

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.

Wednesday, March 8, 1899.

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

Prayer by Rev. Mr. Ringold of Gardiner.

Journal of yesterday read and approved.

Papers from the House disposed of 'n concurrence.

Bill 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 came up on its first reading and on motion by Mr. White of Androscoggin, was laid on the table pending second reading.

Bill an act to incorporate the Monmouth Center Village Corporation.

This bill came up on its first reading. Read once, and on motion by Mr. Heald of Kennebec, the rules were suspended, the bill read the second time and passed to be engrossed.

HOUSE BILLS READ AND ASSIGNED.

Bill an act relating to steam riding galleries.

Bill an act to amend chapter 295 of the Public Laws of 1897, relating to discontinuing schools and conveying school children.

Bill an act to increase the salary of the register of probate of the county of Knox.

Bill an act to authorize the town of Skowhegan to perfect its title to the school property in said town.

Bill an act to establish a municipal court in the town of East Livermore.

Bill an act to amend chapter 180 of the Private and Special Laws of 1879, establishing the police court of the city of Belfast, as amended by chapter 428 of the Private and Special Laws of 1885.

Bill an act to amend section 18 of chapter 63 of the Revised Statutes, relating to the appointment of register of probate.

Bill an act to incorporate the Lubeck Water and Electric Light Company.

Bill an act creating the Dixfield Village Corporation.

Bill an act to amend an act entitled, "An act to annex Franklin Plantation, in the county of Oxford, to the towns of Rumford and Peru, approved by the governor Feb. 21, A. D. 1899."

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

Bill an act to provide for insurance on the Gorham Normal school building, Farmington Normal school buildings, Castine Normal school building and Madawaska Training school buildings.

Bill an act relating to the charter of the Wiscasset and Quebec Railroad Company.

Bill an act relating to the Wiscasset and Moosehead Lake Telegraph and Telephone Company.

Bill an act to extend the charter of the Lewiston, Augusta and Camden Railroad Company.

Bill an act to incorporate the Boothbay Harbor Banking Company.

Bill an act to incorporate the Houlton Trust Company.

Bill an act to extend the rights, powers and privileges of the Mopang Dam and Improvement Company.

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

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 a certain limit in Mailbridge or Narraguagus bay."

Bill an act to prevent the taking of smelts by drag seines in the waters of Buck's Harbor, Orcutt's Harbor and Lawrence bay, in the town of Brookville.

Bill an act to set off part of township Number 7 in the county of Hancock and annex the same to the town of Sullivan.

A communication was received from the secretary of State, transmitting the twenty-eighth annual report of the librarian of the Maine State library for the years 1897 and 1898, and was referred to the committee on library.

The following bills were received and referred:

JUDICIARY.

By Mr. Hamlin of Hancock—Bill an act to repeal chapter 139 of the Revised Statutes relating to coroner's inquest, and to establish a board of medical examiners in its place.

LEGAL AFFAIRS.

By Mr. Reynolds of Cumberland—Bill an act to amend section 3 of chapter 72 of the Revised Statutes relating to the discharge of sureties in probate bonds.

By Mr. White of Androscoggin—Bill an act to amend section 32 of chapter 91 of

the Revised Statutes, as amended by chapter 34 of the laws of 1895, relating to liens.

Mr. Blanchard of Franklin, presented the following resolve, and on his motion, it was given its several readings under suspension of rules and passed to be engrossed.

READ AND ASSIGNED.

Bill 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.

REPORTS OF COMMITTEES.

Mr. Reynolds, for the committee on legal affairs, reported ought not to pass, bill an act to amend section 3 of chapter 83 of the Revised Statutes, relating to jurisdiction of trial justices.

The same gentleman, for the same committee, reported ought not to pass, bill an act in relation to the filing of papers in cases argued before the supreme judicial court when sitting as a court of law.

Mr. Weeks, for the same committee, reported ought not to pass, bill an act relating to foreigners not naturalized.

Mr. Reynolds, for the same committee, to which was referred resolve in favor of Mannix Bros. and others, reported that the same be referred to the committee on financial affairs.

Mr. Blanchard, for the committee on education, to which was referred the report of the commissioners appointed by the governor to investigate and ascertain the desirability of establishing new normal schools, reported that the same be referred to the next Legislature.

Mr. Chamberlain, for the committee on sea and shore fisheries, to which was referred the report of the commissioner of sea and shore fisheries, reported that the same be accepted.

Mr. Witham, for the joint standing committee on temperance, submitted their final report, that they had acted on all matters referred to them.

The reports were severally accepted.

Mr. Plummer, for the committee on legal affairs, reported ought to pass, bill an act to amend section 4 of chapter 132 of the Revised Statutes, relating to criminal jurisdiction of magistrates.

Mr. Weeks for the same committee, reported ought to pass, bill an act to amend chapter 87 of the Revised Statutes, as amended, relating to limitation of actions against executors and administrators.

The same gentleman, for the same committee, reported ought to pass, bill an act to amend section 2 of chapter 119 of the Public Laws of 1895, relating to innkeepers and their guests.

Mr. Reynolds for the same committee, reported ought to pass, bill an act additional to section 96 of chapter 6 of the Revised Statutes relating to abatement of taxes.

The same gentleman, for the same committee, to which was referred bill an act to assign to the town of South Portland the jurors apportioned to the town of Cape Elizabeth, reported ought to pass, bill 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.

Mr. Plummer, for the same committee, reported ought to pass, bill 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.

Mr. Chamberlain, for the committee on education, to which was referred bill an act to maintain free high schools in towns having more than 1000 inhabitants, reported ought to pass, bill an act to establish free high schools.

Mr. Plummer, for the same committee, reported ought to pass, bill an act to amend section 1 of chapter 267 of the Public Laws of 1885, relating to scientific temperance instruction in the public schools.

The same gentleman, for the same committee, reported ought to pass, bill an act to provide for schooling children in unorganized townships.

Mr. Heald for the committee on railroads, telegraphs and expresses, reported ought to pass, bill an act to extend the rights, powers and privileges of the Franklin, Somerset and Kennebec Railway Company, as amended.

Mr. Jones, for the same committee, reported ought to pass, bill an act to extend the provisions of the general statutes to street railway charters relating to location of tracks.

The same gentleman, for the same committee, reported ought to pass bill an act to incorporate the Bluehill and Bucksport Railroad Company.

Mr. Shepherd, for the same committee, reported ought to pass, bill an act to extend the charter of the Kennebec and Franklin Railway.

Mr. Jones, for the committee on interior waters, reported ought to pass, bill an act amendatory to chapter 144, section 2 of the Special Laws of 1869, relating to an act to incorporate the Sebois Dam Company.

Mr. Young, for the same committee, reported ought to pass, bill 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."

Mr. Hamlin, for the committee on military affairs, reported ought to pass, 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.

Mr. Stearns, for the committee on salaries, reported ought to pass, bill an act establishing the salary of the county attorney for the county of Aroostook.

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

PASSED TO BE ENGROSSED.

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

Resolve in favor of Greely Institute.

Bill an act to authorize the Castine Water Company to engage in the business of electric lighting and furnishing electric power.

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

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

Bill an act relating to the jurisdiction of municipal and police courts.

Resolve in favor of the commissioners appointed by the Governor to inquire into and report upon the advisability of establishing State normal schools.

Bill an act to amend chapter 407 of the Private and Special Laws of 1889, entitled "An act to incorporate the trustees of Van Buren College, and to authorize the faculty of said college to confer degrees."

Bill an act to extend the charter of the Ellsworth Street Railway.

Bill an act to amend the charter of the Waldo Street Railway.

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

Bill an act to extend the charter of the Bluehill Trust and Banking Company.

Bill an act to revive and amend chapter 276 of the Private and Special Laws of 1895, entitled "An act to incorporate the Van Buren Trust and Banking Company."

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 three dollars and shall not be less than one dollar."

Bill an act providing for the appointment and compensation of the recorder of the municipal court of the city of Saco.

Bill an act to create a lien upon hay, for the cutting and pressing thereof.

Bill an act to amend the title of chapter 295 of the Public Laws of 1897.

Bill an act to extend the rights, powers and privileges of the Eastport Street Railway.

Bill an act to extend the time for the construction of the Boothbay Railroad.

Bill an act in relation to corporations issuing contracts for annuities commencing in the future.

Bill an act authorizing the Manufacturers Trust Company to establish a branch at Old Orchard.

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."

Resolve authorizing a change in the location of a right of way to State lands in Augusta.

Resolve in favor of improving the sanitary condition of the State camp ground.

Bill an act to apportion the State and county taxes for the years 1899 and 1900 on township formerly known as Franklin plantation, county of Oxford.

PASSED TO BE ENACTED.

An act to consolidate, simplify, revise and amend the laws pertaining to inland fisheries and game as contained in Chapters 30 and 40 of the Revised Statutes and in amendments and additions thereto, and to repeal old and obsolete private and special laws pertaining to fishing in the public waters of the State.

An act to amend Chapter 11 of the Public Laws of 1897, authorizing cities and towns to accept legacies, devise and bequests and to raise money.

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

An act to regulate the taking of herring in the town of Cutler.

An act to amend Chapter 72, Special Laws of 1897, in relation to the taking of fish in Nequasset lake.

An act to establish a Naval Reserve as a part of the National Guard of the State of Maine.

An act to amend Section 3 of Chapter 216 of the Public Laws of 1893, as amended by Section 1, Chapter 295 of the Public Laws of 1897, relating to discontinuing schools and conveying school children.

An act to amend section 65 of chapter 70 of the Revised Statutes, as amended by chapter 101 of the Public Laws of 1891, relating to fees in insolvency proceedings.

An act to extend the charter and rights of the Sanford Mills.

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.

An act to amend chapter 450 of the Private and Special Laws of 1893, incorporating the city of Eastport.

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

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

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

An act to fix the salary of the sheriff of the county of Waldo.

FINALLY PASSEL.

Resolve in favor of the committee on State Reform school.

Resolve in favor of building a bridge across the Fish river in the town of Fort Kent, Aroostook county.

Resolve in aid of repairing the bridge across the Narraguagus river in the town of Milbridge.

Resolve in favor of Freedom Academy.

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

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

TABLED.

Bill an act to amend section 8 of chapter 60 of the Revised Statutes, regulating the right to trial by jury in divorce suits.

This bill was reported for its first reading, and on motion by Mr. Stearns of Aroostook, was laid on the table pending second reading.

ORDERS OF THE DAY.

On motion by Mr. Blanchard of Franklin, it was

Ordered, that the State superintendent of public schools be requested to make a strict investigation of the condition, amount and income of the school funds of the several towns arising from the sale of school lands, and report the result of his investigation to the next Legislature.

CENTRAL MAINE NORMAL SCHOOL

Mr. PLUMMER of Penobscot: I move to take from the table the majority and minority reports of the committee on education on resolve in favor of Central Maine State Normal School, tabled on my motion on March 3, on account of the absence of Senator Blanchard, chairman of the committee. I notice he is now present, consequently I move to take the matter from the table.

Mr. BLANCHARD of Franklin: Mr. President and gentlemen: I was unavoidably absent from the Friday morning session when this matter came up by special assignment, but since that time I have read the able and scholarly argument of the senator from Penobscot (Mr. Plummer) and I wish to thank him at this time for tabling the matter until my return.

It would be useless for me to attempt at this time to answer all of that argument, and I feel that it would be unnecessary for me to take the time to go into any exhaustive explanation of the position taken by the committee on education. I will simply say that to what the senator said in his speech with reference to the educational system of the schools, the committee on education as a whole most heartily agree. I, for one, believe that whatever picture he might draw of the beauty of the location of Dexter for the normal school site, he could not in any way speak too highly of that location, for I myself at one time had the privilege of residing in that town, a beautiful town located among high hills and nestling at the foot of a sheet of water rightfully named Silver lake. It is from such surroundings, such natural environments, that the senator from Penobscot drew those early inspirations which have made him the able scholar and the distinguished parliamentarian which he is at the present time.

But considering Dexter and considering her claims for a normal school, there are other places in the State of Maine which have their claims for a normal school. In Aroostook county several towns claim that their demands should be recognized; in Washington county, where new life has been given by the development of a railroad, certain towns in that section of the State demand that they should be heard before a normal school is located. And still there are other things; the financial condition of the State at the present time I believe is such that it would not warrant the present Legislature to vote to establish a new normal school in any section of the State of Maine. I believe that with the system of education which we have, today, with our rural schools and our high schools, with our academies receiving a just amount of money from the State, with our free normal schools, which are doing a good work, with our State university and our colleges, the educational system of the State of Maine is all that can be demanded until the financial condition of the State is different than we find it at the present time, and for that reason I move you that the majority report be accepted.

The pending question being the motion of Mr. Plummer of Penobscot, to substitute the minority for the majority report, a vote being taken, the motion was not agreed to.

The question being then upon the motion of Mr. Blanchard of Franklin, to accept the majority report, that the resolve be referred to the next Legislature, the motion was agreed to.

Mr. Blanchard for the committee on education, to which was referred bill an act to establish an additional normal school at Dexter, in the county of Penobscot, to be known as the Central Maine State Normal School, reported that the same be referred to the next Legislature.

The report was accepted.

On motion by Mr. Weeks of Somerset, a message was sent to the Governor, requesting the return of House document 156, bill an act relating to sealers of weights and measures.

This bill being returned to the Senate, on motion by Mr. Weeks, the vote was reconsidered whereby the bill was passed to be engrossed and passed to be enacted.

Mr. Weeks offered Senate amendment A, to strike out all of section 15.

Mr. WEEKS: Section 15 is the last section of the bill. It provides that this act shall take effect when approved. The desired change is that it may take effect 30 days after adjournment.

The amendment was adopted and the bill passed to be engrossed as amended.

On motion by Mr. Stearns of Aroostook, Senate document No. 59, bill an act amendatory and additional to chapter 47 of the Revised Statutes, relating to savings banks, was taken from the table and passed to be enacted.

On motion by Mr. Blanchard of Franklin, Senate document No. 68, communication giving statement of expenditures of University of Maine, was taken from the table and placed on file.

On motion by Mr. Reynolds of Cumberland, the order relative to compensation of John A. Burton was taken from the table and indefinitely postponed.

On motion by the same gentleman, the order relative to compensation of Maurice W. Russell was taken from the table and indefinitely postponed.

On motion by Mr. Shepherd of Knox, the petition of C. W. Wotton and others, relative to appointment of chaplain, was taken from the table and indefinitely postponed.

On motion by Mr. Chamberlain of Lincoln, the order relating to commissioner of sea and shore fisheries was taken from the table and indefinitely postponed.

On motion by Mr. Stearns of Aroostook, Adjourned.