, I beg the indulgence of the House for a moment on behalf of the committee on military affairs, with reference to the reports just presented. I believe this is unusual, but the situation is unusual, and the curt and cold response to these petitioners, in the language presented by Legislative forms, we would like to modify by a personal explanation.

These petitioners, more than 3000 men and women, actuated by the deepest and purest feelings of devotion and patriotism, have asked that suitable laws, with appropriate penalties for the better observance of Memorial day. We know how much of heart and soul and faith and love went into this appeal, because we know the unselfish work of the signers, and knowing that the committee has felt obliged to report in the harsh phraseology prescribed, that the petitioners have "leave leave to withdraw."

Every member of the committee, and most of them are survivors of the Civil War, sympathize most heartily with the petitioners, they believe that Memorial day should be sacredly kept and properly and reverently observed, but they feel that to pass a law making its observance compulsory, with penalties and punishment for non-observance would detract from its sacredness and defeat its purposes. This explains the action of the committee with

reference to the proposed bill. It was ascertained, that many of the offences enumerated are now punishable by law, or may be easily reached by municipal legislation.

Memorial day is unique among our holidays. Its pious observances have taken deep hold upon the sympathies of the people, their continuance must depend upon these sympathies alone. We deplore the frivolity and indifference exhibited in a few isolated cases but we do not believe the objects desired by the petitioners, most earnestly desired by the committee and we believe by all right minded people, can be attained by the methods proposed.

Mr. Philbrook from the committee on judiciary, reported ought to pass on bill an act to amend section 1, of chapter 201, of the Private and Special Laws of 1854, relating to Bridgton Center Village Corporation.

Mr. Manley from the same committee, reported same on bill an act to extend the charter of the Orono Water Company.

Mr. Smith from same committee, reported same on bill an act to amend section 1, of chapter 525, of the Private and Special Laws of the year 1885, relating to the Presque Isle Village Fire Company.

Same gentleman from same committee, reported ought to pass in new draft under same title bill an act to amend chapter 11, of the Public Laws of 1887, authorizing cities and towns to accept legacies, devices and bequests, and to raise money.

Mr. Virgin from same committee, reported ought to pass on bill an act relating to the Young Men's Christian Association of Portland, Maine.

Same gentleman from same committee, reported same on bill an act in reference to the Boston Auction Company.

Mr. Perkins from same committee, reported same on bill an act to authorize the Pepperell Manufacturing Company and Laconia Company to consolidate.

Same gentleman from same committee, reported ought to pass in new draft under same title bill an act to extend the charter and rights of the Sanford Mills.

Mr. Chase from the committee on legal affairs, reported ought to pass on bill an act relating to chapter 472 of the Private and Special Laws of 1897,

entitled "An act to incorporate the Livermore Falls Light and Power Company."

Mr. Sanborn from same committee, reported same on bill an act to legalize the calling and holding of the annual meeting of 1897, in the town of Jefferson.

Same gentleman from same committee, reported ought to pass in new draft under same title bill an act to amend section 1, of chapter 298, of the Public Laws of 1889, as amended by the Public Laws of 1899, relating to hawkers and peddlers.

Mr. Morey from same committee, reported ought to pass on bill an act to incorporate the Dixfield Water Company.

Mr. Manley from the committee on financial affairs, reported ought to pass in new draft under same title, resolve in favor of the Augusta City Hospital.

Mr. Walker from the committee on education, reported ought to pass on resolve in favor of Hartland academy.

Mr. Merrill from same committee, reported same on resolve in favor of Parsonfield Seminary, Parsonfield, Maine.

Same gentleman from same committee, reported same on resolve providing for the payment to the city of Eastport, the amount deducted from said city's proportion of the school fund, for the year 1898, on account of imperfect school return.

Mr. Brown from the committee on military affairs, reported ought to pass on bill an act to establish a naval reserve as a part of the National Guard of the State of Maine.

Mr. Blackstone from the committee on State lands and State roads, reported ought to pass in new draft under same title resolve in favor of settling lots in Drew plantation.

Mr. Deering from the committee on claims, reported ought to pass on resolve in favor of Charles M. Bradbury of Biddeford in the county of York.

Mr. Hill from same committee, reported ought to pass in new draft under same title, resolve in favor of the town of Canton.

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

READ AND ASSIGNED.

Bill an act authorizing the Manufacturing Investment Company to locate, erect

and maintain piers and booms in the Kennebec river.

Bill an act authorizing the city of Bangor to construct a bridge over Kenduskeag stream, near the European & North American Railroad bridge.

Bill an act relating to sealers of weights and measures.

Bill an act giving a lien for shoring and running logs.

Bill an act for the prevention of certain kinds of nuisances.

Bill an act to authorize the city of Lewiston to take water for domestic purposes.

Pending first reading, Mr. Jordan of Lisbon, moved that the bill be laid on the table. The motion was lost. The bill was then read twice. On motion of Mr. Harris of Auburn, the bill was tabled and Tuesday next assigned for its consideration.

Bill an act to incorporate the Searsport Water Company.

Read the third time and passed to be engrossed under suspension of the rules, on motion by Mr. Philbrook of Waterville.

Bill an act to legalize the incorporation, the records and the doings of the Hartland Hall Association of Hartland.

Read the third time and passed to be engrossed under suspension of the rules, on motion by Mr. Philbrook of Waterville.

Bill an act to amend and extend the charter of the Public Works.

Read the third time and passed to be engrossed under suspension of the rules, on motion by Mr. Philbrook of Waterville.

Bill an act to legalize the incorporation of the Second Baptist Society of North Bowdoin.

Read the third time and passed to be engrossed under suspension of the rules, on motion by Mr. Philbrook of Waterville.

Bill an act to authorize Benjamin Desjardin to maintain a wharf into the tide-waters of New Meadows river in the town of Brunswick, county of Cumberland.

Was read twice. On motion of Mr. Hopkins of Deering, rules were suspended, bill read the third time and was passed to be engrossed.

Bill an act to repeal chapter 461 of the Private and Special Laws of 1885, and chapter 377 of the Private and Special Laws of 1897, and acts additional thereto and amendatory thereof, relating to school district No. 5 in the town of Kennebunk.

On motion of Mr. Fuller of Kennebunk, rules were suspended, bill read the third time and was passed to be engrossed.

Bill an act to prohibit the killing of deer on the Isle au Haut in Hancock county.

On motion of Mr. Philbrook of Waterville, rules were suspended, bill read the third time and was passed to be engrossed.

Bill an act to enable the commissioners of inland fisheries and game to increase the State museum consisting of mounted specimens and pictures of the birds, wild animals and fishes native to the State of Maine.

Read the third time and passed to be engrossed under suspension of the rules, on motion by Mr. Wilson of Brunswick.

Bill an act to amend the charter of the People's Trust Company.

On motion of Mr. Spofford of New Sharon, rules were suspended, bill read the third time and was passed to be engrossed.

Bill an act to legalize the incorporation of the Second Baptist Church of North Bowdoin.

Read the third time and passed to be engrossed under suspension of the rules, on motion by Mr. Philbrook of Waterville.

PASSED TO BE ENGROSSED.

Bill an act to enable the Winter Harbor Company to purchase stock of the Grindstone Neck Water Company.

Bill an act relating to the Indian reservation in the town of Perry, Washington county.

Bill an act additional to chapter 365 of the Private and Special Laws of 1893, relating to the Rumford Falls Light and Water Company.

Bill an act to increase the salary of the county attorney of Sagadahoc county.

Bill an act to establish a salary for the clerk of the judicial courts of Washington county.

Bill an act to amend the charter of the Bangor Boom Company.

Bill an act to amend section 1 of chapter 115 of the Revised Statutes, relating to salaries of public officers.

Were reported from same committee, severally read the third time, passed to be engrossed and sent to the Senate.

Bill an act to authorize the record of contracts for the sale of land.

PASSED TO BE ENACTED.

An act to extend the territorial limits of the Dover and Foxcroft Village Fire Company.

An act additional to the incorporation of the Ellsworth Electric Illuminating Company and additional to the charter of the Ellsworth Water Company.

An act to amend chapters 217 and 218 of the Public Laws of 1889, entitled an act to amend section 43 of chapter 70 of the Revised Statutes, relating to insolvent debtors.

An act to repeal section 7 of chapter 194 of the Private and Special Laws of 1895, so far as it applies to the town of South Portland.

An act establishing the salaries of the county commissioners and the salary of the county treasurer for the county of York.

An act relating to the powers of the Lewiston Gas Light Company.

An act to authorize and empower the city of Bangor to raise money by loan or otherwise for municipal purposes.

An act to amend sections 1 and 4 of chapter 445 of the Special Laws of 1875, entitled "an act to incorporate the Masonic Trustees of Lewiston," as amended by chapter 354 of the Private Laws of 1877.

FINALLY PASSED.

Resolve in favor of the Maine Insane Hospital.

Resolve in favor of N. M. West, secretary of the committee on Maine State prison.

Resolve for State pensions.

Resolve in favor of Bluehill-George Stevens Academy.

Resolve in favor of the Maine State Library for the years 1899 and 1900.

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

Resolve in favor of procuring portraits of the past presiding officers of the State Senate.

ORDERS OF THE DAY.

Bill an act to limit the rate of interest on loans on personal property, came up as a special assignment. On motion of Mr. Hutchings of Brewer, rules were suspended, bill read the third time and was passed to be engrossed as amended by House amendment "A."

On motion of Mr. Morey of Lewiston, bill an act to establish a municipal court in the town of East Livermore, was taken from the table and re-committed to the committee on the judiciary.

On motion of Mr. Farrell of Van Buren, report of the committee on legal affairs, on remonstrance of Henry Gay and others against the removing of the North Aroostook registry of deeds from Madawaska to Fort Kent, reporting that same be referred to the committee on the judiciary, was taken from the table and report accepted.

On motion of Mr. Philbrook of Waterville, communication from State treasurer transmitting a list of towns and plantations in this State which received from the State treasurer sums of money equal to or greater than their respective State taxes, was taken from the table and ordered placed on file.

On motion by Mr. Parkhurst of Bangor, the vote was reconsidered whereby the House accepted the report of the committee on military affairs, in regard to the better observance of Memorial day, and on further motion by the same gentleman, Thursday, March 2, was assigned for its consideration.

On motion by Mr. Libbey of South Berwick,

Adjourned.