

MAINE STATE LEGISLATURE

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

1899.

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SENATE.

Thursday, March 2, 1899.

The Senate met according to adjournment and was called to order by the president.

Prayer by Rev. Mr. Struthers of Gardiner.

Journal of yesterday read and approved.

Papers from the House disposed of in concurrence.

HOUSE BILLS READ AND ASSIGNED.

Bill an act to amend chapter 11, of the Public Laws of 1887, authorizing cities and towns to accept legacies, divides and bequests, and to raise money.

Bill an act to amend section 1, of chapter 201, of the Private and Special Laws of 1854, relating to Bridgton Center Village Corporation.

Bill an act to establish a naval reserve as a part of the National Guard of the State of Maine.

Bill an act relating to the jurisdiction of the superior court for the county of Kennebec.

Bill an act to repeal a resolve in favor of F. E. Southard.

Bill an act to amend chapter 135, of the Public Laws of 1895, and acts additional thereto, relating to the Bath municipal court.

Resolve in favor of the Eastern Maine General hospital.

Resolve in favor of Freedom Academy.

Resolve providing for an office for the department of inland fisheries and game in the State House, with statement of facts.

Resolve respecting the cemetery lot of the late Governor William King.

The following resolves and petitions were presented and referred:

LEGAL AFFAIRS.

By Mr. Drummond of Cumberland—Resolve in favor of Mannix Bros. and others.

TOWNS.

Petition of C. F. Penney and 25 others, for the setting off of Ocean Park from the town of Old Orchard and annexing the same to the city of Saco.

Petitions of William Lamb and 45 others; H. G. Hill and 31 others, for the same.

Mr. Pierce of Waldo, presented the following resolve—Resolve in favor of

the committee on State Reform school.

On motion by Mr. Pierce, the rules were suspended, the resolve given its several readings and passed to be engrossed.

ORDERS.

On motion by Mr. Pike of York, it was

Ordered, That the use of the Senate chamber be granted the committee on towns for a hearing, Thursday afternoon, March 2, 1899.

On motion by Mr. Stearns of Aroostook, it was

Ordered, The House concurring, that the time within which the joint standing committees shall make final report be extended to Friday, March 10, 1899; that on or before the said day all such committees shall make final report.

READ AND ASSIGNED.

Bill an act to amend the charter of the Bluehill Water Company.

Bill an act for the better protection of clams.

Mr. Chamberlain of Lincoln, offered Senate amendment A, which was adopted, and the bill read and assigned as amended.

Bill an act authorizing the trustees of the ministerial fund in the Congregational Society in Buxton to apply the interest of said fund toward the payment of the minister's salary.

Bill an act for the better protection of shipmasters and seamen.

Bill an act to repeal chapter 280 of the Private and Special Laws of 1883, relating to the use of rafts or floats in fishing for smelts in Bagaduce river.

Bill an act to fix the salary of the judge and register of probate for the county of Waldo.

Bill an act to incorporate the Lily Water Company.

REPORTS OF COMMITTEES.

Mr. Stearns for the committee on judiciary, which was instructed by an order of the Legislature to inquire into the expediency of amending the law relating to the support of paupers, reported legislation thereon inexpedient.

The same gentleman for the same committee, which was instructed by an order of the Legislature to inquire into the expediency of amending the law relating to the support of State paupers, reported legislation thereon inexpedient.

Mr. Hamlin, for the same committee, to which was referred the petition of

the assessors of Farmington Village Corporation, for authority to take water from Sandy river for municipal purposes, reported that petitioners have leave to withdraw.

Mr. Drummond, for the same committee, reported ought not to pass, on bill an act additional to chapter 124 of the Revised Statutes relating to cruelty to animals.

Mr. Jones, for the committee on railroads, telegraphs and expresses, reported ought not to pass on bill an act to extend the provisions of the general statutes to street railway cars, relating to the location of tracks.

The same gentleman for the same committee, reported ought not to pass on bill an act to incorporate the Bluehill and Bucksport Railroad Company.

Mr. Blanchard, for the committee on education, reported ought not to pass on bill an act relating to common schools, which was referred from the last Legislature.

Mr. Chamberlain, for the same committee, reported ought not to pass on bill an act to amend section 3 of chapter 11 of the Revised Statutes of 1893, as now amended, relating to discontinuing schools and conveying school children.

Mr. Pike, for the committee on towns, to which was referred petition of William Thompson and others, praying that Roque and other islands be set off from the town of Jonesport and annexed to the town of Roque Bluff, reported that petitioners have leave to withdraw.

Mr. Chamberlain, for the joint select committee on Maine State Year Book, submitted the final report of that committee, that they had acted on all matters referred to them.

Mr. Hamlin, for the joint committee to which was referred the Governor's message, reported as follows:

That so much as relates to finance be referred to the committee on financial affairs.

That so much as relates to schools be referred to the committee on education.

That so much as relates to the insane be referred to the joint special committee on the Eastern Maine hospital.

That so much of said message referring to taxation as is found on pages 4 and 5 of the printed document, except paragraph 5 on the 4th page and paragraph 3 on the 5th page be referred to

the committee on taxation; that paragraph 5 on the 4th page and the subject therein discussed be referred to the committee on financial affairs; that paragraph 3 on the 5th page, together with the subsequent paragraph and the recommendations therein set forth be referred to the committee on legal affairs.

That so much of said message as appears under the head of military affairs, found on pages 9, 10, 11, 12, 13, 14, 15, 16 and 17, except paragraph 4 on page 16 and paragraph 1 on page 17, be referred to the committee on military affairs; that paragraph 4 on page 16 and paragraph 1 on page 17 be referred to the committee on pensions.

That so much of said message as refers to the subject of public buildings be referred to the committee on public buildings.

That so much of said message as is embraced in paragraphs 3, 4 and 5 of page 20 be referred to the committee on the University of Maine; that the general recommendations contained in paragraph 1 of page 21 be referred to the committee on legal affairs.

That so much of said message as relates to the construction of railroads be referred to the committee on railroads, telegraphs and expresses.

That so much of said message as relates to fish and game be referred to the committee on inland fisheries and game.

That so much therein as refers to sea and shore fisheries be referred to the committee on shore fisheries.

That the first paragraph under the head of "Banks," etc., be referred to the committee on banks and banking; that all remaining embraced under that head be referred to the committee on taxation.

That paragraphs 1 and 3 under the head of "Salaries," except so much as relates to the salary of the justices of the supreme judicial court, be referred to the joint special committee on salaries; that paragraph 2 hereunder be referred to the respective county delegations.

That all of said message relating to establishing the office of State auditor, together with all recommendations and suggestions touching upon a revision of the statutes of Maine, be referred to the committee on judiciary; and that so much of said message as relates to the salary of the justices of the su-

preme judicial court be referred to the committee on judiciary.

That paragraph 1 under the head of "Labor," etc., be referred to the committee on labor; that paragraph 2 be referred to the committee on commerce; that paragraph 3 be referred to the committee on federal relations; that paragraph 4 be referred to the committee on manufactures; that the first sentence of paragraph 5 be referred to the committee on judiciary, and that the remainder thereof be referred to the committee on Federal relations.

These reports were severally accepted.

Mr. Hamlin, for the committee on judiciary, reported ought to pass, bill an act to authorize the Castine Water Company to engage in the business of electric lighting and furnishing electric power.

Mr. Drummond, for the same committee, reported ought to pass, resolve in favor of York deeds.

Mr. Plummer, for the committee on legal affairs, reported ought to pass, bill an act to amend section 13 of chapter 64 of the Revised Statutes, as amended, relating to probate of foreign wills.

Mr. Weeks, for the same committee, reported ought to pass, bill an act relating to taxation of costs in trial justices actions.

Mr. Reynolds, for the same committee, reported ought to pass, bill an act to prevent immoral exhibitions.

Mr. Heald, for the committee on railroads, telegraphs and expresses, reported ought to pass, bill an act to incorporate the Patten, Allagash and Northern Railroad Company.

The same gentleman for the same committee reported ought to pass, bill an act to extend and amend the charter of the Castine Railway and Navigation Company.

Mr. Blanchard, for the committee on education, reported ought to pass, resolve in favor of Potter Academy.

The same gentleman, for the same committee, reported ought to pass, bill an act to amend section 21 of chapter 11 of the Revised Statutes relating to the rights of towns to make by-laws concerning truants.

Mr. Plummer, for the same committee, reported ought to pass, bill an act to amend section 7 of chapter 11 of the Revised Statutes, relating to the

duties of the Governor and Council in regard to payment to towns of State school fund and mill tax.

Mr. Chamberlain, for the committee on education, reported ought to pass, resolve in favor of Greeley Institute.

Mr. Blanchard, for the committee on Maine State Year Book, which was instructed by an order of the Legislature to receive proposals from the publishers of the Maine State Year Book for the years 1899 and 1900, reported ought to pass, resolve for the purchase of the Maine State Year Book and Legislative Manual for the years 1899 and 1900.

Mr. Weeks, for the committee on salaries, to which was referred the petition of George A. Wilson and others, praying that the salary of the register of probate and the salary of the judge of probate for the county of Oxford be increased, reported ought to pass, bill an act to fix the salary of the judge and register of probate for the county of Oxford.

These reports were severally accepted, and bills and resolves reported were tabled for printing under rule.

PASSED TO BE ENGROSSED.

Bill an act to incorporate the Var Buren Water Company.

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."

Bill an act to extend the charter of the Orono Water Company.

Bill an act in reference to Boston Auction Company.

Bill an act to incorporate the Dixfield Fire Engine Company.

Bill an act to legalize the calling and holding of the annual town meeting of the town of Jefferson in the year A. D. 1897.

Bill an act to extend the charter and rights of the Sanford Mills.

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 department.

Bill an act to set off a part of the town of Trescott and annex the same to the town of Edmunds.

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

Resolve to repair the Forks Bridge in the Forks Plantation, Somerset county.

This bill was read the second time, reading, and on motion by Mr. Dudley

of Washington, the rules were suspended, the bill read the second time and passed to be engrossed.

TABLED.

Bill an act to amend chapter 135 of the Public Acts of 1895, and acts additional thereto, relating to the salary of the judge of the municipal court of Bath.

This bill was reported for its first and on motion by Mr. Whitehouse of Sagadahoc, was laid on the table pending its passage to be engrossed.

PASSED TO BE ENACTED.

An act amendatory of chapter 187, of the Public Laws of 1893, relating to the better protection of sheep.

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

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.

An act to amend and extend the charter of the Public Works.

An act to incorporate the Searsport Water Company.

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

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

An act additional to chapter 445, of the Private and Special Laws of 1885, as amended by chapter 423 of the Private and Special Laws of 1893, incorporating the People's Trust Company.

An act to amend the charter of the Bangor Boom Company.

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

An act prohibiting the killing of deer on the Isle au Haut in Hancock county.

An act to incorporate the Guilford Electric Light and Power Company.

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

An act to set off certain territory from Pittsfield Village Corporation.

An act to increase the salary of the county attorney of Sagadahoc county.

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

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.

An act extending certain powers of the Mutual Fire Insurance Company.

ORDERS OF THE DAY.

On motion by Mr. Blanchard of Franklin, House document 83, bill an act to limit the rate of interest on loans on personal property, was taken from the table.

Mr. Blanchard offered the following amendment: Senate amendment A. Amend by striking out the enacting clause.

Mr. REYNOLDS of Cumberland: Mr. President, I have just a word or two to say. Two or three of the gentlemen who voted yesterday against the bill, did so, as I understand, because they thought the rate of interest was not low enough, and, as I understand, that is the objection of my brother Blanchard, the senator from Franklin. It has been determined to put that interest low enough by means of an amendment. Now, the friends of this bill are willing to do this. The opponents of the bill, as it stood yesterday, are opposed because the rate is not low enough, and I understand the position of the senator is that he wishes to be sure that we cut this rate lower. I want to state to the senators that the committee are just as anxious to get that "legal rate" low, in the sense that the term "legal rate" was used, as any gentleman here. I do not wish to see the senator's motion prevail. If he seeks to make a test of that this morning, I would like to call for the yeas and nays, in order to get this in a position where we can have it amended. We are not strenuous upon just the terms of the bill, but we want to know if the gentleman's statement correctly represents what he is after. Does he want to cut down this rate of interest, or does he want to keep it high? and for the purpose of getting as nearly at that in the opinion of the Senate as we can I call for the yeas and nays.

Mr. BLANCHARD of Franklin: Mr. President, I would have it understood that any measure which would, as I stated yesterday, reach the object which the senator is endeavoring to

attain, would be supported by me, but yesterday the senator from Cumberland was anxious that the measure in its present form should receive a passage, and he was satisfied that it was then in its best form and he knew of no amendments that could be made. Today, when he finds that the measure is liable to be lost, he comes into the Senate and desires that an amendment shall be made that shall so affect the bill that every senator here can vote for it. Now, as I understand it, we have a law which regulates the rate of usury in the State of Maine and I believe that law is sufficient for all demands at the present time. After looking this bill over carefully, I find that it excepts certain classes, and that certain classes are allowed to go on and do as they are doing at the present time, and that is, the class of pawnbrokers. Now I understood yesterday that that was one of the classes that the senator was attempting to reach, and I do say that I firmly believe at the present time that the rate of interest, no matter what it may be, whether it is 3 per cent. a month or 2 per cent. a month or $1\frac{1}{2}$ per cent. a month, when it goes broadcast over this State that such a measure has been passed, will work detriment to the usury laws of the State of Maine, for I have heard senators here say that in their sections they do not understand that any of those sharp games are being practiced at the present time.

Mr. REYNOLDS: I challenge the statement of the senator from Franklin. I say to the senator from Franklin and to this Senate that I stood here yesterday and I said this, and I will appeal to the records of the reporter to show it, give us an amendment that will strike at the disease, and we will accept it. That is what I stated yesterday and I state it again today. All we want to know is what the difficulty is, and if we can reach that difficulty, we will do so, and I will accept any amendment that the gentleman from Franklin will propose, or any other gentleman, that is better than the statement of the bill as it stands today. If the bill is wrong, let us have it right. That is what we want, and I was just as ready yesterday as I am today. I am ready today and ready tomorrow for that result.

A yea and nay vote having been called for, the yeas and nays were or-

dered, the question being upon the adoption of amendment "A."

Yeas—Adams, Blanchard, Chamberlain, Drummond, Hamlin, Heald, Hodsdon, Johnston, Peirce, Sawyer, Whitehouse—11.
Nays—Dudley, Fernald, Grindle, Hargraves, Hurd, King, Pike, Reynolds, Sharp, Vickery, Weeks, White, Young—13.
Absent—Merrill, Witham—2.

Paired—Mr. Jones of Penobscot, yes, with Mr. Plummer of Penobscot, no; Mr. Shepherd of Knox, yes, with Mr. Stearns of Aroostook, no.

And 11 voting in the affirmative and 13 in the negative, the amendment was not adopted.

On motion by Mr. Weeks of Somerset, the bill was laid on the table.

On motion by Mr. Dudley of Washington,

Adjourned.