

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-First Legislature

OF THE

STATE OF MAINE.

1903.

The President thereupon directed the secretary to call his name, and in response to such call voted Yea.

The President thereupon declared that 13 had voted to accept the minority report, in concurrence with the House, and 12 had voted not to accept said report, and that a majority having voted in favor of the acceptance of the report in concurrence, the report was accepted.

On motion by Mr. Gardner of Penobscot, the Senate adjourned to meet on Thursday, February 19, 1903, at 10 o'clock A. M.

HOUSE.

Wednesday, February 18, 1903.

Prayer by Rev. Mr. Tandberg of Gardiner.

Papers from the Senate disposed of in concurrence.

On motion of Mr. Allen of Sanford, the vote was reconsidered whereby the order relating to the University of Maine received a passage, and on motion of Mr. Littlefield of Rockland, Senate amendment A was adopted. The order then received a passage as amended.

Bill, An Act to provide for the appointment of a commission to investigate the causes of floods and overflows of rivers and water courses, and water storage, and to make recommendations for preventing floods and the storage of water, etc.

This bill came from the Senate, referred in that body to the Committee on Interior Waters. On motion of Mr. Drew of Portland, it was tabled for printing pending its reference in concurrence.

Senate Bills on First Reading.

Resolve in favor of Ebenezer O. Gerry.

Resolve in favor of Mary C. Rankin.

Resolve in relation to extra pay of Maine volunteers in the war with Spain.

An Act to amend Section 41 of Chapter 77 of the Revised Statutes relating to the Supreme Judicial Court.

An Act to incorporate the Mapleton and Presque Isle Railroad Company.

An Act amendatory to Chapter 507 of the Private and Special Laws of 1889, entitled, "An Act to establish the Dover Municipal Court," as amended by Chapter 196 of the Private and Special Laws of 1899.

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

Judiciary.

By Mr. Newcomb of Eastport: Petition of Leo D. Lamond and 11 others for a municipal court in the city of Eastport.

Also: Petition of Irvine G. McLarren and 17 others for same.

Also: Petition of George H. Kane and 46 others for same.

By Mr. Drew of Portland: Bill, An Act relating to proof of attested instruments in writing.

By Mr. Josselyn of Portland: Bill, An Act in addition to Chapter 24 of Revised Statutes relating to paupers.

By Mr. Lamb of Randolph: Bill, An Act to amend Section 15 of Chapter 422 of Special Laws of 1901 entitled "An Act to incorporate the East Pittson Village Corporation."

By Mr. Brewster of Dexter: Bill, An Act asking that a charter be granted to the Dirigo Electric Light Company of Dexter.

Legal Affairs.

By Mr. Hall of Fort Fairfield: Petition of F. P. Grant and 23 others of Fort Fairfield for the enactment of a law making the matter of raising highway money in cash or labor optional with towns.

By Mr. Bussell of Old Town: Bill, An Act to consolidate and amend Chapter 177 of the Special Laws of 1887 and all acts additional thereto and amendatory thereof, relating to the Old Town municipal court.

By Mr. Kelley of Lewiston: Bill, An Act to authorize the St. Croix Land and Water Power Company to build and maintain a dam at Enoch's Rips on the St. Croix river.

By Mr. Thomas of Harpswell: Bill, An Act to amend Section 113 of Chapter 51 of the Revised Statutes in relation to election of railroad commissioners.

Federal Relations.

By Mr. Josselyn of Portland: Petition of S. B. Stillman and 89 others for national ownership of anthracite coal mines and permanent municipal coal and wood yards.

By Mr. Nelson of New Gloucester: Petition of F. P. Haskell and 23 others of New Gloucester for same.

By Mr. Knapp of South Portland: Petition of Forest L. Paige and 15 others of South Portland for same.

By Mr. Eaton of Wells: Petition of James L. Stone and 31 others of Berwick for same.

Railroads, Telegraphs and Expresses.

By Mr. Briggs of Auburn: Petition of George H. Dillingham and 172 others of Auburn for the removal of existing

restrictions on the construction of parallel and competing telephone lines.

By Mr. Allen of Sanford: Bill, An Act to incorporate the Maine and New Hampshire Railroad.

By Mr. Littlefield of Rockland: Bill, An Act relating to railroad surveys.

By Mr. Newcomb of Eastport: Bill, An Act to extend the charter of the Eastport Street Railroad Company.

Banks and Banking.

By Mr. Bodwell of Hallowell: Bill, An Act to extend the charter of the Hallowell Trust Company.

By Mr. Dudley of Augusta: Bill, An Act to authorize the Augusta Trust Company to increase its capital stock.

Agriculture.

By Mr. Blake of Sidney: Petition of A. S. Cottle of Belgrade and 11 others for the enactment of a law making it a misdemeanor to allow the disease foul brood to exist among bees anywhere in this State.

Also: Petition of F. E. Blaisdell and 6 others of Rome for same.

Interior Waters.

By Mr. Ross of Bangor: Remonstrance of C. P. Webber and 3 others, directors of the Mattawamkeag Log Driving Company, against the passage of House Document No. 1, entitled "An Act to incorporate the West Branch Driving and Reservoir Dam Company."

Also: Remonstrance of James W. Cassidy and 4 others, directors of the Penobscot Lumbering Association, against same.

Also: Remonstrance of Sterns Lumber Co. and 214 others of Bangor, against same.

By Mr. Barker of Bangor: Remonstrance of William S. Higgins and 90 others of Bangor against same.

Also: Remonstrance of J. F. Angley and 158 others of Bangor against same.

By Mr. Bailey of Bradford: Remonstrance of Frank P. Morrison and 60 others of Corinth against same.

By Mr. Nickerson of Orrington: Remonstrance of A. M. Harriman, selectman, and 68 others of Orrington, against same.

By Mr. Oakes of Milford: Remonstrance of S. C. Higgins and 66 others of Costigan against same.

By Mr. Buzzell of Old Town: Remonstrance of W. C. Trask and 50 others of Stillwater against same.

By Mr. Sargent of Brewer: Remonstrance of James S. Ayer and 163 others of Brewer against same.

By Mr. Pettingill of Rumford: Bill, An Act to incorporate the Ellis River Improvement Company.

By Mr. Dudley of Augusta: Bill, An Act to authorize the Kennebec Log Driving Company to maintain piers and booms in the Kennebec river above the Augusta dam.

Also: Bill, An Act to incorporate the South Branch Moose River Dam Co.

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

Ways and Bridges.

By Mr. Bailey of Bradford: Petition of Hill Whitmore and 33 others asking for a law making the payment of highway money in cash or road labor optional with towns.

Also: Petition of L. R. Lassell and 23 others for same.

By Mr. Potter of Brunswick: Remonstrance of town of Brunswick against relieving city of Bath from maintaining Bull Rock bridge.

By Mr. Pettingill of Rumford: Bill, An Act to amend Section 1 of Chapter 284 of the Public Laws of 1893 in relation to ways.

Inland Fisheries and Game.

By Mr. Hawkes of Windham: Petition of Daniel B. Cobb and 12 others of Cumberland county in favor of ice fishing on Little Sebago Pond.

By Mr. Putnam of Danforth: Petition of F. A. Todd and 45 others relating to taking white perch from St. Croix waters.

By Mr. Stover of Brunswick: Petition of Wm. A. Thompson and 52 others for close time on rabbits.

By Mr. Page of Drew Plantation: Petition of Orlie L. Sprague and 32 others praying for bounty on crows.

Also: Petition of Orlie L. Sprague and 31 others praying for bounty on bears and bobcats.

Also: Petition of J. L. Sprague and 41 others for same.

By Mr. Furbish of Rangeley: Petition of Spring Lake Fish and Game Association to limit number of fish to be

taken from Spring Lake in Somerset county.

By Mr. Waterhouse of Westbrook: Remonstrance of Edward C. Walker and 8 others against ice fishing in Little Sebago Lake.

By Mr. Swett of Portland: Remonstrance against a law allowing ice fishing in Little Sebago Lake.

Shore Fisheries.

By Mr. Pike of Lubec: Petition of E. E. Owen and 21 others for the better protection of smelts in the waters of Lubec and Trescott.

Also: 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 Lubec, Maine.

By Mr. Spear of Warren: Remonstrance of N. B. Eastman and 169 others against any change in the present law relating to the taking or catching of smelts in Georges river.

By Mr. Hill of Winterport: Bill, An Act to change the time allowed for taking smelts in the Penobscot river and its tributaries.

Towns.

By Mr. Drew of Portland: Petition of James P. Baxter and 5 others in favor of the annexation of South Portland to Portland.

Also: An enabling act for the annexation of South Portland to Portland.

Claims.

By Mr. Jones of Corinna: Resolve in favor of the town of Newport for \$80.50 for support of a State pauper at Maine Industrial school.

Public Charities and State Beneficiaries.

By Mr. Tapley of Brooksville: Petition of board of health of the town of Penobscot for State laboratory of hygiene.

By Mr. Blake of Sidney: Petition of board of health of Wayne, for same.

By Mr. Nash of Kennebunk: Petition of Charles H. Lucas and Frank M. Ross, for same.

By Mr. Bailey of Bradford: Petition of A. K. P. Smith, M. D., F. A. Bickford, M. D., L. W. Coy, board of health of Bradford, for same.

Temperance.

By Mr. Eaton of Calais: Petition of Ashley St. Clair and 42 others of Calais, in favor of resubmission.

By Mr. Barker of Bangor: Petition of A. C. Landers and 50 others of Bangor, for same.

By Mr. Davis of Waterville: Petition of A. J. Skidmore and 17 others of Liberty, for same.

By Mr. Stover of Brunswick: Petition of Solon S. Cahill and 47 others of Brunswick, for same.

Also: Petition of Samuel Knight and 60 others, for same.

By Mr. Hill of Buxton: Remonstrance of Ernest W. Cressey and 45 others of Groveville, against same.

By Mr. Farnsworth of Tremont: Remonstrance of R. W. Kittredge and 47 others of North East Harbor, against same.

Also: Remonstrance of R. W. Grindle and 21 others of Mt. Desert, against same.

By Mr. Davis of Waterville: Bill, An Act to permit druggists to sell pure liquors.

Also: Petition of W. A. Alden and 93 others of Portland, in favor of resubmission.

Also: Petition of Harry A. M. Bush and 51 others of Millinocket, for same.

Also: Petition of Benjamin Wolfe and 74 others of Portland, for same.

Also: Petition of Guy W. Goding and 29 others of Oakland, for same.

Hancock County Delegation.

By Mr. Burrell, of Ellsworth: Bill, An Act relating to the salary of the register for probate for the county of Hancock.

Report of Committees.

Mr. McFaul from the committee on legal affairs, on petition of J. H. Gray and 125 others of Lubec against establishing a municipal court in the city of Eastport, reported that the same be referred to the committee on the judiciary.

Mr. McFaul from same committee, on petition of J. H. Nutt and others against same, reported same.

Mr. Sargent from the committee on towns, on petition of Daniel Bryant and 33 others of Brighton Plantation for annexation of that part of Brighton

Plantation in which they reside to the Plantation of Mayfield, reported that same be referred to the next Legislature for the reason that sufficient legal notice was not given.

Mr. Norton from the committee on claims, on Resolve in favor of the city pass.

On motion of Mr. Newcomb of Eastport, this report and resolve were re-committed to the committee on claims.

Mr. Norton from same committee, on resolve in favor of the town of Waterville, reported ought not to pass.

On motion of Mr. McIntire of Waterville, this report and resolve were re-committed to the committee on claims.

Mr. Kelley from the committee on legal affairs, on bill, An Act to amend the charter of the Northport Wesleyan Grove Campmeeting, reported ought to pass.

Mr. Manson from same committee, on bill, An Act to incorporate the Union Power Company, reported a bill in a new draft under the same title and that it ought to pass.

Mr. McFaul from same committee, on bill, An Act to amend Chapter 613 of the Private and Special Laws of 1893, entitled "An Act to establish the Western Hancock municipal court," reported ought to pass.

Mr. Oakes from same committee, reported in a new draft bill, An Act to incorporate the Union Gas Company, and that it ought to pass.

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

Mr. Blake from the committee on salaries, on bill, An Act to increase the salary of the county attorney of York county, reported ought to pass. (Referred to the committee on appropriations and financial affairs.)

Messrs. Dudley, Titcomb, Pike, Libby, Thompson, Cole, Downing and Hill, a majority of the committee on temperance, on resolve for an amendment to the constitution by abrogating and annulling amendment 5 adopted on the 5th day of September, 1884, relating to the manufacture and sale of intoxicating liquors, reported ought not to pass.

Messrs. Tartre and Kelley, a minority of same committee, reported that same ought to pass.

Mr. Kelley moved that the minority report be substituted for the majority, and that pending action on the motion it and the reports lie on the table and that Wednesday, March 4, be assigned for their consideration.

The motion was agreed to.

Mr. Littlefield from the committee on the judiciary, on bill, An Act to amend the charter of the city of Rockland, reported ought not to pass as the substance of the same is already covered in another section of the charter.

Mr. Littlefield from same committee, on bill, An Act relating to the Rockland Public Library, reported ought to pass. (Printed under joint rules.)

Mr. Littlefield from same committee, on bill, An Act to incorporate the Knox General Hospital, reported ought to pass. (Printed under joint rules.)

First Reading of Printed Bills and Resolves.

An Act to amend Section 10 of Chapter 366 of the Private and Special Laws of 1897 entitled "An Act to incorporate the Livermore Falls Water Company."

On motion of Mr. Pettengill of Rumford, the rules were suspended and this bill received its three readings and was passed to be engrossed.

An Act to extend the charter of the Wilton Electric Light and Power Company.

An Act to amend an act incorporating the trustees of Coburn Classical Institute.

Passed to Be Engrossed.

An Act to incorporate the Forest Telegraph and Telephone Company.

An Act extending sundry existing statutes to street railroads.

An Act to amend Chapter 486 of the Private and Special Laws of 1889 relating to the city of Westbrook.

An Act to enlarge the powers of street railroads in taking lands.

An Act to incorporate the Union Trust Company of Saco, Maine.

An Act to incorporate the Camden and Liberty Railway.

Resolve in favor of the Bath Military and Naval Orphan Asylum.

An Act to amend Section 3 of Chapter 202 of the Public Laws of 1889 entitled "An Act to fix the salaries of the judge and register of probate and county commissioners of Waldo county."

An Act to authorize the Bodwell Water Company to generate, use, transmit and sell electricity.

An Act to authorize the Orono Pulp and Paper Company to generate, use and sell electricity.

An Act authorizing and empowering Samuel W. Hainscomb of Reed Plantation, county of Aroostook, to erect and

maintain piers and booms in the Mattawamkeag river.

An Act to authorize the Penobscot Chemical Fibre Company to generate, use, transmit and sell electricity.

Resolve in favor of the dairying interests of the State of Maine.

An Act authorizing and empowering Joseph C. Fatchell of Reed Plantation, county of Aroostook, to erect and maintain piers and booms in the Mattawamkeag river.

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 in each year.

An Act to extend the charter of the Bangor and Brewer Steam Ferry Company.

An Act amendatory of and additional to Chapter 142 of the Revised Statutes relating to State Reform School.

An Act to incorporate the Central Trust Company.

An Act to grant additional powers to the Vickery Realty Company.

Resolve for State pensions.

Resolves providing for the preservation of regimental rolls in the Adjutant general's office.

Resolve in favor of King's Daughters' Union of Bangor.

Passed to Be Enacted.

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

An Act to amend an act entitled "An Act to ratify the mortgage of the Fish River Railroad approved February 11, 1903."

An Act to amend the charter of the Rockland, Thomaston and Camden Street Railroad.

Orders of the Day.

On motion of Mr. Kelley of Lewiston, House Document No. 128 was taken from the table, and on further motion by the same gentleman it was recommitted to the committee on inland fisheries and game.

On motion of Mr. Burrill of Ellsworth, bill, An Act to abolish Chapter 282 of the Public Laws of 1868 relating to taking fish in Frenchman's Bay except by the ordinary process of fishing with hook and line, was taken from the table.

Mr. Burrill offered an amendment, to strike out the figures "282" in the first line of the title and inserting in place thereof the figures 582.

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

On motion of Mr. Newcomb of Eastport, the vote was reconsidered whereby certain petitions for establishment of State laboratory of hygiene were on February 13 referred to the committee on the judiciary, and on further motion by the same gentleman they were then referred to the committee on public charities and State beneficiaries.

On motion of Mr. Littlefield of Rockland, the vote was reconsidered whereby

the House accepted the report of the committee on appropriations and financial affairs in relation to the resolve in favor of John Bradbury, and on further motion by the same gentleman the report and resolve were laid on the table.

On motion of same gentleman the vote was reconsidered whereby the House accepted the report of the committee on appropriations and financial affairs in relation to resolve in favor of Eben O. Gerry, and on further motion by the same gentleman the report and resolve were laid on the table.

On motion of Mr. Libby of Newfield.

Adjourned.