

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-First Legislature

OF THE

STATE OF MAINE.

1903.

HOUSE.

Wednesday, Jan. 21.

Prayer by Rev. Mr. Mosher of Augusta.

Papers from the Senate disposed of in concurrence.

Bill, An Act to establish a law uniform with other states relating to insurance policies, came from the Senate referred to the committee on mercantile affairs and insurance.

On motion of Mr. Weeks of Fairfield, the bill was laid on the table pending concurrent action with the Senate

Bill, An Act to incorporate the East Branch Improvement Company, was tabled for printing pending its reference in concurrence with the Senate, on motion of Mr. Smith of Presque Isle.

The following Senate documents came up for first reading:

Bill, An Act to amend chapter 143 of the Revised Statutes relating to insane persons.

The bill was read twice, Senate amendment A was adopted, and on motion of Mr. Drew of Portland the rules were suspended, the bill was read the third time and was passed to be engrossed as amended in concurrence.

Bill, An Act to authorize the Franklin Company to reduce its capital stock.

This bill was read twice, and on motion of Mr. Drew of Portland, the rules were suspended, the bill was read the third time and was passed to be engrossed in concurrence.

The following petitions, bills, etc., were presented and referred:

Judiciary.

By Mr. Drew of Portland: Petition of trustees of estate of John B. Brown praying for special legislation relative to new street in the city of Portland, with bill accompanying.

By Mr. Jones of Corinna: Petition of directors of Newport Light and Power Company for an increase of its corporate powers.

By Mr. Allen of Wellington: Petition, with bill accompanying, of A. W. Chapin and sundry citizens of Mon-

son for authority to remove the bodies of deceased persons in the old burying ground in Monson.

By Mr. Brewster of Dexter: Petition of the selectmen of Dexter, with bill annexed, entitled, "An Act concerning the town of Dexter."

By Mr. Drew of Portland: Bill, "An Act to authorize the county commissioners of Cumberland county to lay out a street in the city of Portland."

By Mr. Jones of Corinna: Bill, "An Act to increase the corporate powers of the Newport Light and Power Company."

By Mr. Drew of Portland: Bill, An Act to amend Section 14 of Chapter 159 of the Private and Special Laws of 1866, entitled 'An Act to supply the people of Portland with pure water.'

By Mr. Sewall of Bath: Bill, "An Act to establish a street and sewer commission for the city of Bath."

By Mr. Smith of Presque Isle: Bill, "An Act to amend Section 1 of Chapter 75 of the Revised Statutes relating to descent of real estate."

By Mr. Burrill of Ellsworth: Bill, "An Act in relation to the powers of the Union River Light, Gas and Power Company." (Received under suspension of the rules).

Legal Affairs.

By Mr. Newcomb of Eastport: Petition of the municipal officers of Eastport for extension of charter of the Eastport bridge; also petition of Charles I. Morton and 67 others for same; also Bill, "An Act to extend the charter of the Eastport bridge."

By Mr. Weeks of Fairfield: Bill, "An Act to extend the charter of the Sebasticook Manufacturing and Power Company."

By Mr. Manson of Pittsfield: Bill, "An Act recognizing the Sebasticook Power Company and granting it additional powers."

By Mr. Nash of Kennebunk: Bill, "An Act to amend an act entitled An Act to authorize the opening of a second channel of Mousam river."

By Mr. Burrill of Ellsworth: Bill, "An Act to incorporate the Hancock Water, Light and Power Company."

By Mr. Allan of Portland: Bill, "An Act to amend and consolidate Chapter

142, Revised Statutes, relating to Reform School."

By Mr. McFaul of Machias: Bill, "An Act to incorporate Union Power Company."

By Mr. Page of Skowhegan: Bill, "An Act to allow the inhabitants of Moose river, Somerset county, to assess and collect taxes and build and keep in repair the roads and bridges in said plantation."

By Mr. Campbell of Cherryfield: Bill, "An Act to amend Section 1 of Chapter 185 of the Public Laws of 1901 relating to truants." (Received under suspension of the rules.)

Also: Bill, "An Act to repeal Chapter 252 of the Public Laws of 1874 relating to rights of owners of islands." (Received under suspension of rules.)

Also: Bill, "An Act to repeal Chapter 65 of the Public Laws of 1875 relating to the rights of owners of Petite Manan Point." (Received under suspension of the rules.)

Mr. Davis of Waterville moved a suspension of the rules to introduce a bill, An Act for the better education of youth.

The motion was agreed to, and on further motion by the same gentleman it was tabled for printing pending its reference.

Mr. Clarke of Nobleboro moved a suspension of the rules to introduce a bill, An Act to authorize the Damariscotta Gas and Light Company to supply gas in Damariscotta and New-castle.

The motion was agreed to.

On motion of Mr. Drew of Portland, the bill was tabled for printing pending its reference.

Mr. Spear of Warren moved a suspension of the rules to introduce a bill An Act to incorporate the Union Gas and Electric Power Company of Union, Knox county.

The motion was agreed to, and on further motion by the same gentleman the bill was tabled for printing pending its reference.

Education.

By Mr. Smith of Presque Isle: Petition of C. C. Rolfe and 190 others of Presque Isle and vicinity, in favor of normal school in Aroostook county, same to be located at Presque Isle;

also petition of D. A. Stevens and 180 others of Presque Isle and vicinity for same.

By Mr. Howes of Washburn: Petition of Jesse Crouse and 70 others of Washburn for same; also petition of J. S. McDonald and 35 others as members of Washburn Grange No. 334 for same.

By Mr. Briggs of Auburn: Resolve in favor of trustees of University of Maine.

Railroads, Telegraphs and Expresses.

By Mr. Davidson of Hammond Plantation: Petition of Aroostook and Penobscot Union Pomona Grange, in favor of requiring railroads to accept mileage rates from any passenger having a mileage book in his possession.

By Mr. Davis of Waterville: Bill, "An Act extending sundry existing statutes to street railroads"; also Bill, "An Act to amend Chapter 236 of the Public Laws of 1893 relating to the taking of lands or other property by railroads."

Banks and Banking.

By Mr. Manson of Pittsfield: Petition of James T. Chalmers and 19 others asking for the organization of the Pittsfield Trust and Banking Company; also Bill, "An Act to incorporate the Pittsfield Trust and Banking Company."

By Mr. Dudley of Augusta: Bill, "An Act to amend the charter of the Augusta Trust Company."

By Mr. Drew of Portland: Bill, "An Act to extend the charter of the Cumberland Trust Company."

Agriculture.

By Mr. McIntire of Waterford: Bill, "An Act to amend Section 35 of Chapter 124 of the Revised Statutes relating to the transportation of animals."

Interior Waters.

By Mr. Ross of Bangor: Bill, "An Act to incorporate the Bangor and Brewer Steam Ferrying and Transfer Company."

On motion of Mr. Sargent of Brewer this bill was tabled for printing pending its reference.

State Lands and State Roads.

By Mr. Putnam of Danforth: Resolve

in favor of roads in the Indian township in Washington county.

Ways and Bridges.

By Mr. Sweeney of Fort Kent: Petition for an appropriation to rebuild bridge across Wallgrass stream in Wallgrass Plantation.

By Mr. Howes of Washburn: Resolve to aid the town of Washburn in the county of Aroostook in part payment of the cost and expense of building a steel bridge across the Aroostook river.

Inland Fisheries and Game.

By Mr. Allen of Wellington: Petition of J. A. Randall and 40 others of Shirley and Monson to close Spectacle Pond in towns of Shirley and Monson for a term of four years.

By Mr. Furbush of Rangeley: Petition of J. W. Brackett and 15 others requesting fishing in Lufkin Pond in Phillips, Maine.

By Mr. Peaslee of Upton: Petition of H. R. Goodwin and 65 others, citizens of the towns of Bethel, Newry, Hanover, Grafton and Upton and Riley Plantation in the county of Oxford that the bounty on bears be restored; also petition of the selectmen of Byron and 38 others, citizens of Byron, Roxbury, Andover and other towns in Oxford county, that the bounty on bears and wild cats be restored.

By Mr. Gannett of Augusta: Petition of Col. E. C. Farrington and 8 others, citizens of Augusta, praying for the enactment of a hunters' license law.

By Mr. White of Dyer Brook: Petition of M. M. Curran and 13 others of Benedicta, for same.

By Mr. Dilling of Easton: Petition of Lee A. Fullerton and 9 others, citizens of Bridgewater and vicinity, for same.

By Mr. Putnam of Danforth: Petition of A. K. P. Dakin and 9 others, citizens of Brookton, for same.

By Mr. Williams of Williamsburg: Petition of E. A. Chase and 56 others, citizens of Brownville, for same.

By Mr. Burrill of Ellsworth: Petition of L. F. Giles and 23 others, citizens of Ellsworth, for same.

By Mr. Norton of Gardiner: Petition of Hon. A. M. Spear and 51 others, citizens of Gardiner, for same.

By Mr. Furbush of Rangeley: Pe-

tion of Frank W. Chick and 9 others, citizens of Madrid, for same.

By Mr. Blake of Sidney: Petition of M. S. Gordon and 44 others, citizens of Vienna and vicinity, for same.

By Mr. Furbush of Rangeley: Bill, "An Act to prohibit bait fishing, so called, in certain portions of the Magalloway river and its tributaries, and in various ponds in Oxford county.

By Mr. Poor of Belfast: Petition of C. B. Hazeltine and 89 others, citizens of Belfast, praying for the enactment of a hunters' license law. (Received under a suspension of the rules.)

By Mr. Kimball of Rockland: Petition of E. S. Bird and 18 others, business men of Rockland, for same. (Received under a suspension of the rules.)

Towns.

By Mr. Butler of South Thomaston: Petition of the municipal officers of South Thomaston for the passage of the bill entitled "An Act to annex Muscle Ridge Plantation to the town of So. Thomaston."

Claims.

By Mr. Favour of Kittery: Petition of W. H. Holmes for bounty of \$100 due him by legislative enactment at time of his enlistment in "Veteran Reserve" in 1863.

Public Charities and State Beneficiaries.

By Mr. Allan of Portland: Petition of J. W. D. Carter and others in favor of temporary home for women and children at Portland.

By Mr. Mills of Stonington: Petition of the Maine Woman's Christian Temperance Union asking the usual appropriation for the department which cares for homeless children.

By Mr. Drew of Portland: Petition of J. H. Hamlin & Son and 13 other business firms of Portland, praying for aid to establish a home and school for the feeble minded; also petition of officers of Maine Home for Friendless Boys, for same; also petition of Milliken, Tomlinson Co. and 12 other business firms of Portland, for same.

By Mr. Davidson of Hammond Plantation: Petition of Willard Weston and 7 others, for same.

By Mr. Drew of Portland: Petition of Mayor Boothby and 98 others of Portland, praying for aid for the Maine Home for Friendless Boys.

By Mr. Morrison of Bar Harbor: Petition of trustees of Bar Harbor Medical and Surgical hospital, asking for appropriation in favor of the said hospital; also, Resolve in favor of Bar Harbor Medical and Surgical hospital.

By Mr. Oakes of Auburn: Resolve in favor of the Central Maine General hospital.

By Mr. Allan of Portland: Resolve in favor of the Maine School for the Deaf.

Temperance.

By Mr. Thurlow of Cutler: Petition of George Gardner and 12 others for resubmission.

By Mr. Littlefield of Rockland: Protest of F. W. Towle and 57 others against resubmission of the prohibitory amendment.

By Mr. Bailey of Bradford: Remonstrance of C. F. Tibbetts and 41 others of Charleston against resubmission.

By Mr. Coburn of Greene: Remonstrance of Helen M. Thomas and 47 others against resubmission.

By Mr. Page of Skowhegan: Remonstrance of L. W. Weston and 99 others against resubmission.

Salaries.

By Mr. Eaton of Calais: Bill, "An Act in relation to the salaries of the justices of the Supreme Judicial court."

Hancock County Delegation.

By Mr. Burrill of Ellsworth: Bill, "An Act to fix the salary of the Judge of Probate for Hancock county."

Orders.

On motion of Mr. Burrill of Ellsworth,

Ordered, The Senate concurring, that the Secretary of State be requested and hereby is authorized to furnish at the expense of the State such postage stamps and stationery to the clerks of the joint standing committees as may be necessary to the proper discharge of their official duties.

On motion of Mr. Weeks of Fairfield, Ordered, The Senate concurring, that the Secretary of State be and hereby is directed to furnish to each member

of the Senate and House of the Seventy-first Legislature a copy of Reed's Rules.

On motion of Mr. Williams of Williamsburg,

Ordered, The Senate concurring, that the Committee on Mines and Mining inquire into the expediency of resuming the geological survey of the State, and report by bill or otherwise.

On motion of Mr. Cameron of Bangor,

Ordered, The Senate concurring, that 200 extra copies of "An Act to incorporate the West Branch Driving and Reservoir Dam Company," be printed for the use of the members of the Legislature.

On motion of Mr. Dudley of Augusta,

Ordered, That the use of this hall be tendered to the Maine Federation of Women's Clubs, Wednesday P. M., January 28th.

On motion of Mr. Allan of Portland,

Ordered, That the committee on legal affairs be granted the use of Legislative hall on Thursday, the 29th of January, at 2 P. M., for the hearing on a bill entitled "An Act to enable women paying taxes to vote in municipal elections."

Reports of Committees.

Mr. Burrill from the committee on Governor's message, to which was referred the order of the Legislature relating to the consideration of the Governor's message and reference of the subjects contained therein to the proper committees, reported that that portion of the message relating to education be referred to the committee on education.

Mr. Burrill from the same committee reported that that portion of the message relating to State Board of Health be referred to the committee on appropriations and financial affairs.

On motion of Mr. Pettingill of Rumford, this matter was referred to the committee on public charities and State beneficiaries.

Mr. Cordwell from the committee on inland fisheries and game, to which was referred resolve in favor of an appropriation for the purpose of scientific inquiry and research respecting the propagation of fish, by

the last Legislature, reported ought not to pass.

Orders of the Day.

On motion of Mr. Thompson of Orono, the vote was reconsidered whereby that part of the Governor's message relating to the University of Maine was referred to the committee on public charities and State beneficiaries.

Mr. Thompson then moved that it be referred to the committee on education.

Mr. WEEKS of Fairfield: I suppose that is upon the ground that the University of Maine is not a State charity, or anything of that kind. (Laughter.)

Mr. THOMPSON of Orono: I do not wish to discuss the question with the gentleman at this time, but it seems to me that questions relating to schools and colleges should be referred to the proper committee, and that the proper committee would be the committee on education.

Mr. WEEKS: Upon the ground I presume that the gentleman from Orono considers that the University of Maine is not a public beneficiary. (Laughter.)

The motion that the matter be referred to the committee on education was agreed to.

On motion of Mr. Drew of Portland, the vote was reconsidered whereby bill, an act to incorporate the Rangeley Water Company, was referred to the committee on legal affairs in concurrence with the Senate, and on further motion by the same gentleman it was referred to the committee on the judiciary.

Mr. CAMERON of Bangor: Mr. Speaker, I hope you will pardon any omissions or shortcomings or anything else on the part of the green members of the House, but I desire to speak on a matter which pertains to a committee to which I was appointed; and as this is the first measure which has been referred to that committee I speak somewhat in its defense and also with some delicacy on my part.

Yesterday, with but one dissenting voice, the Senate referred bill, an act to establish a law uniform with other states relative to insurance policies,

to the committee on mercantile affairs and insurance—a unanimous vote with but one exception; and the same objection is raised by one gentleman (Mr. Weeks of Fairfield) on the floor of this House, who desires it to be referred to the judiciary committee. In listening to the various kinds of business that has been referred to that committee, it seems to me that you are going to make them about all round-shouldered with overwork. I desire that the committee on mercantile affairs and insurance should be somewhat respected, and I hope that this matter may be referred by the House to that committee in concurrence with the Senate.

Mr. WEEKS of Fairfield: This was a measure that was tabled by me, this morning, and I desire to submit a brief statement, when the proper time comes, in regard to the motion that I made, this morning.

Mr. CAMERON: Was it laid on the table for any definite period?

Mr. WEEKS: Perhaps it would be proper for me to state at this time the status of this matter. The bill was introduced in the Senate by the distinguished senator from Knox, printed, and referred, yesterday morning, by that distinguished body to the committee on mercantile affairs and insurance. Now earlier in the session a report of the commissioners on uniformity of legislation was submitted to this Legislature through the secretary of State. There was incorporated in that report, as I am informed, a bill of which the bill introduced by the senator from Knox was an exact copy. The report of the commissioners on uniformity of legislation was referred to the committee on the judiciary and with it went this bill which I understand is recommended by the commissioners on uniformity of legislation, concurrent action was had in both Houses on this point, and the judiciary committee already had jurisdiction of the matter. Now the Senate in taking the action that it did, has divided the jurisdiction of this matter and has given to two committees jurisdiction of the same matter. Now it seemed to me that this matter might be reconciled, and it struck me that perhaps in talking with all parties who are interested in the matter we might come to some understanding as to which committee should have jurisdiction. I promise this House in extending to me the courtesy of permitting this measure to lie on the table that there will be no unnecessary delay, and I believe that this action is taken in the interests of peace and harmony; and I ask, with the promise on my part that it will be taken up soon, that this matter be continued on the table.

Mr. CAMERON: I would say that as we have a committee to deal with that matter, I still maintain that the matter be handled by the committee to which the Senate referred it. The tendency to refer matters to the wrong committees should be avoided. Resubmission was sought to be referred to the judiciary committee, and I thought it was properly turned down and referred to the committee on temperance. I still maintain and desire that this be referred to the proper committee, that on mercantile affairs and insurance, that we may be consistent.

Mr. DAVIS of Waterville: Mr. Speaker, I would ask, and I think I voice the sentiments of nearly all the representatives in the rear of the hall, that the Chair request or insist that the members speaking pitch their voices to match the capacity of this hall. I believe that the acoustic properties of the hall are very good, and I have full confidence in the lung-power of every member who speaks, and I sincerely hope that on all these matters the members will either speak so they can be heard or will turn about in their seats so that in some way we can get at the drift of the subject-matter on which they are speaking.

The SPEAKER: I would call the attention of the House to the fact that all bills, orders, petitions and resolves should be placed in the box in front of the clerk's desk before 5 o'clock, for the reason that the clerk makes up his records tonight for tomorrow, and this rule was made so he could do it. When these petitions, bills, resolves, etc., are introduced under suspension of the rules, it causes trouble for the clerk; and will the gentlemen try to introduce their bills into the box before 5 o'clock rather than bring them up under a suspension of the rules.

Mr. CAMERON of Bangor: Is my motion in order, Mr. Speaker?

The SPEAKER: Will the gentleman state his motion?

Mr. CAMERON: I move to reconsider the vote whereby bill, an act to establish a law uniform with other states relative to insurance policies, was laid on the table pending reference to the committee on mercantile affairs and insurance.

Mr. WEEKS of Fairfield: I will try to be mindful of the admonition of the gentleman from Waterville (Mr. Davis) by putting some additional force or lung-power into my remarks. I don't know that I understand the gentleman from Bangor (Mr. Cameron) correctly, but if I did I understood him to say that this matter had already been turned back by the committee on the judiciary with the understanding that it be referred to the committee on mercantile affairs and insurance. Did I understand the gentleman from Bangor correctly?

Mr. CAMERON: The gentleman misunderstood me. I did not so state.

Mr. WEEKS: I suppose it is a well understood fact that under that prior reference, the committee on the judiciary had jurisdiction of this matter. Now I only ask that this matter may lie on the

table in order that we may reconcile these differences of jurisdiction; and I promise the House that the matter will be taken up speedily. I presume that the Legislature will sit for two or three weeks longer, although I do not know, and if it does there will be plenty of time to consider this matter and plenty of time to act upon it carefully, intelligently and fairly. I ask that the matter lie on the table for the present.

Mr. CAMERON: I will not press the matter; and I withdraw my motion.

Mr. WEEKS: I thank the gentleman from Bangor (Mr. Cameron) and I assure him and this House that the matter will be taken up as promptly as we can consistently with a proper action upon the matter.

On motion of Mr. Cole of East Livermore,

Adjourned.