

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

**Seventy-First Legislature**

OF THE

**STATE OF MAINE.**

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1903.

**HOUSE.**

Friday, February 13, 1903.

Prayer by the Rev. Mr. Struthers of Gardiner.

(Mr. Oakes of Auburn in the chair).

Papers from the Senate disposed of in concurrence.

The petitions for and remonstrances against resubmission, which were placed on file in the House on February 10, came from the Senate referred to the committee on temperance in non-concurrence.

On motion of Mr. Josselyn of Portland the vote was reconsidered whereby the petitions and remonstrances were placed on file, and on further motion by the same gentleman they were referred to the committee on temperance in concurrence.

An Act to amend Chapter 100 of the Public Laws of 1891 entitled "An Act to create a forest commission for the better protection of forests.

This bill comes from the Senate amended by Senate amendment A, by striking out the words "said Chapter" in the first line of Section one, and inserting in place thereof the words "Chapter one hundred."

On motion of Mr. Potter of Brunswick, the amendment was adopted, and the bill as amended was referred to the committee on appropriations and financial affairs in concurrence.

**Senate Bills on First Reading.**

Resolve in favor of Benjamin Smith of Appleton in Knox county.

Resolve in favor of Nellie E. Flanders of Liberty.

On motion of Mr. Smith of Presque Isle the following order was introduced out of order:

Ordered, The Senate concurring, that when the Senate and House adjourn they adjourn to meet Tuesday next, February 17, 1903, at 10.30 o'clock in the forenoon.

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

**Judiciary.**

By Mr. Smith of Presque Isle: Petition of board of health of Presque Isle for State laboratory of Hygiene.

By Mr. Putnam of Houlton: Petition of Houlton board of health for same.

By Mr. Newcomb of Eastport: Petition of board of health of Eastport for same.

By Mr. Oakes of Auburn: Bill, An Act to fix qualification for party caucuses and providing for notice of caucuses. (Tabled for printing on motion of Mr. Oakes of Auburn.)

By Mr. Littlefield of Rockland: Bill, An Act to amend Section 16 of Chapter 72 of the Revised Statutes relating to suits on probate bonds.

By Mr. Clarke of Nobleboro: Resolve providing for a fund for completing the records of the clerk of courts of Lincoln county.

**Legal Affairs.**

By Mr. Pike of Lubec: Remonstrance of E. M. Lawrence and 23 others against the establishing of a municipal court in the city of Eastport.

**Federal Relations.**

By Mr. Cordwell of Westbrook: Petition of A. H. Porter and L. K. Paine and 192 others for the national ownership of the anthracite coal mines.

By Mr. Allen of Sanford: Petition of Douglass Noel and 241 others of Sanford in favor of municipal ownership of coal and wood yards.

By Mr. Taylor of Wiscasset: Petition of W. E. Gorham and 185 others of Wiscasset and Dresden for the national ownership of the anthracite coal mines and permanent municipal coal and wood yards.

By Mr. Cameron of Bangor: Petition of the municipal officers of the town of Levant in favor of a memorial Congress for national ownership of anthracite coal mines.

Also: Petition of Thomas White of Bangor and 231 others of Bangor and Brewer for same.

By Mr. Leavitt of Turner: Petition of C. H. Bailey of Turner and 11 others for national ownership of anthracite coal mines and permanent municipal coal and wood yards.

By Mr. Dodge of Troy: Petition for national ownership of anthracite coal mines by A. L. Estes of Troy and 49 others.

**Education.**

By Mr. Irving of Caribou: Petition of G. B. Brown and 12 others of Caribou for Normal school at Presque Isle.

**Railroads, Telegraphs and Expresses.**

By Mr. Tapley of Brooksville: Petition of E. W. Burrill and 21 others for free telephone lines and telephone connections.

By Mr. Thomas of Topsham: Petition of W. A. Foster and 23 others for same.

By Mr. Merriam of Morrill: Petition of Arthur Ritchie and 49 others for same.

By Mr. Taylor of Wiscasset: Petition of W. A. Smith and 40 others for same.

By Mr. Dodge of Troy: Petition of E. S. Adams and 69 others for same.

By Mr. Rice of Farmington: Petition of D. H. Knowlton and 59 others for same.

By Mr. Downing of Sorrento: Petition of Frank S. Libbey and 8 others for same.

By Mr. Wentworth of Lebanon: Petition of Edgar B. Lord and 38 others for same.

By Mr. Poor of Belfast: Petition of O. L. Wentworth and 22 others for same.

By Mr. Libby of Newfield: Petition of Roscoe G. Pease and 15 others for same.

By Mr. Boyd of Linneus: Petition of James H. Dingee and 15 others for same.

By Mr. Smith of Presque Isle: Petition of F. W. Allen and 17 others for same.

By Mr. Irving of Caribou: Petition of L. E. Tuttle and 14 others for same.

By Mr. Dilling of Easton: Petition of Roland Pierce and 67 others for same.

By Mr. Thornton of Ashland: Petition of D. B. Haynes and 24 others for same.

By Mr. Hill of Winterport: Petition of C. H. Getchell and 23 others for same.

By Mr. Smith of Hartland: Petition of W. H. Watson and 80 others for same.

Also: Petition of J. B. LaBree and 38 others of Cambridge asking for better connections between telephone lines and better facilities of transmission of messages over the lines of connecting companies.

By Mr. McFaul of Machias: Bill, An Act to incorporate the Washington Telephone Company.

**Commerce.**

By Mr. Farnsworth of Tremont: Bill, An Act to amend Chapter 85, Section 1, of the Public Laws of 1895.

**Agriculture.**

By Mr. Low of Portland: Bill, An Act to amend Chapter 215 of the Resolves of the State of Maine of 1897 relating to tuition of students in agriculture at the university of Maine.

**Interior Waters.**

By Mr. Buzzell of Old Town: Remonstrance of F. W. Knowlton and 131 others of Old Town against the passage of Bill, An Act to incorporate the West Branch Driving and Reservoir Dam Company.

By Mr. Thompson of Orono: Remonstrance of William Thompson and 124 others of Orono against same.

By Mr. Weatherbee of Lincoln: Remonstrance of John G. Fleming and 15 others of Chester against same.

Also: Remonstrance of F. W. Davis and 31 others of Chester against same.

Also: Bill, An Act to incorporate the Duck Lake Dam Company.

By Mr. Shackford of Poland: Bill, An Act to authorize the navigation by steam of the Range Ponds in the town of Poland.

By Mr. Gagnon of Van Buren: Bill, An Act to authorize William C. Farrell and Henry A. Gagnon to construct a dam or dams across Hammond Brook in Aroostook county, and build and maintain piers and booms in said brook and improve said brook for driving purposes.

By Mr. Weeks of Fairfield: Bill, An Act to authorize John M. Jewell to erect and maintain a dam across the Sebasticook river in the town of Clinton.

**Ways and Bridges.**

By Mr. White of Dyer Brook: Petition of E. B. Lilley and 27 others asking for a law making the payment of highway money in cash or road labor optional with towns.

By Mr. Dilling of Easton: Petition of M. L. DeWitt and 26 others of Easton for same.

**Inland Fisheries and Game.**

By Mr. Mead of Bridgton: Petition of J. A. Bennett and 66 others of Bridgton in favor of screening Hancock Pond.

Also: Petition of Leon H. Ingalls and 37 others of Denmark for same.

Also: Petition of Howard E. Irish and 12 others of Sebago for same.

Also: Petition of C. O. Stickney and 9 others of Bridgton for same.

Also: Petition of W. W. Berry and 15 others of Denmark for same.

By Mr. Hill of Brownfield: Remonstrance of A. P. Gordon and 19 others of Fryeburg against the bill providing that deer be shot in close time.

By Mr. Mead of Bridgton: Bill, An Act to amend Chapter 42 of the Public Laws of 1899 relating to the taking of black bass in certain lakes in Kennebec and Somerset counties, also Sabattus pond in Androscoggin county, as amended by Chapter 287 of Public Laws of 1901.

**Shore Fisheries.**

By Mr. Newcomb of Eastport: Petition to the Senate and Legislature of the State of Maine requesting a change in the laws relating to lobster fishing, from the citizens of Eastport, Maine.

By Mr. Campbell of Cherryfield: Petition of W. E. Dutton and 52 others of Steuben for the passage of An Act to prevent the destruction of smelts and tomcods so called in Steuben Bay.

Also: Bill, An Act to prevent the destruction of smelts and tomcods so called in Steuben Bay.

By Mr. Sewall of Bath: Resolve for an appropriation for the use of the commissioner of sea and shore fisheries.

**Claims.**

By Mr. Smith of Presque Isle: Petition in favor of M. C. Austin.

**Pensions.**

By Mr. Buxton of Abbott: Petition of Henry Hudson and 93 others of Guilford and Abbott praying that a State pension be granted James S. F. Smith for services in the Aroostook War, with resolve accompanying.

**Public Charities and State Beneficiaries.**

By Mr. Drew of Portland: Petition

of Dr. Seth C. Gordon and 30 others of Portland praying for aid to establish a home and school for the feeble minded.

Also: Petition of W. K. Sanderson and 33 others of Portland for same.

By Mr. Hall of Fort Fairfield: Petition of local board of health of Fort Fairfield for enactment of bill for State laboratory of hygiene.

By Mr. Watson of Chelsea: Petition of board of health of Litchfield for same.

By Mr. Oakes of Auburn: Statement of facts in connection with resolve in favor of president and trustees of Bates college.

**Temperance.**

By Mr. McNamara of Thomaston: Petition of J. H. Feehan and 21 others of Thomaston, in favor of resubmission.

By Mr. Watson of Chelsea: Remonstrance of Chelsea Grange, No. 215, of Chelsea, 24 names against resubmission.

By Mr. Mills of Stonington, remonstrance of A. C. Torrey and 66 others of Winter Harbor against same.

By Mr. Cook of Casco: Bill, An Act authorizing registered pharmacists, under permit of the selectmen, etc., to fill physicians' prescriptions for alcoholic stimulants for medicine for the sick.

**Penobscot Delegation.**

By Mr. Bailey of Bradford: Bill, An Act relating to the fees of the sheriff of Penobscot county.

Also: Bill, An Act relating to the salaries of the county commissioners of Penobscot county.

**County Estimates.**

By Mr. Greenleaf of Westport: County estimates, Lincoln County, 1903 and 1904.

**Orders.**

On motion of Mr. Jones of Corinna,

Ordered, The Senate concurring, that the committee on agriculture be and are hereby authorized and instructed to inquire into the expediency of providing better methods for preventing the spread of diseases and injurious insects among fruit trees, and report by bill or otherwise.

On motion of Mr. Littlefield of Rockland,

Ordered, That the sum of \$12 be paid A. S. Littlefield, chairman of the committee on elections, to pay for stenographic services in connection with hearing before said committee on the Lewiston contested election cases.

On motion of Mr. Weatherbee of Lincoln,

Ordered, That the clerk of the House be directed to make up the pay-roll of the House to include F. A. Morey, Alonzo M. Garcelon and Michael A. Coyne, in full, to the end of the session.

On motion of Mr. Smith of Presque Isle,

Ordered, That Joseph H. Dixon shall rank as first folder, Chapin Lydstone as second folder and L. E. Thornton as third folder.

On motion of Mr. Ross of Bangor,

Ordered, That 300 extra copies of House document No. 88, "An Act to amend Chapter 407 of the Private and Special Laws of 1846, entitled 'A Act to incorporate the Penobscot Log Driving Company,'" be printed for the use of this Legislature.

#### Report of Committees.

Mr. Page from the committee on military affairs, on Resolve in favor of John Deering of Saco, reported that the same be referred to the committee on claims.

Mr. Oakes from the committee on legal affairs, reported in a new draft, Bill, An Act amendatory of and additional to Chapter 142 of the Revised Statutes relating to the State reform school, and that it ought to pass.

Mr. Campbell from same committee, reported in a new draft, Bill, An Act to authorize the Penobscot chemical fiber company to generate, use, transmit and sell electricity, and that it ought to pass.

Mr. Barker from same committee, reported in a new draft, Bill, An Act to authorize the Orono Pulp and Paper Company to generate and sell electricity, and that it ought to pass.

Mr. Barker from same committee reported in a new draft, Bill, An Act to authorize the Bodwell Water Company to generate, use and sell electricity, and that it ought to pass.

Mr. Bodwell from the committee on appropriations and financial affairs, on Resolve in favor of the town of Island Falls, reported ought not to pass.

On motion of Mr. White of Dyer Brook this was tabled pending the acceptance of the report.

Mr. Eaton from the same committee, on Resolve in favor of the dairying interests of the State of Maine, reported ought to pass.

Mr. Sewall from same committee, on Resolve in favor of the Bath military and naval orphan asylum, reported ought to pass.

Mr. Maybury from the committee on banks and banking reported in a new draft, Bill, An Act to incorporate the Central Trust Company, and that it ought to pass.

Mr. Ross from the committee on interior waters, on Bill, An Act to authorize and empower Samuel W. Hanscomb to maintain piers and booms in Mattawamkeag river, reported ought to pass.

Mr. Ross from same committee reported in a new draft, Bill, An Act to extend the charter of the Bangor and Brewer stream ferry company, and that it ought to pass.

Mr. Ross from same committee, on Bill, An Act to authorize and empower Joseph C. Patchell to erect and maintain piers and booms in Mattawamkeag river, reported ought to pass.

Mr. Knapp from the committee on State lands and State roads, on Bill, An Act to amend Chapter 285 of the Laws of 1901 relating to State roads and providing for improvement thereof, reported ought not to pass, the same being embodied in a new bill.

Mr. Merriam from same committee on Resolve in favor of road in the Indian Township in Washington county, reported ought to pass. (Referred to the committee on appropriations and financial affairs under joint rules.)

Mr. Gannett from the committee on inland fisheries and game, reported, Bill, An Act for the better protection of the big game and forests of the State by requiring non-residents to procure licenses to hunt, and that it ought to pass.

Mr. Mills from the committee on shore fisheries, reported, Bill, An Act relating to the taking of lobsters within three miles of the islands of Matinicus and Criehaven during the months of August and September of each year, and that it ought to pass.

Mr. Clark from the Waldo county delegation, on bill, An Act regulating the compensation of the county commissioners of Waldo county, reported ought to pass.

The reports were accepted and bills and resolves ordered printed under joint rules.

On motion of Mr. Pike of Lubec the vote was reconsidered whereby the remonstrance against the establishing of a municipal court in the city of Eastport was this morning referred to the committee on legal affairs, and on further motion by the same gentleman it was referred to the committee on the judiciary.

#### First Reading of Printed Bills and Resolves.

An Act to amend the charter of the city of Portland.

An Act to amend Section 12 of Chapter 3 of the Revised Statutes of 1883, as amended by Chapter 335 of the Public Laws of 1885.

On motion of Mr. Sturgis of Standish this bill was recommitted to the committee on towns.

An Act to incorporate the Gardiner water district.

An Act for the better protection of railroad signals.

An Act to amend Chapter 271 of the Private and Special Laws of 1901 relating to the Lincoln electric railway company.

An Act to amend Chapter 236 of the Public Laws of 1883 relating to the taking of lands or other property by railroads.

An Act to extend the charter of the South Portland trust and banking company.

An Act to amend the charter of the Sanford trust company.

An Act to abolish Chapter 283 of the Public Laws of 1848 relating to taking fish in Frenchman's Bay except by the ordinary process of fishing with hook and line.

An Act to authorize the Augusta, Winthrop and Gardiner Railway to supply electricity in the towns of Winthrop and Manchester.

An Act for the better protection of shell-fish within the town of Georgetown.

An Act to amend Chapter 346 of the Private and Special Laws of 1897 entitled "An Act to amend the charter of the city of Westbrook."

An Act to amend Chapter 97, Section 3, of the Revised Statutes relating to bastard children and their maintenance.

#### Passed to be Engrossed.

An Act to enlarge the powers of the railroad commissioners over street railroads.

An Act to incorporate the Squirrel Island Village Association.

An Act to incorporate the international Trust and Banking Company.

An Act to incorporate the Pepperell Trust Company.

An Act to amend Chapter 145 of the Private and Special Laws of 1895 entitled "An Act to incorporate the Winn Water and Power Company."

An Act in relation to the salaries of the justices of the supreme judicial court.

An Act to legalize the doings of the Crosbyville chapel at Bangor, Maine.

Resolve providing for the compensation of steamboat inspectors for the years 1900, 1901 and 1902.

An Act in relation to the election of the members of the school committee of the city of Portland.

An Act to change the name of the town of St. Agatha in the county of Aroostook to Cleveland.

#### Passed to be Enacted.

An Act to extend the charter of the Eastport bridge.

An Act to incorporate the city of Camden.

#### Orders of the Day.

On motion of Mr. Mead of Bridgton the order relating to the election of James A. Chase as first folder, was taken from the table, and on further motion by the same gentleman it was indefinitely postponed.

On motion of Mr. Barker of Bangor the rules were suspended and the vote

was reconsidered whereby Bill, An Act to correct an error in Chapter 79 of the Public Acts of 1899 and to amend Section 2 of Chapter 60 of the Revised Statutes, was passed to be engrossed.

Mr. Barker offered amendment A, by inserting before Section one the following title, 'An Act allowing divorces provided libellee resides in the State.'

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

On motion of Mr. Campbell of Cherryfield the vote was reconsidered whereby Bill, An Act to establish the salary of the judge of probate for the county of Washington, was referred to the committee on salaries, and on further motion by the same gentleman it was referred to the Washington county delegation.

On motion of Mr. Briggs of Auburn,  
Adjourned.