

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.

Tuesday, March 14, 1899.

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

Prayer by Rev. Miss Atkinson of Augusta.

Journal of Friday read and approved. Papers from the Senate disposed of in concurrence.

A communication was received from the secretary of State, transmitting the following list of

PUBLIC ACTS APPROVED BY THE GOVERNOR.

An act to establish the salary of the judge of probate for the county of Hancock.

An act to amend section 44, of chapter 2, of the Revised Statutes, relating to the distribution of printed copies of the Public Laws.

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

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

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

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 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 fix the salary of the sheriff of the county of Waldo.

An act amendatory and additional to chapter 47, of the Revised Statutes, relating to savings banks.

An act to fix the salaries of the judge and register of probate for the county of Waldo.

An act for the better protection of clams.

An act for the better protection of shipmasters and seamen.

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

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

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

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 relating to sealers of weights and measures.

An act relating to steam riding galleries.

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

An act to amend section 18, of chapter 60, of the Revised Statutes, relating to the appointment of register of probate.

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

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

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 funds and mill tax.

An act to amend section 13, of chapter 64, of the Revised Statutes, relating to the probate of foreign wills.

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

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

The following bill and resolve were presented and referred:

LEGAL AFFAIRS.

By Mr. Blanchard of Franklin—Bill an act to incorporate the Wilton Village Corporation.

FINANCIAL AFFAIRS.

By Mr. Heald of Kennebec—Resolve for the purchase of the railroad laws.

PASSED TO BE ENGROSSED.

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

Read once.

Mr. Heald of Kennebec, offered amendments A, amending title so that it shall read, "bill an act to authorize the Lewiston, Brunswick & Bath Street Railway and the Portsmouth, Kittery & York Street Railway to increase their capital stock."

The amendment was adopted.

Mr. Heald offered amendments B, C, D and E, which were adopted, and on motion by that gentleman, the rules were suspended, bill read the second time and passed to be engrossed, as amended.

Bill an act for the better protection of fish weirs.

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

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.

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

Resolve providing for a State auditor.

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

REPORTS OF COMMITTEES.

Mr. Hurd, chairman of the committee on banks and banking, submitted the final report of said committee, that they had acted on all matters referred to them, including the report and recommendations of the bank examiner.

Mr. Grindle, chairman of the committee on mines and mining, submitted the final report of said committee, that they had acted on all matters referred to them.

Mr. Plummer for the committee on legal affairs, to which was referred petition of T. B. Weston to set off ser-

tain lands owned by him from Madison Village Corporation, reported that the same be referred to the next Legislature.

These reports were severally accepted.

ORDERS OF THE DAY.

On motion by Mr. Stearns of Aroostook, 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 was taken from the table and indefinitely postponed.

On motion by Mr. Weeks of Somerset, bill an act to amend chapter 33, section 1, Public Laws of 1887, relating to the burial of soldiers, was taken from the table and recommitted to the committee on legal affairs.

On motion by Mr. White of Androscoggin, 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," was taken from the table.

Read once. Mr. White offered amendment "A," which was adopted, and on motion by that gentleman, the rules were suspended, bill read the second time and passed to be engrossed.

On motion by Mr. Blanchard of Franklin, bill an act to establish free High schools was taken from the table, read the second time and passed to be engrossed.

On motion by Mr. Merrill of Somerset, House report of the committee on agriculture, reporting ought to pass, resolve in favor of the York County Agricultural Society, tabled pending acceptance, was taken from the table and recommitted to the committee on agriculture.

On motion by Mr. Stearns of Aroostook, the order for appointment of a committee on salaries was taken from the table and indefinitely postponed.

INSURANCE OF NORMAL SCHOOL BUILDINGS.

On motion by Mr. Merrill of Somerset, 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, tabled pending passage to be engrossed, was taken from the table.

Mr. Blanchard of Franklin, moved that the bill pass to be engrossed.

Mr. MERRILL: I do not wish to make any fight upon that matter, this morning. There certainly is not a senator in this chamber who is more in favor of a Normal school than I am. No one would more quickly vote any sum of money that is needed for those schools. This is simply a matter of business, that is all. The proposition is to insure, as I understand it, the four Normal school buildings in this State. I believe it has not been the policy of the State to insure State buildings. I think that this State House is not insured. I believe that is the correct business policy. I remember some years ago reading in regard to that matter, the views of John Jacob Astor. At that time he and A. T. Stewart and Cornelius Vanderbilt were the three rich men of New York. John Jacob Astor's property was in real estate, all over the city. He never placed a cent of insurance on any of it. His argument was this, and it seems to me that it is sound, that if he were to insure all his property and give all the insurance to one company, that company could pay all of its losses, pay all their salaries and office rent and declare a good dividend out of what he would pay to them. "That being the fact," he said, "I simply save all those expenses by placing no insurance." It seems to me that we are in that same position here. We all agree that a mutual insurance company of a thousand men is good and safe. Now if a thousand men can band themselves together and insure each other's property, why cannot the 700,000 people of the State of Maine carry their own insurance? It seems to me that it simply is not business to insure the State's property.

Mr. BLANCHARD: I have just one word to say in explanation of this bill. This matter came before the committee on education and after giving it due consideration, it was the unanimous opinion of that committee that the bill should be reported in its present form. It will be seen at once that this bill calls for only \$100,000 insurance upon all the Normal school buildings and the Madawaska Training school buildings at Fort Kent, and when we take into consideration the risk that is placed on those buildings, with the large attend-

ance of pupils in those schools, and also when we take into consideration the serious task it would be to come before the Legislature at any time and get an appropriation if one of those buildings were burned, we deemed that it was expedient to have them insured, so that in case fire should break out and the buildings should be damaged to any extent, the insurance would be sufficient to cover the loss, and the buildings would be speedily repaired without waiting for a session of the Legislature, when it would be necessary to come here and ask for an appropriation from the State. If the gentlemen of the Senate were to visit the location of those buildings, at Fort Kent, at Farmington, at Gorham and Castine, I believe they would readily see that it was a wise and business-like policy to place a small amount of insurance upon the real value of those buildings, so that in case of fire we should have something to repair the buildings with. As an illustration, I would refer the gentlemen to the Industrial school at Hallowell, which has been burned during this session, where the insurance on the buildings was sufficient to rebuild them as good as they were before. I hope that the measure will have a passage.

Mr. WEEKS of Somerset: I would like to ask the gentleman from Franklin what the rate of insurance is.

Mr. BLANCHARD: I will say that, talking with some of the insurance men of the State, we find that we can carry this \$100,000 insurance for \$1500, for three years, or \$500 a year, and the bill provides that amount.

The question being on the passage of the bill to be engrossed,

The motion was agreed to.

Bill an act to carry into effect the provisions of chapter 250 of the Private and Special Laws of 1891, and also of chapter 193 of the Private and Special Laws of 1895, providing for the building of a railroad from Van Buren to Caribou.

This bill came from the House and was read once. House amendment A was adopted in concurrence.

On motion by Mr. Stearns of Aroostook, the rules were suspended, the bill read the second time as amended and passed to be engrossed.

On motion by Mr. Drummond of Cumberland, 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, relating to limitations of actions against executors and administrators was taken from the table.

The bill was read once.

Mr. Drummond offered amendment A, which was adopted, and on motion by that gentleman, the rules were suspended, bill read the second time as amended and passed to be engrossed.

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

AFTER RECESS.

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

The bill came from the House, was read once and assigned.

The following bills came from the House, were read once, rules suspended, read the second time and passed to be engrossed:

Bill an act to amend the charter of the city of Westbrook.

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

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

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

Bill an act to amend chapter 339 of the Private and Special Laws of 1891, relating to the municipal court of Waterville.

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

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

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

Bill 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.

Bill an act to authorize the Cape Porpoise Land Company to erect and

maintain a toll bridge at Cape Porpoise.

Bill an act to legalize the doings of the First Universalist Society of Westbrook.

Resolve in favor of the Wiscasset Academy.

Bill an act for the better protection of sheep in the town of Perry.

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

Bill an act to prevent the destruction of smelts in Saco river.

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

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

Bill an act to amend section 35 of chapter 285, Public Laws of 1897, entitled "an act to revise and consolidate the Public Laws relating to sea and shore fisheries."

Bill an act to regulate the tolls of Machias boom.

Bill an act to incorporate the Enchanted Stream Dam and Improvement Company.

Bill 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.

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

Mr. Merrill, for the committee on financial affairs, reported ought not to pass, resolve for procuring a railroad map.

The reports were accepted.

The following order passed in the Senate, March 1, came from the House:

Ordered, the House concurring, that on and after Wednesday, March 8, the Legislature hold two sessions per day until otherwise ordered.

This order was amended in the House by striking out "8" and substituting therefor "15."

The amendment was adopted and the order passed as amended, in concurrence.

Mr. Blanchard of Franklin, presented the following bill, which on his motion was considered without reference to a committee:

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.