

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**  
OF THE  
**Sixty-Ninth Legislature**  
OF THE  
**STATE OF MAINE.**  
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**1899.**

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**SENATE.**

Friday, March 10, 1899.

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

Prayer by Rev. Mr. Mead of Augusta.

Journal of yesterday read and approved.

(Senator Plummer of Penobscot, in the chair.)

Papers from the House disposed of in concurrence.

Bill an act to incorporate the Kennebec Water District.

This bill came up for its first reading and on motion by Mr. Weeks of Somerset, was laid on the table pending first reading.

Bill an act to amend the charter of the Westbrook, Windham and Harrison Railway Company, extend the same and change the name of said company.

This bill came up for its first reading, was read once, and on motion by Mr. Witham of Cumberland, the rules were suspended, the bill read the second time and passed to be engrossed.

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

This bill, passed to be engrossed in the Senate, came back from the House amended by House amendment A.

Pending the reconsideration of the action of the Senate on this bill, on motion by Mr. Chamberlain of Lincoln, it was laid on the table.

The following resolves came from the House passed to be engrossed under suspension of the rules.

Resolve authorizing a temporary loan for war purposes for the year 1899.

Resolve authorizing a temporary loan for war purposes for the year 1900.

Mr. HARGRAVES of York: I would like to ask the Senate to allow the rules to be suspended and that these resolves have their several readings and pass to be engrossed at the present time.

I would say that these are to enable the treasurer's department to meet the bills incurred by the towns for expenses during the late war and to provide in 1900 for a renewal, if necessary, of the loan already negotiated of \$100,000.

On motion by Mr. Hargraves the rules were suspended, the resolves read the second time and passed to be engrossed.

**HOUSE BILLS READ AND ASSIGNED,**

Bill 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.

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

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

Bill an act to incorporate the Winthrop Telegraph and Telephone Company.

The following remonstrance and resolve were presented and referred:

**LEGAL AFFAIRS.**

By Mr. Weeks of Somerset—Remonstrance of C. A. Wilber and 215 others; voters and tax payers of Madison Village Corporation, against setting off land of T. B. Weston from said corporation.

**CLAIMS.**

By Mr. Vickery of Kennebec—Resolve in favor of J. A. Fairbanks.

**ORDERS.**

Mr. Witham of Cumberland, presented the following order:

Ordered, the House concurring, that when the Legislature adjourn, they adjourn till tomorrow morning at 8.30 o'clock.

Mr. WITHAM: I wish to say that I present this order with the idea that it may expedite business somewhat.

Mr. STEARNS of Aroostook: I move that the order lie on the table.

The motion was agreed to.

Mr. ADAMS of Penobscot: I move to substitute another order, making the time, tomorrow morning, at 7.45 o'clock instead of 8.30. It does not give us time to do our business and get around to the train. Now if we meet here, tomorrow morning at 7.45, we can do the business, grind out our grist, and be in season for the train to get to our several homes. Therefore I move that this order be substituted for the other:

Ordered, the House concurring, that when the Senate and House adjourn they adjourn to meet Saturday morning at 7.45 o'clock.

Mr. SHEPHERD of Knox: Pending the passage of this order I have an explanation which perhaps may be interesting to the senators. I talked with the secretary of State a few minutes ago and he informed me that if we take a recess until 7.30 this evening and hold a session this evening, it might obviate the necessity of a session tomorrow morning and would place the printers in position to take care of the printing, so that we could adjourn next week. I will, at the proper time, move that we take a recess.

Mr. ADAMS: I have no objection to an evening session, of course, and I will withdraw my order.

Mr. WITHAM: With the permission of the senator from Aroostook (Mr. Stearns) I will take from the table and withdraw my order.

#### RECOMMITTED.

On motion by Mr. Pike of York, the vote was reconsidered whereby the Senate accepted in concurrence the report of the committee on taxation, reporting ought not to pass, bill an act in relation to taxes assessed on timber and grass on reserved lands, and the report was recommitted to the committee on taxation.

#### READ AND ASSIGNED.

Bill an act to extend the provision of the general statutes, to street railroad charters, relating to the location of tracks.

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.

Bill an act to amend chapter 119, section 2, of Public Laws A. D., 1895, relating to innkeepers, boarding house keepers and their guests.

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."

Bill an act to incorporate the Bluehill and Bucksport Electric Railroad Company.

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.

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.

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

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

Resolve providing for expenses of State inspectors of steam vessels.

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.

#### REPORTS OF COMMITTEES.

Mr. Drummond, for the committee on judiciary, reported ought not to pass, 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.

Mr. Johnston, for the committee on ways and bridges, to which was referred an order of the Legislature relating to the expediency of the State supporting and maintaining the large bridges and report by bill or otherwise, reported that the same be referred to the next Legislature.

These reports were severally accepted.

Mr. Weeks for the committee on legal affairs, to which was referred petition of D. S. Moore of Moscow and others, praying that paupers in unincorporated places be cared for by the county commissioners of the respective counties, reported ought to pass, bill an act to amend section 29, of chapter 24, of the Revised Statutes, as amended by chapter 31 of the Public Laws of 1887, and as further amended by chapter 303 of the Public Laws of 1897, relating to the support of paupers in unincorporated places.

Mr. Chamberlain for the committee on sea and shore fisheries, reported ought to pass, bill an act for the better protection of weirs.

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

#### FINAL REPORTS.

The following committees submitted their final reports, that they had acted on all matters referred to them:

Education, Cyrus N. Blanchard, chairman.

Interior waters, Nathaniel M. Jones, chairman.

State prison, Henry C. Sharp, chairman.

Labor, Henry C. Sharp, chairman.

State reform school, Albert Peirce, chairman.

Indian affairs, L. O. Dudley, chairman.

Ways and bridges, Edwin M. Johnston, chairman.

State lands and State roads, L. O. Dudley, chairman.

#### PASSED TO BE ENGROSSED.

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.

Bill an act establishing the salary of the county attorney for the county of Aroostook.

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.

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

Bill an act to provide for the schooling of children in unorganized townships.

Bill an act to incorporate the Strong Water Company.

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

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

Bill an act giving mortgagees a lien for costs of foreclosure under section 5, of chapter 90, of Revised Statutes.

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

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

Bill an act to incorporate the Sullivan Harbor Water Company.

Resolve in favor of the Augusta City hospital.

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.

Resolve in favor of Hartland Academy.

Resolve in favor of Parsonfield Seminary, Parsonfield, Maine.

Resolve in favor of Madawaska Training school.

Resolve in favor of Normal school trustees.

Resolve in favor of State Normal schools.

Resolve in favor of Ricker Classical Institute.

Bill 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.

Resolve in favor of settling lots in Drew Plantation.

Resolve to reimburse Daniel S. Chadbourne for repairs on breakwater at Mattawamkeag bridge.

Bill an act to prevent the killing of tern.

Resolve in favor of the town of Canton.

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

Bill an act amendatory of and additional to chapter 143, of the Revised Statutes, relating to the Insane hospital.

#### TABLED.

Bill an act to extend the charter of the Kennebec & Franklin Railway.

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

Bill an act to extend the rights, powers and privileges of the Franklin, Somerset & Kennebec Railway Company.

This bill was reported for its first reading.

Mr. Blanchard of Franklin, offered Senate amendment A. Amend by striking out all of section 1.

Pending the adoption of the amendment, on motion by Mr. Heald of Kennebec, the bill was laid on the table.

Bill an act to amend chapter 87 of the Revised Statutes, as amended by chapter 218 of the Public Laws of 1893 and chapter 133 of the Public Laws of 1895, re-

lating to the limitation of actions against executors and administrators.

This bill was read once, and on motion by Mr. Drummond, was laid on the table pending second reading.

**PASSED TO BE ENACTED.**

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."

An act to amend section 6 of chapter 562 of the Private and Special Laws of 1865, said chapter being entitled "an act to incorporate the Buxton and Hollis Savings Bank."

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

An act to extend the time for construction of the Boothbay Railroad.

An act to apportion State and county taxes for the years 1899 and 1900 on township formerly known as Franklin Plantation in the county of Oxford.

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

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

An act to create a lien upon hay for the cutting and pressing thereof.

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

An act authorizing the Manufacturers' Trust Company to establish a branch at Old Orchard.

An act to incorporate the Monmouth Center Village Corporation.

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

An act to extend and amend the charter of the Castine Railway and Navigation Company.

**FINALLY PASSED.**

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

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

Resolve in favor of Ignace Blais.

Resolve in favor of the Maine Eye and Ear Infirmary.

Resolve in favor of Pennell Institute.

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

**ORDERS OF THE DAY.**

On motion by Mr. Vickery of Kennebec, resolve in favor of the Maine Insane Hospital was taken from the table.

On motion by Mr. Vickery, the vote was reconsidered whereby this resolve was passed to be engrossed.

Mr. Vickery offered Senate amendment A. Amend by striking out in the first line the words "twelve thousand five hundred dollars" and insert instead thereof the words "seven thousand five hundred dollars"; also strike out in the third line "twelve thousand five hundred dollars" and insert instead thereof the words "seven thousand five hundred dollars."

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

On motion by Mr. Adams of Penobscot, bill an act to amend chapter 282 of the Laws of 1889, relating to railroad crossings, was taken from the table, read the second time and passed to be engrossed.

On motion by Mr. Witham of Cumberland, bill 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, was taken from the table, read the second time and passed to be engrossed.

On motion by Mr. Weeks of Somerset, bill an act relating to the taxation of costs in trial justice actions, was taken from the table.

Mr. Weeks offered the following amendment: Amend section 1 by adding thereto the following: "But nothing herein contained shall be so construed as to reduce the fees of municipal courts otherwise established by law."

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

On motion by Mr. Blanchard of Franklin, the order relating to report of exercises in memory of Hon. Nelson Dingley was taken from the table and indefinitely postponed.

On motion by Mr. Weeks of Somerset, bill an act to limit the rate of interest on loans on personal property was taken from the table.

Mr. WEEKS: I think we all understand the circumstances surrounding this bill and that all objections have been withdrawn. Of course we do not regard this measure as the perfection of legal wisdom, but it seems to me that under all the circumstances it is the best measure that we can possibly get through both branches of the Legislature. I therefore move that House amendment A be adopted in concurrence, that the bill have its second reading and pass to be engrossed.

The motion was agreed to, amendment A adopted, bill read the second time as amended and passed to be engrossed.

On motion by Mr. Blanchard of Franklin, the Senate took a recess of 30 minutes.

**AFTER RECESS.**

On motion by Mr. Shepherd of Knox, the vote was reconsidered whereby the several bills and resolves were assigned for this evening and tomorrow morning. On motion by Mr. Shepherd, the rules were suspended, the bills and resolves were read the second time and passed to be engrossed.

**PASSED TO BE ENGROSSED.**

Bill 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.

Bill an act to incorporate the Winthrop Telegraph and Telephone Company.

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

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

Bill an act to extend the provisions of the General Statutes, to street railway charters, relating to the location of tracks.

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.

Bill an act to amend chapter 119, section 2, of the Public Laws, A. D. 1895, relating to innkeepers, boarding-house keepers and their guests.

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."

Bill an act to incorporate the Bluehill & Bucksport Electric Railroad Company.

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.

Bill an act to repeal chapter 195 of the Public Laws of 1897, entitled "an act to establish a bounty on wildcats."

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

Resolve providing for expenses of State inspectors of steam vessels.

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.

#### TABLED.

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.

Read the second time, and on motion by Mr. Stearns of Aroostook, laid on the table pending passage to be engrossed.

#### REPORTS OF COMMITTEES.

Mr. Plummer, for the committee on legal affairs, reported ought not to pass, bill an act to amend section 4 of chapter 132 of the Revised Statutes, relating to jurisdiction of magistrates.

The joint standing committee on pensions submitted their final report, that they had acted on all matters referred to them; Stanley Plummer, chairman.

Mr. Hargraves, for the committee on financial affairs, reported ought not to pass, resolve in favor of Mannix Bros and others.

These reports were severally accepted.

#### PASSED TO BE ENACTED.

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

On motion by Mr. Shepherd of Knox, the Senate took a recess until 7.45 P. M.

#### EVENING SESSION.

The Senate met at 7.45 and was called to order by the President.

House report of the committee on agriculture, reporting ought to pass, resolve in favor of the York County Agricultural Society, came up for acceptance.

On motion by Mr. Merrill of Somerset, the report was laid on the table pending acceptance in concurrence.

The following bills came from the House for their first reading, and were severally read the second time under suspension of rules, and passed to be engrossed:

#### PASSED TO BE ENGROSSED.

Bill an act to prevent incompetent persons from conducting the business of apothecaries.

Bill an act to abolish the common council of the city of Waterville.

Bill 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."

Bill an act to amend chapter 228 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.

Bill an act to incorporate the Freeport Village Corporation.

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

Resolve in favor of West Lebanon Academy.

Bill an act to incorporate the St. Croix Water and Power Company.

Bill an act to authorize the city of Lewiston to take water for municipal and domestic purposes. House amendment A adopted in concurrence.

Bill an act granting the Dennysville Lumber Company additional rights.

On motion by Mr. Adams of Penobscot, it was

Ordered, the House concurring, that when the Senate and House adjourn, they adjourn till Tuesday, March 14, at 10.30 A. M.

This order was sent to the House and subsequently returned passed in concurrence.

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

This bill came up for its first reading, and on motion by Mr. Weeks of Somerset, was laid on the table.

Mr. Drummond, for the committee on judiciary, which was instructed by an order of the Legislature to inquire into the expediency of establishing the office of State auditor, reported ought to pass, resolve providing for a State auditor.

The report was accepted and the resolve laid on the table for printing under rule.

Mr. Whitehouse, chairman of the committee on mercantile affairs and insurance, submitted the final report of that committee, that they had acted on all matters referred to them.

Mr. Adams, chairman of the committee on Eastern Maine Insane Hospital, submitted the final report of that committee, that they had acted on all matters referred to them.

These reports were severally accepted.

#### PASSED TO BE ENACTED.

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

An act to amend section 13 of chapter 64 of the Revised Statutes as amended by chapter 51 of the Public Laws of 1895, relating to probate of foreign wills.

An act to amend section 7 of chapter 11 of the Revised Statutes, relating to duties of the Governor and Council in regard to the payment to towns of State school fund and mill tax.

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

An act relating to sealers of weights and measures.

An act to prevent immoral exhibitions.

An act relating to the jurisdiction of municipal and police courts.

An act in relation to steam riding galleries.

An act to fix the salary of the judge and register of probate for the county of Oxford.

An act to increase the salary of the register of probate of the county of Knox.

An act to revive and amend chapter 275 of the Private and Special Laws of 1895, entitled "an act to incorporate the Van Buren Trust and Banking Company."

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

An act to extend the charter of the Ellsworth Street Railway Company.

An act to amend the charter of the Waldo Street Railway.

An act relating to the charter of the Wiscasset & Quebec Railroad.

An act to extend the charter of the Lewiston, Augusta & Camden Railroad Company.

An act relating to the Wiscasset & Moosehead Lake Telegraph and Telephone Company.

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

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

An act to amend chapter 180 of the Private and Special Laws of the year 1879, establishing the police court of the city of Belfast, as amended by chapter 423 of the Private and Special Laws of 1885.

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."

An act to amend section 1 of chapter 113 of the Private and Special Laws of 1881, entitled "an act to prohibit the taking of spawn herring within certain limits in Millbridge or Narragausus bay."

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 Brooksville.

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, in the year of our Lord 1899."

An act to set off part of township No. 7 in the county of Hancock, and annex the same to the town of Sullivan.

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

#### FINALLY PASSED.

Resolve in favor of soldiers of the Spanish war who received medical treatment at their homes.

Resolve in favor of summer training schools for teachers, and the distribution of educational documents.

Resolve for the purchase of the Maine State Year Book and Legislative Manual for the years 1899 and 1900.

On motion by Mr. Chamberlain of Lincoln, bill an act to amend chapter 72 of the Special Laws of 1887, in relation to

the taking of fish in Nequasset lake, was taken from the table, and the vote was reconsidered whereby it was passed to be engrossed.

House amendment A was adopted in concurrence, and the bill as amended was passed to be engrossed.

On motion by Mr. Shepherd of Knox, the Senate took a recess for 30 minutes.

#### AFTER RECESS.

The following bill came from the House for its first reading:

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

Read once. On motion by Mr. Shepherd of Knox, the rules were suspended, bill read the second time and passed to be engrossed.

Resolve in favor of North Yarmouth Academy.

Read once. On motion by Mr. Chamberlain of Lincoln, the rules were suspended, the resolve read the second time and passed to be engrossed.

#### PASSED TO BE ENACTED.

An act to amend the charter of the Westbrook, Windham & Harrison Railroad Company, to extend the same, and to change the name of said company.

An act to limit the rate of interest on loans on personal property.

#### FINALLY PASSED.

Resolve authorizing a temporary loan for war purposes for the year 1899.

Resolve authorizing a temporary loan for war purposes for the year 1900.

Mr. Chamberlain, chairman of the joint standing committee on sea and shore fisheries, submitted the final report of said committee, that they had acted on all matters referred to them.

The report was accepted.

On motion by Mr. Shepherd of Knox, Adjourned.