

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

**Seventy-First Legislature**

OF THE

**STATE OF MAINE.**

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1903.

An Act for the protection of Railroad signals.

An Act to abolish chapter 582, public laws of 1868, relating to taking fish in Frenchman's Bay except by the ordinary process of fishing with hook and line.

An Act to amend section 3, chapter 202, public laws of 1889 entitled, "An Act to fix the salaries of the Judge and Register of Probate and County Commissioners of Waldo County.

#### Finally Passed.

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

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

Resolve for the purpose of operating the fish hatcheries and feeding stations for fish and for the protection of fish.

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

Resolve in favor of Allagash road.

Resolve in favor of Mary C. Rankin, widow of Orlenzo K. Rankin late of Company K, First New England Regiment, Mexican War.

#### Orders of the Day.

On motion of Mr. Maddocks of Lincoln, Majority report of Committee on Ways and Bridges on bill to provide for ownership and maintenance of highway bridges, previously tabled by him for assignment, was specially assigned for Tuesday, March 3, 1903.

On motion of Mr. Stetson of Penobscot, the minority report of the same committee on the same matter, previously tabled by him was assigned for Tuesday, March 3, 1903.

On motion of Mr. Staples of Knox, bill, An Act to amend chapter 236 of the public laws of 1893 relating to the taking of lands or other property by railroads, was taken from the table. The pending question was the second reading of the bill. The bill took it's second reading, and was passed to be engrossed.

On motion of Mr. Goodwin of Somerset the Order relating to cost of State Government from 1880 to 1902 was taken from the table; and on further motion of the same senator, the order was passed.

On motion of Mr. Pike of Washington, the Senate adjourned to meet on Thursday, February 26, 1903, at ten o'clock A. M.

## HOUSE.

Wednesday, Feb. 25, 1903.

Prayer by Rev. Mr. Newbert of Augusta.

Papers from the Senate disposed of in concurrence.

Bill, An Act to correct an error in Chapter 79 of the Public Laws of 1899 and to amend Section 2 of Chapter 60 of the Revised Statutes, came from the Senate, with House amendment A rejected and amended by Senate amendment A.

On motion of Mr. Barker of Bangor the vote was reconsidered whereby the bill was passed to be engrossed as amended.

On motion by Mr. Barker, House amendment A was then rejected, and on further motion by the same gentleman Senate amendment A was adopted.

The bill was then passed to be engrossed as amended.

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

#### Judiciary.

By Mr. Lamb of Randolph: Remonstrance of voters of Pittston against amendment of East Pittston Village corporation relating to division of highway money.

By Mr. Drew of Portland: Bill, An Act to amend the charter of the Portland and Cape Elizabeth Ferry Company.

By Mr. Peaslee of Upton: Bill, An Act additional to the act creating the Rumford Falls municipal court.

#### Legal Affairs.

By Mr. Oakes of Auburn: Bill, An Act additional to Chapter 16 of the Revised Statutes relating to public drains and sewers.

By Mr. Peaslee of Upton: Bill, An Act in regard to assault on officers.

By Mr. Clarke of Nobleboro: Bill, An Act authorizing Frederick J. Merrill of Damariscotta to construct a tide wheel in tide waters of the Damariscotta river.

By Mr. Oakes of Auburn: Bill, An Act to amend Chapter 429 of the Private and Special Laws of 1901 entitled

“An Act to establish a municipal court in the town of Winthrop.”

By Mr. Clarke of Nobleboro: Bill, An Act in relation to husbands who neglect to provide support for their wives and minor children.

By Mr. Mills of Stonington: Bill, An Act relating to the reports of municipal officers of towns and cities to the Governor and Council.

#### Federal Relations.

By Mr. Cordwell of Westbrook: Petition of L. H. Brackett and 18 others for the national ownership of the anthracite coal mines and municipal coal and wood yards.

By Mr. Josselyn of Portland: Petition for same.

By Mr. Swett of Portland: Resolve for purchase of photographic views of Maine to be presented to battle-ship Maine.

#### Education.

By Mr. Daniels of Portland: Bill, An Act allowing pupils residing in towns having free high schools but living at a distance therefrom to attend the free high schools of neighboring towns.

#### Railroads, Telegraphs and Expresses.

By Mr. Russey of Dixmont: Petition of D. A. Sylvester and 36 others of Etna for free telephone lines and telephone connections.

By Mr. Abbott of Shapleigh: Petition of F. H. Walker and 17 others of Limerick for same.

By Mr. Cook of Casco: Petition of Daniel C. Ayer and 21 others of Naples for same.

By Mr. Clark of Prospect: Petition of W. J. Matthews and 68 others of North Searsport for same.

By Mr. Thomas of Harpswell: Petition of Henry S. Jones and 58 others of Scarborough for same.

By Mr. Blake of Sidney: Petition of H. A. Faught and 67 others of Sidney for same.

By Mr. Bussey of Dixmont: Petition of S. J. Ridlon and 21 others of Stetson for same.

By Mr. Patterson of Industry: Petition of H. W. Allen and 57 others of Strong for same.

By Mr. Leavitt of Turner: Petition of H. F. Dresser and 31 others of Turner for same.

By Mr. Reynolds of Winslow: Petition of F. S. Garland and 12 others of Winslow for same.

By Mr. Pettengill of Rumford: Bill, An Act in relation to the extension of the Rumford Falls and Rangeley Lakes R. R.

#### Mercantile Affairs and Insurance.

By Mr. Drew of Portland: Bill, An Act relating to casualty insurance.

By Mr. Sutherland of Biddeford: Bill, An Act relating to the duties and powers of fire insurance brokers or agents of any mutual or stock fire company.

#### Banks and Banking.

By Mr. Furbish of Rangeley: Bill, An Act to amend the charter of the Maine Trust and Banking Company.

Also: Bill, An Act to incorporate the Rangeley Trust Company.

#### Interior Waters.

By Mr. McIntire of Waterford: Remonstrance of P. W. Saunders and 33 others relating to passage of an act relating to obstructions in Songe river; of L. E. McIntire and 29 others of Waterford and other towns, against same.

By Mr. Hubbard of Paris: Remonstrance of G. W. Burgess and 51 others against same.

By Mr. McIntire of Waterford: Remonstrance of H. O. Rolfe and 16 others of Waterford against same.

By Mr. Waterhouse of Westbrook: Remonstrance of S. D. Warren & Co. against same.

By Mr. Parrott of Oxford: Remonstrance of Frank A. Eastman and 40 others against same.

Also: Remonstrance of Chas. H. Young and 14 others against same.

By Mr. Hubbard of Paris: Remonstrance of B. F. Smith and 30 others against same.

By Mr. Ross of Bangor: Bill, An Act to authorize erection of buoys in certain waters of the West Branch of the Penobscot river.

Also: Resolve in favor of Norcross Transportation Company.

By Mr. Thompson of Orono: Bill, An Act to amend Chapter 358 of the Private and Special Laws of 1867 as amended by the Private and Special Laws of 1868 relative to the charter of the Great Works Dam Company and the change in the name thereof.

#### **Inland Fisheries and Game.**

By Mr. Potter of Brunswick: Petition of G. M. Wheeler and 59 others of Brunswick and vicinity praying for warden service on Merrymeeting Bay, also that resident hunters be compelled to pay a license fee of \$1.00.

By Mr. Bussey of Dixmont: Petition of H. D. Ridlon and 9 others of Stetson in favor of the resolve for an appropriation of \$500 to screen Lake Sebasticook in the town of Newport.

By Mr. Jones of Corinna: Petition of Will I. Burrill and 38 others of Corinna for same.

By Mr. Manson of Pittsfield: Petition of F. L. Brown and 22 others of Palmyra for same.

By Mr. Jones of Corinna: Petition of R. H. Libby and 84 others of Newport, for same.

Also: Petition of W. D. Crowell and 10 others of North Newport for same.

By Mr. Manson of Newport: Petition of Geo. H. Morse and 61 others of Pittsfield for same.

By Mr. Blake of Sidney: Petition of J. M. Moulton and 52 others of Wayne praying for an appropriation of \$200 for screening Dead River, the outlet of Androscoggin Lake.

By Mr. Favour of Kittery: Petition of J. L. M. Willis and 13 others for protection of striped bass in Piscataquis river.

By Mr. Abbott of Shapleigh: Petition of W. F. Chase and 27 others of Limerick praying for the enactment of a law to prevent the throwing of sawdust and other refuse into Norton, Brown or Heath brooks or their tributaries in the towns of Shapleigh and Limerick.

Also: Bill, An Act to prohibit the throwing of sawdust and other refuse into Norton, Brown or Heath brooks or their tributaries in the towns of Shapleigh and Limerick.

#### **Shore Fisheries.**

By Mr. Farnsworth of Pembroke: Petition of Earl L. Bridges of Pembroke and 67 others relating to seining in East Bay, Pemmaquam Bay and Cobscook Bay.

By Mr. Pike of Lubec: Remonstrance of Lawrence O'Brien and 33 others against any change in the lobster law for the towns of Lubec and Trescott.

By Mr. Thurlow of Cutler: Petition of W. A. Bickford and 223 others against the dumping of herring and all fish offal in the waters of Jonesport and Addison.

#### **Towns.**

By Mr. Hill of Winterport: Bill, An Act to incorporate the Brooks village corporation.

#### **Pensions.**

By Mr. Favour of Kittery: Petition of Maria E. Tilton of Kittery for pension, with statement of facts.

#### **Public Charities and State Beneficiaries.**

By Mr. Reynolds of Winslow: Petition of board of health of Clinton in favor of State laboratory of hygiene.

By Mr. Nelson of New Gloucester: Petition of the board of health of Gray for same.

By Mr. Peaslee of Upton: Petition of board of health of Andover for same.

#### **Placed on File.**

By Mr. Pettengill of Rumford: Petition of Jos. Gagnon and 61 others of Rumford Falls in favor of resubmission.

By Mr. Watson of Chelsea: Petition of citizens of the town of Chelsea with 102 names in favor of same.

By Mr. Barker of Bangor: Petition of Frank O. Young and 53 others of Bangor for same.

#### **Cumberland County Delegation.**

By Mr. Blanchard of Falmouth: Bill, An Act relating to the new iron bridge over Presumscot river in the town of Falmouth.

#### **Kennebec County Delegation.**

By Mr. Reynolds of Winslow: Bill, An Act to amend Section 2 of Chapter 93 of the Public Laws of 1899 fixing the salaries of county commissioners of Kennebec county.

By Mr. Dudley of Augusta: Resolve authorizing the county commissioners of Kennebec county to procure a loan for the purpose of enlarging the court house.

#### Orders.

On motion of Mr. Favour of Kittery, Ordered, That the clerk of the House be directed to make up the pay of the messenger of the House the same as that of the messenger of the Senate.

On motion of Mr. Purinton of Gorham,

Ordered, That the sum of \$29.79 be paid Robert E. Low, secretary of the committee on public charities and State beneficiaries, to defray expenses incurred by him on account of the visit of said committee to Bangor at the present session in compliance with its official duties.

On motion of Mr. Page of Skowhegan, the rules were suspended in order that he might present the following order:

Ordered, That the time for the reception of private and special legislation be extended to and including March third, 1993.

The order received a passage.

On motion of Mr. Shaw of Bath the rules were suspended in order that he might introduce the following order:

Ordered, That the use of Representatives' Hall be granted to the committee on interior waters this afternoon and evening and succeeding afternoons until the hearing is completed.

The order received a passage.

#### Reports of Committees.

Mr. McFaul from the committee on legal affairs, on petition of John A. McKenney and 18 others praying for repeal of law obliging towns to raise cash for highways, reported that the petition be referred to the committee on ways and bridges.

Mr. McFaul from same committee, on petition of A. W. Putnam and 105 others of Fort Fairfield praying for same, reported same.

Mr. Kelley from same committee, to which was referred order of the Legislature relating to the expediency of enacting a law whereby all paupers now supported by towns shall be supported by counties, reported legislation thereon inexpedient.

Mr. Bailey from the committee on inland fisheries and game, on bill, An Act to prevent ice fishing in Pleasant pond in Turner, reported that same be referred to the commissioners of inland fisheries and game as the subject matter of the bill properly comes under their jurisdiction.

Mr. Dilling from same committee, on bill, An Act to protect fish and game on township number 18, Washington county, with petition for same reported that same be referred to the Washington county delegation.

Mr. Allen from same committee, on petition of E. P. Emerson and 30 others praying for aid to screen Alamoosic Lake, also remonstrance of J. M. Bray and others against same, reported legislation thereon inexpedient.

Mr. Thompson from the Kennebec county delegation on bill, An Act to amend Chapter 193 of the public laws of 1991 relating to the duties of sheriff of Kennebec county, reported ought not to pass.

Mr. Purinton from the committee on public charities and State beneficiaries, on bill, An Act establishing the Maine industrial school and home for the blind, reported that the same be referred to the next legislature.

Mr. Lamb from same committee, on petition reported a resolve entitled Resolve in favor of the Maine Woman's Christian Temperance Union, and that it ought to pass.

Mr. Low from same committee on resolve in favor of the Maine school for the deaf, reported ought to pass.

Mr. Morrison from same committee on Resolve in favor of the Bar Harbor medical and surgical hospital, reported ought to pass.

Mr. Little from same committee on Resolve in favor of the society of the Sisters of Charity for the use of Healey Asylum of Lewiston, reported ought to pass.

Mr. Low from same committee on Resolve in favor of the Maine General Hospital, reported ought to pass.

Mr. Little from same committee on resolve in favor of the young woman's home of Lewiston, reported ought to pass.

Mr. Morrison from same committee reported in a new draft Resolve in fa-

vor of the Augusta city hospital, and that it ought to pass.

These resolves were referred to the committee on appropriations and financial affairs under joint rules.

Mr. Littlefield from the Committee on the Judiciary, reported in a new draft Bill, An Act to incorporate the Kingstown Water Company, and that it ought to pass.

Same gentleman from same committee, on Bill, An Act to amend Section 12 and following Sections of Chapter 47 of the Revised Statutes relating to meridian lines and standard of length, reported ought to pass.

Same gentleman from same committee, on Bill, An Act for the recording of plans, reported ought to pass.

Mr. Manson from the Committee on Legal Affairs, on Bill, An Act to amend Chapter 145 of the Private and Special Laws of 1887 entitled "An Act to provide sewerage in the town of Houlton, reported ought to pass."

Mr. Newcomb from same committee on Bill, An Act to authorize the town of Kennebunk to own and maintain an electric light and power plant, reported ought to pass.

Mr. Oakes from same committee, on Bill, An Act to amend an act entitled "An Act to authorize the opening of a second channel of Mousam river," reported ought to pass.

Mr. Smith from the Committee on Interior Waters, on Bill, An Act to amend the charter of the Baskehegan Dam Company, reported a bill in a new draft and under the same title and that it ought to pass.

Mr. Eaton from the Washington county delegation reported in a new draft Bill, An Act authorizing Washington county to sell its stock in the Washington County Railroad Company and authorizing the sale or lease of said road, and that it ought to pass.

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

Mr. Swett from the Committee on Federal Relations, on Bill, An Act to provide for the representation of the State of Maine at the Louisiana Purchase Exposition at St. Louis, Mo., and asking for an appropriation therefor, reported ought to pass. (Referred to

Committee on Appropriations and Financial Affairs).

### First Reading of Printed Bills and Resolves.

An Act to increase the capital stock of the Ticonic Foot Bridge Company.

An Act relating to commitments by trial justices and judges of police and municipal courts.

An Act to authorize the town of Bucksport to retire its bonded indebtedness and to issue new bonds.

An Act to amend Chapter 152 of the Public Laws of 1895 relating to State examination and certification of teachers.

An Act to amend Chapter 273 of the Public Laws of 1885 relating to the holding of county teachers' conventions.

An Act amendatory of Section 6 of Chapter 495 of the Special Laws of 1885 entitled "An Act to incorporate the People's Ferry Company."

### Passed to be Engrossed.

An Act to amend Chapter two hundred twenty-nine of the Private and Special Laws of 1883, as amended by Chapter three hundred eighty-three of the Private and Special Laws of 1885, entitled "An Act to incorporate the Passadumkeag Log Driving Company."

An Act to authorize the erection of piers and booms in the Mattawamkeag River, at Jenkins Cove.

Resolve providing for paying to the city of Rockland the amount deducted from its school fund for the year one thousand nine hundred and two on account of imperfect school returns.

An Act to amend Chapter two hundred and four of the Private and Special Laws of eighteen hundred and eighty-three entitled "An Act to establish a Municipal Court in the town of Westbrook."

An Act to incorporate the South West Harbor Trust Co.

An Act to consolidate Atlantic Shore Line Railway, Sanford & Cape Porpoise Railway Company, Mousam River Railroad and Sanford Power Company. (Tabled on motion of Mr. Allen of Sanford.)

An Act in relation to the police court of the city of Rockland.

An Act to incorporate the Lily Water Company.

Resolve in favor of Bernhard Pol of Bangor to reimburse him for taxes paid through error.

An Act in relation to the trustees of Westbrook Seminary.

An Act to amend Chapter 154 of the Private and Special Laws of 1895, relating to the charter of the Wiscasset Water Company.

An Act to set apart an annual "Old Home Week."

An Act relating to the Camden Trotting Park Association.

Resolves in relation to the completion of the fifth revision of the General and Public Laws, appointing a commissioner therefor.

An Act to extend the charter of Sebasticook Manufacturing and Power Company.

An Act to incorporate the St. John River Toll Bridge Company.

An Act relative to the Clinton Electric Light and Power Company.

An Act authorizing the Great Northern Paper Company to locate, erect and maintain piers and booms in the Kennebec river.

#### Passed to be Enacted.

An Act to repeal Section 34, 35, 36, 37 and 38 of Chapter 26 of the Revised Statutes relating to costs in cases of suspected incendiarism.

An Act to amend Section 10 of Chapter 386 of the Private and Special Laws of 1897 entitled "An Act to incorporate the Livermore Falls Water Company."

An Act to authorize the Penobscot use, transmit and sell electricity.

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

An Act to extend the charter of the Mutual Fire Insurance Company.

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

An Act to extend the charter of the Bangor and Brewer steam ferry company.

An Act to incorporate the Ft. Kent trust company.

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.

#### Orders of the Day.

On motion of Mr. Davis of Waterville the votes were reconsidered whereby the petitions for and remonstrances against resubmission were placed on file, and on further motion by the same gentleman they were referred to the committee on temperance.

On motion of Mr. Norton of Gardiner Bill, An Act to incorporate the Gardiner Water District, was taken from the table.

The bill was then passed to be enacted.

On motion of Mr. Littlefield of Rockland, Resolves in favor of Eben O. Garey and in favor of John Bradbury, were taken from the table.

Mr. WEEKS of Fairfield: Mr. Speaker, I come this morning as usual in cases of this kind, bearing the olive branch of peace; and I wish to say that our offers have been accepted and that second Aroostook war is ended happily, and I offer the following motion touching these two resolves: That Senate Documents 10 and 12 and all the accompanying papers be re-committed to the committee on pensions with instructions to report forthwith a bill to pension all poor, needy, deserving soldiers of the Aroostook War at a rate of not exceeding four dollars per month.

This meets with the approval of the distinguished chairman of the committee on appropriations and financial affairs; and I hope it meets with the approval of the battle-scarred veteran from Bath. (Laughter.)

MR. PETTINGILL: I will say that that is the exact point on which we declined to approve the bills, and I second the motion.

The motion was agreed to.

Mr. Thompson of Orono, presented a report of the president of the trustees of the University of Maine, in accordance with an order of the Legislature, and moved that it be tabled for printing pending its reference.

The motion was agreed to.

On motion of Mr. Smith of Presque Isle,

Adjourned.