

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 establishing the Maine Industrial School for Girls.

The bill was read twice under suspension of rules, and passed to be engrossed.

On motion by Mr. Stearns of Aroostook, bill an act to amend section 8 of chapter 60 of the Revised Statutes, regulating the right to trial by jury in divorce suits, was taken from the table, read the second time and passed to be engrossed.

On motion by Mr. Stearns, bill an act to create a lien upon monumental work, was taken from the table.

House amendments A, B and C were adopted in concurrence.

Mr. Stearns presented Senate amendment: The lien provided for in this act shall not apply to any monument, tablet or headstone sold, erected or furnished at a price of \$30 or less.

The amendment was adopted, bill read the second time and passed to be engrossed.

Mr. Shepard, chairman of the committee on public buildings, submitted the final report of that committee, that they had acted on all matters referred to them.

The report was accepted.

PASSED TO BE ENACTED.

An act to prevent the fraudulent sale and use of railroad tickets.

FINALLY PASSED.

Resolve in favor of Hartland Academy.

Resolve in favor of North Yarmouth Academy.

Resolve in favor of West Lebanon Academy.

On motion by Mr. Blanchard of Franklin,

Adjourned.

HOUSE.

Tuesday, March 14, 1899.

Prayer by the Rev. Mr. Meade of Hallowell.

Papers from the Senate disposed of in concurrence.

An act to regulate the increase of capital stock by street railroad companies.

This bill came up from the Senate amended by Senate amendments "A," "B," "C," "D," and "E."

These amendments were adopted, and on motion by Mr. Macomber of Augusta, the bill was read the third time under suspension of the rules and passed to be engrossed as amended.

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. Hopkins of Deering—An act to repeal chapter 323, of the Public Laws of 1897.

By Mr. Johonnett of Palmyra—An act to establish a municipal court in the town of Pittsfield.

LEGAL AFFAIRS.

By Mr. Webb of Portland—An act to amend chapter 11, of the Public Laws of 1899, entitled "an act to annex the city of Deering to the city of Portland."

By Mr. Nickerson of Swanville—Petition of J. H. Sullivan and 18 others in favor of a municipal court at Searsport.

Mr. Maxcy of Gardiner, presented the following: Resolve relating to the record of births, marriages and deaths in the office of the secretary of State.

Mr. MAXCY: This is a matter which I have introduced at the request of the secretary of State. He has records on file in his office, lumbering up his office, and he wishes them removed to the office of the register of vital statistics, and this order simply requires the secretary of State to deliver to the register of vital statistics the records that have accumulated in his office prior to the passage of the law of 1891. This resolve calls for no money, but simply transfers the records from the secretary of State's office. I move that the rules be suspended and that the resolve take its two readings and be passed to be engrossed at the present time.

The motion was agreed to, the resolve was read twice and was passed to be engrossed.

Mr. Bird of Rockland, presented the following: An act to amend section 8, of chapter 24, of the Revised Statutes, as amended by chapter 326, of the Public Laws of 1897.

On motion by Mr. Bird, this bill was laid on the table for printing pending reference.

ORDERS.

On motion by Mr. Wood of Camden,

Ordered, That after Friday, March 17, 1899, Henry R. Dawson of Munroe, be excused from further attendance at this session of the Legislature, and that the clerk be directed to make up his pay and mileage to the end of the term.

On motion of Mr. Wilbur of Avon,

Ordered, That Justus Webster, representative from Chesterville, be excused from further attendance on this session on and after Thursday, March 16, and that the clerk be directed to make up his pay to the end of the session.

REPORTS OF COMMITTEES.

Mr. Philbrook from the judiciary committee, reported ought not to pass on bill an act to create the Bath and Brunswick Water District.

Same gentleman from same committee, on order, reported bill an act to authorize the inhabitants of the town of Woolwich, or their assigns, to increase the height of the dam across Nequasset stream in the town of Woolwich, and that it ought to pass.

Mr. Morey from the committee on legal affairs, on order, reported ought to pass on bill an act to amend section 28, of chapter 90, of the Revised Statutes, relating to the discharge of mortgages, as amended by chapter 69, of the laws of 1895.

Mr. Gentleman, from the same committee, reported in a new draft and ought to pass, bill an act to amend section 1, of chapter 498, of the Public Laws of 1889, as amended by the Public Laws of 1899, relating to hawkers and peddlers.

Mr. Chase from the same committee, on order, reported a resolve authorizing the Governor and Council to accept in the name of the State from the Pemaquid Monument Association the title to Fort William Henry, and adjacent lands, and that it ought to pass.

Mr. Chase from the same committee, reported in a new draft and ought to pass, bill an act additional to chapter 81, of the Revised Statutes, relating to sale and writ of personal property attached.

Mr. Jordan from the committee on ways and means, reported ought to pass on bill an act for the assessment of a State tax for the year 1899.

Mr. Jordan moved that the rules be suspended and that the bill take its three readings at the present time and be passed to be engrossed.

The bill was read once.

On motion by Mr. Virgin of Portland, the bill was laid on the table pending its second reading.

Mr. Jordan from the committee on ways and means, reported ought to pass on bill an act for the assessment of the State tax for the year 1900.

On motion by Mr. Virgin of Portland, the bill was laid on the table.

Mr. Wood from the committee on shore fisheries, which was instructed by an order of the Legislature to inquire into the expediency of so amending chapter 279, of the Laws of 1897, as to make them consistent with the best interests of the State, and report by bill or otherwise (see House document 255), and as to repealing chapter 172, of the Laws of 1895, relating to the packing of fish in hermetically sealed cans, reported legislation inexpedient.

Mr. Spurr from the committee on mines and mining, reported leave to withdraw on petition of citizens of Rockland, relative to a gold mine in said city and praying that a committee be appointed to visit Rockland with a view to examine into a gold mine in Rockland.

Mr. Jordan from the committee on ways and means, submitted the final report of that committee, that they had acted on all matters referred to them.

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

On motion by Mr. Maxwell of Richmond, bill an act to carry into effect the provisions of chapter 250, of the Private and Special Laws of 1891, and also chapter 193, of the Private and Special Laws of 1895, providing for the building of a railroad from Van Buren to Caribou, was taken from the table.

Mr. King of Caribou, offered House amendment A, which was adopted.

The bill as amended was then read the second time.

On motion by Mr. King, the rules were suspended, the bill was read the third time and was passed to be engrossed as amended.

READ AND ASSIGNED.

An act to amend the charter of the city of Westbrook.

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

An act to abolish imprisonment for debt and to provide for the disclosure of poor debtors.

Tabled pending first reading on motion by Mr. Manley of Augusta.

An act for the better protection of sheep in the town of Perry.

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

An act establishing a close time on lobsters in Pigeon Hill bay in the towns of Milbridge and Steuben.

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

An act to regulate the tolls in Machias boom.

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

An act to amend an act to incorporate the city of Gardiner.

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

An act to amend the laws of 1893, chapter 304, as amended by the Laws of 1895, chapter 40, relating to boards of registration.

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 town of Prescott.

Rules suspended and resolve assigned for its second reading for tomorrow morning on motion by Mr. Philbrook of Waterville.

An act in relation to the police court in the city of Gardiner.

Read the third time and passed to be engrossed under suspension of the rules

on motion by Mr. Philbrook of Waterville.

An act relating to the construction of sidewalks in the city of Auburn.

Tabled pending third reading on motion by Mr. Chase of Portland.

An act to legalize the doings and records of the Pine Grove Cemetery Association of Cherryfield.

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

An act relating to the care, custody and support of the minor children of divorced parents.

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

An act to regulate the practice of veterinary surgery, medicine and dentistry.

Tabled pending first reading, and assigned for tomorrow morning on motion by Mr. Guernsey of Dover.

An act relating to sums paid by officers and collectors for internal revenue stamps affixed to deeds of real estate and sold by them.

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

An act to amend section 7, of chapter 522, of the Private and Special Laws of 1897, by providing an additional term each month of the Sanford municipal court.

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

An act to amend chapter 329, of the Private and Special Laws of 1891, relating to the municipal court of the city of Waterville.

Mr. Philbrook of Waterville, offered amendments A and B.

The amendments were adopted and the bill read a second time as amended.

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

An act to authorize the Cape Porpoise Land Company to erect and maintain a toll bridge at Cape Porpoise.

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

An act in relation to foreign banking associations and corporations.

Tabled pending first reading and assigned for tomorrow morning on motion by Mr. King of Caribou.

An act to incorporate the Enchanted Stream Dam and Improvement Company.

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

An act to amend sections 55 and 56 of chapter 6 of the Revised Statutes as amended by chapter 72 of the Public Laws of 1887 and chapter 235 of the Public Laws of 1893, and chapter 49 of the Public Laws of 1895.

Pending first reading, Mr. Virgin of Portland offered amendment A. The amendment was adopted, the bill was read twice as amended and assigned for tomorrow morning.

An act to prevent the destruction of smelts in Saco river.

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

An act to amend section 30, of chapter 285 of the Public Laws of 1897, relating to close time on salmon.

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

An act to amend section 48 of chapter 104, of the Revised Statutes relating to petitions to remove clouds from titles of real estate and to authorize the justices of the supreme judicial court to order notice on such petitions in vacation.

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

An act relating to the catching of smelts in Damariscotta river, bay and tributaries.

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

An act to amend section 35 of chapter 285 of the Public Laws of 1897, entitled

“an act to revise and consolidate the public laws relating to sea and shore fisheries.”

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

An act to amend section 2 of chapter 294 of the Public Laws of 1889, fixing the salary of the county commissioners of Kennebec county.

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

An act to legalize the doings of the First Universalist Society of Westbrook.

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

An act to extend the charter of the Vinalhaven Water Company.

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

An act additional to chapter 237 of the Public Laws of 1889, relating to life and casualty insurance on the assessment plan.

Tabled pending second reading on motion by Mr. Virgin of Portland.

An act to promote the efficiency of the fire department of the city of Bangor.

Tabled pending first reading on motion by Mr. Beal of Bangor.

An act to establish a municipal court in the town of Skowhegan.

PASSED TO BE ENGROSSED.

An act relating to the taxation of costs in trial justice actions.

An act to amend section 8 of chapter 64 and section 4 of chapter 71 of the Revised Statutes, relating to sales of real estate by license of court.

An act to authorize the county commissioners of Cumberland county to place the city of South Portland and the town of Cape Elizabeth in a jury district.

An act additional to section 96 of chapter 6 of the Revised Statutes, relating to the abatement of taxes.

Tabled pending third reading, on motion by Mr. Bodwell of Hallowell.

An act to provide for the schooling of children in unorganized plantations.

An act to extend the provisions of the general statutes relating to street railway charters, relating to location of tracks.

Pending third reading, Mr. Macomber of Augusta, offered amendment “A.” The amendment was adopted and the bill was

read the third time and was passed to be engrossed as amended.

An act to amend chapter 119, section 2, of the Public Laws of 1895, relating to innkeepers, boarding house keepers and their guests.

An act to authorize the town of Kingfield to purchase the property and franchises of the Kingfield Water Company, and to incorporate the Kingfield Water Commissioners.

An act to amend section 3 of chapter 72 of the Revised Statutes, relating to the discharge of sureties on probate bonds.

An act to amend section 32 of chapter 91 of the Revised Statutes, as amended, by chapter 31 of the Laws of 1895, relating to liens.

Resolve in relation to re-equipping the National Guard.

Mr. BROWN of Falmouth: This resolve received a very careful examination at the hands of the committee at the time it came before them, but the condition of affairs has materially changed since then, and it has been ascertained by an examination of the accounts and condition of affairs in the adjutant general's office, that we can get on without this appropriation; and acting upon that assurance, and that assurance only, I move the indefinite postponement of the resolve.

The motion was agreed to and the resolve was indefinitely postponed.

PAPERS FROM THE SENATE.

An act to amend chapter 33, section 1, of the Public Laws of 1887, relating to the burial of soldiers.

In the Senate this bill was re-committed to the committee.

The House reconsidered the vote whereby the bill was passed to be engrossed, and concurred with the Senate in re-committing the bill to the committee.

An act relating to chapter 366 of the Private and Special Laws of 1897, entitled an act to incorporate the Livermore Falls Water Company.

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

The House reconsidered the vote whereby the bill was passed to be engrossed, Senate amendment "A" was adopted and the bill was passed to be engrossed as amended.

PASSED TO BE ENACTED.

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.

An act to repeal chapter 195 of the Public Laws of 1897, entitled "an act to establish a bounty on wild cats."

An act amendatory to chapter 145, section 2, of the Special Laws of 1869, relating to an act to incorporate the Sebois Dam Company.

An act to legalize the call issued for holding the meeting of the Methodist and Baptist Meeting House Corporation of Whitefield.

An act to amend chapter 72, Special Laws of 1887, in relation to the taking of fish in Nequasset lake.

An act establishing the salary of the county attorney for the county of Aroostook.

An act granting the Dennysville Lumber Company additional rights.

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."

An act to amend section 196 of chapter 6 of the Revised Statutes, as amended by chapter 5 of section 70 of the Public Laws of 1895, relating to the sale of real estate for non-payment of taxes.

An act to amend the charter of the Augusta Safe Deposit and Trust Company.

An act amendatory and additional to chapter 143 of the Revised Statutes, relating to the insane hospital.

An act to renew and extend the charter of the Buckfield Water Company.

An act to amend section 3 of chapter 216, Public Laws of 1893, as amended by chapter 295, Public Laws of 1897, relating to discontinuing schools and conveying school children.

An act to incorporate the Lubec Water and Electric Light Company.

An act creating the Dixfield Village Corporation.

An act to prevent the killing of tern.

An act to amend chapter 285 of the Public Laws of 1897, relating to sea and shore fisheries.

An act to incorporate the Winthrop Telegraph and Telephone Company.

On motion of Mr. Macomber of Augusta, this bill was laid on the table pending its passage to be enacted.

An act to incorporate the Bluehill & Bucksport Electric Railroad Company.

An act to incorporate the Houlton Trust Company.

An act to prevent incompetent persons from conducting the business of an apothecary.

On motion by Mr. Wilson of Brunswick, the vote was reconsidered whereby this bill was passed to be engrossed.

Mr. Wilson offered amendment "A" which was adopted, and the bill was then passed to be engrossed as amended.

An act to extend the charter of the Maine Live Stock Insurance Company.

An act to amend chapter 491 of the Private Laws of the year 1893, relative to the sale of prize logs in Piscataquis boom.

An act to amend chapter 2 of section 80 of the Revised Statutes, relating to sheriffs and their deputies.

An act to amend chapter 282 of the Laws of 1889, relating to railroad crossings.

An act to amend section 14 of chapter 63 of the Revised Statutes, relating to registers of probate.

An act to incorporate the Sullivan Harbor Water Company.

An act to amend section 2 of chapter 115 of the Revised Statutes, as amended by chapter 264 of the Public Laws of 1893, relating to the salary of the county attorney of Cumberland county.

An act to authorize the Franklin and Somerset Land and Lumber Company to hold the stock and bonds of the South Branch Improvement Company.

An act giving mortgagees a lien for costs of foreclosure under section 5 of chapter 90 of the Revised Statutes.

An act to prevent the fraudulent sale and use of railroad tickets.

An act to amend chapter 419 of the Private and Special Laws of 1897, entitled "An act to incorporate the Penobscot East Branch Log Driving Company."

An act to authorize the city of Lewiston to take water for municipal and domestic purposes.

An act to amend section 21, chapter 11, of the Revised Statutes, relating to the rights of towns to make by-laws concerning truants.

An act to incorporate the Strong Water Company.

An act to amend and additional to chapter 285, Public Laws of 1897, relating to sea and shore fisheries.

An act to incorporate the Patten, Allagash & Northern Railroad Company.

An act to incorporate the Freeport Village Corporation.

An act to abolish the common council of the city of Waterville.

An act to amend section 2 of chapter 60 of the Revised Statutes, as amended by chapter 179 of the Public Laws of 1893, relating to divorce.

An act to incorporate the Boothbay Harbor Banking Company.

An act to incorporate the Lisbon and Topsham Water Company.

Tabled pending passage to be enacted, on motion by Mr. Jordan of Lisbon.

An act to incorporate the St. Croix Water Company.

Tabled pending passage to be enacted, on motion by Mr. Maxey of Gardiner.

FINALLY PASSED.

Resolve providing for the payment to the city of Eastport of the amount deducted from said city's proportion of the school fund, for the year 1899, on account of imperfect school return.

Resolve in favor of State Normal schools.

Resolve to reimburse F. I. Campbell, treasurer of the town of Cherryfield, for money paid to State pensioners.

Resolve to reimburse Daniel S. Chadbourne for repairs on breakwater at Mat-tawamkeag bridge.

Resolve in favor of Hartland Academy.

Resolve in favor of the committee on education.

Resolve apportioning the appropriation for the deaf, dumb and blind for the year 1899.

Resolve in favor of North Yarmouth Academy.

Resolve in favor of settling lots in Drew Plantation.

Resolve in favor of the town of Canton.

Resolve in favor of Madawaska Training School.

Resolve in favor of Parsonsfield Seminary.

Resolve in favor of Ricker Classical Institute.

Resolve in favor of the Maine Insane Hospital.

Resolve in favor of West Lebanon Academy.

Resolve in favor of the Augusta City Hospital.

Resolve in favor of Normal school trustees.

Resolve authorizing the Governor and Council to examine into and adjust certain claims of cities and towns arising out of the late war with Spain.

ORDERS OF THE DAY.

Special assignment: Bill relating to caucuses in towns.

The pending question was the adoption of House amendment "A."

The amendment was adopted.

Mr. Manley of Augusta, offered amendment "B," stating that he did so at the request of Mr. Leavitt of Eastport, who was absent.

The amendment was adopted.

Mr. Virgin of Portland, offered amendment "C," stating that he did so at the request of Mr. Plummer of Portland, who was absent.

The amendment was adopted.

The bill was then read the second time as amended.

On motion by Mr. Virgin of Portland, the rules were suspended, the bill was read the third time and was passed to be engrossed as amended.

On motion by Mr. Smith of Presque Isle, the vote was reconsidered whereby the House passed to be engrossed the bill relating to caucuses in towns, and on further motion by the same gentleman the bill was laid on the table and assigned for tomorrow morning.

Special assignment: Bill relative to taking salmon in Penobscot river, above Water Works dam at Bangor.

The bill was read twice, and on motion by Mr. Gardner of Patten, the rules were suspended, the bill was read the third time and was passed to be engrossed.

On motion by Mr. Peaslee of Wiscasset, resolve in favor of Wiscasset Academy was taken from the table.

On further motion by the same gentleman, the vote was reconsidered whereby the resolve was assigned for tomorrow.

The resolve was then read a second time and was passed to be engrossed.

On motion by Mr. Webster of Chester-ville, resolve in favor of Greeley Institute was taken from the table.

On further motion by the same gentleman, the vote was reconsidered whereby the resolve was assigned for March 15.

The resolve was then read a second time and was passed to be engrossed.

On motion by Mr. Burns of West-brook, resolve in favor of Potter Academy was taken from the table.

On further motion by the same gentleman, the vote was reconsidered whereby the resolve was assigned for tomorrow.

The resolve was then read a second time and was passed to be engrossed.

On motion by Mr. Philbrook of Water-ville, the Senate order relating to two daily sessions was taken from the table.

Mr. Philbrook moved to amend the order by striking out the word "eighth" and substituting therefor the word "fourteenth," providing for two daily sessions commencing tomorrow.

The amendment was adopted.

The House then concurred with the Senate in the passage of the order as amended.

On motion by Mr. Manley of Augusta, bill an act to authorize a topographic survey of the State was taken from the table.

Mr. BROWN of Falmouth: This bill simply provides for the co-operation on

the part of the State with the United States authorities in prosecuting the work of a topographic survey of the State. It is simply a device to persuade the United States government to carry on the work in this State and complete it as rapidly as possible. There is no adequate, satisfactory map of the State of Maine in existence, today. The result of this will be a topographic chart which will be of inestimable value, and I trust that the bill will receive a passage without opposition.

The bill was then read twice.

On motion by Mr. Brown, the rules were suspended, the bill read the third time and was passed to be engrossed.

On motion by Mr. Virgin of Portland, bill an act additional to chapter 237 of the Public Laws of 1889, relating to life and casualty insurance on the assessment plan, was taken from the table.

The bill was then read the second time and assigned for tomorrow morning.

On motion by Mr. Manley of Augusta, bill an act to amend section 11 of chapter 78 of the Revised Statutes, relating to the duty of county commissioners, was taken from the table.

On further motion by the same gentleman, rules were suspended, the bill received its second and third reading and was passed to be engrossed.

On motion by Mr. Hutchings of Brewer, bill an act to extend the charter of the Winn Water Company was taken from the table.

On further motion by the same gentleman, the rules were suspended, the bill was read a third time and was passed to be engrossed.

On motion by Mr. Virgin of Portland, bill an act to amend section 17 of chapter 128 of the Revised Statutes, as amended, relating to tramps, was taken from the table.

Mr. Virgin offered amendment "A," which was adopted, and the bill was then read a second time as amended and assigned for tomorrow morning.

On motion by Mr. Manley of Augusta, resolve in reference to York Deeds was taken from the table.

On motion by the same gentleman, the vote was reconsidered whereby the second reading of this resolve was assigned for tomorrow.

On further motion by the same gentleman, the rules were suspended, the resolve read a second time and was passed to be engrossed.

On motion by Mr. Chase of Portland, bill an act authorizing women to be admitted as attorneys in the courts of this State was taken from the table.

The bill was then read a second time.

On motion by Mr. Chase, the rules were suspended, the bill was read the third time and was passed to be engrossed.

On motion by Mr. Mosher of Rome, Adjourned.