

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

**Seventy-First Legislature**

OF THE

STATE OF MAINE.

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1903.

ary of the county attorney of Oxford county, was taken from the table; and, on further motion by the same Senator, the Senate receded from it's reference to the Oxford County Delegation, and concurred with the House in referring same to the committee on salaries.

On motion by Mr. Wilson of Washington, it was voted to adjourn, to meet on Tuesday, March 3, 1903, at four o'clock P. M.

## HOUSE.

Friday, Feb. 27, 1903.

Prayer by Rev. Mr. McKinnon of Augusta.

Papers from the Senate disposed of in concurrence.

Certain petitions for and remonstrances against resubmission came from the Senate, that body non-concurring with the action of the House in referring them to the committee on temperance and ordering them placed on file.

On motion of Mr. Davis of Waterville, the House receded and concurred with the Senate.

### Senate Bills on First Reading.

An Act to amend Chapter 130 of the Private and Special Laws of 1866, entitled An Act to incorporate the Sebec Dam Company, as amended by Section 6 of Chapter 26 of the Private and Special Laws of 1899.

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

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

### Legal Affairs.

By Mr. Thompson of Orono: Bill, An Act defining and enlarging the duties of juries in trials of misdemeanors.

### Federal Relations.

By Mr. Sargent of Brewer: Petition of F. E. Ward and 12 others from South Brewer and vicinity for the national ownership of the anthracite coal mines and permanent municipal coal and wood yards.

### Railroads, Telegraphs and Expresses.

By Mr. Cook of Casco: Petition of S. F. Jordan and 40 others of Casco, for free telephone lines and telephone connections.

By Mr. Ruggles of Carmel: Petition of Charles H. Blagdon and 45 others of Carmel for same.

By Mr. Dodge of Troy: Petition of Frank Clement and 25 others of Knox for same.

By Mr. Thornton of Ashland: Petition of Frank E. Tarr and 8 others of Mapleton for same.

**Commerce.**

By Mr. Newcomb of Eastport: Bill, An Act to authorize Jacob C. Pike to extend and maintain a wharf in Lubec Narrows.

**Placed on File.**

By Mr. Dodge of Troy: Remonstrance of Crosby Fowler and 28 others of Unity against any reduction of tax on savings banks.

**Agriculture.**

By Mr. Oakes of Auburn: Petition of F. H. Briggs and 62 others of Auburn in favor of an appropriation for the Maine Poultry and Pet Stock Association.

By Mr. Briggs of Auburn: Petition of C. H. Miller and 22 others of Lewiston for same; of Eli C. Wadsworth and 17 others of Hiram; of Daniel Stewart and 13 others of Richmond; of E. W. Pierce and 44 others of Auburn; of S. C. Parker and 41 others of Auburn; of Thomas C. Jordan and 17 others of Auburn; of R. G. Green and 6 others of Auburn; of C. W. Cole and 24 others of Mechanic Falls; of Charles Francis and 21 others of Otisfield; of E. A. Wight and 13 others of Otisfield; of Llewellyn H. Clary and 28 others of Gardiner; of E. E. Scates and 13 others of Fort Fairfield; of G. W. Foster and 36 others of Fort Fairfield; of F. O. Wellcome and 28 others of Yarmouth; of C. B. Rounds and 6 others of Calais; of George P. Coffin and 20 others of Freeport; of J. M. Blake and 23 others of Lewiston; of A. B. Nealey and 15 others of Lewiston—all for same.

**Interior Waters.**

Remonstrance of Florent Sanfacon and 74 others of Grand Isle, against granting right to James Hayes to erect piers and booms in St. John river in said town.

By Mr. Putnam of Danforth: Resolve in aid of navigation in Lewey's and Long lake.

**State Lands and State Roads.**

By Mr. Thornton of Ashland: Resolve authorizing the land agent to sell certain public lots in E Plantation and Portage Lake Plantation in Aroostook county.

**Ways and Bridges.**

By Mr. Smith of Hartland: Petition of N. W. Richards of St. Albans and 13 others asking for the early passage of the bill now pending making it optional with towns in assessing the highway money; of C. H. Jones of Athens and 42 others for same.

**Inland Fisheries and Game.**

By Mr. Sewall of Bath: Petition of C. C. Haley et als. of Bath for amendment to Chapter 258 of the Revised Statutes relating to close time 'or game birds.'

By Mr. Stearns of Millinocket: Bill, An Act to regulate the taking of black bass in Upper Kezar Pond in Oxford county, also to prohibit the taking of smelts in said pond.

**Claims.**

By Mr. Thornton of Ashland: Resolve in favor of George W. Junkins of Oxbow Plantation.

**Mines and Mining.**

By Mr. Farnsworth of Pembroke: Resolve to provide for a geological examination of the State for a possible supply of coal.

**Placed on File.**

By Mr. Greenleaf of Westport: Petition of Lendon W. Soule and others in favor of resubmission.

**Taxation.**

By Mr. Howe of Canton: Bill, An Act to amend Chapter 174, of the Private and Special Laws of 1901, relating to a franchise tax on sleeping and palace cars.

**Orders.**

On motion of Mr. Dudley of Augusta, Ordered, That the clerk of the House be directed to make up the pay of the officers of the House, the same as the corresponding officers of the Senate; and that the mail carrier of the House be allowed the same amount for expenses as last session.

On motion of Mr. Shaw of Bath, Ordered, That 1000 copies of bill in new draft, An Act to incorporate the West Branch Driving and Reservoir Dam Company, be printed for the use of this Legislature.

**Reports of Committees.**

Mr. Drew from the committee on judiciary, on bill, An Act to authorize the county commissioners of Cumberland county to lay out a street in the city of Portland, reported ought not to pass.

Mr. Kelley from the committee on legal affairs, on bill, An Act to authorize the St. Croix Land and Water Company to build and maintain a dam at Enoch's Rips in the St. Croix River, reported that same be referred to the committee on interior waters.

Mr. Lowe, from the committee on ways and bridges, on bill, An Act amending Chapter 284 of the Public Laws of 1893 in relation to ways, reported that same be referred to the committee on legal affairs.

Mr. Purinton from the committee on public charities and State beneficiaries, on resolve in favor of the city of Rockland on account of money paid the Hallowell Industrial School for the care of Mary Newell, a minor, reported that same be referred to the committee on claims.

Mr. Cordwell from the committee on inland fisheries and game, on petition of Orley L. Sprague and 32 others praying for a bounty on crows, reported that petitioners have leave to withdraw.

Mr. Smith from the committee on judiciary, on bill, An Act to enable the Presque Isle Water Company to issue bonds to pay, retire and cancel its outstanding bonds, reported ought to pass.

Mr. Libby from the committee on judiciary, on bill, An Act relating to the office of county commissioners, reported ought to pass.

Mr. Drew from the same committee, on bill, An Act to amend the charter of the Portland and Cape Elizabeth Ferry Company, reported ought to pass.

Same gentleman from same committee, on bill An Act to amend the charter of the president and trustees of Colby College, reported ought to pass.

Mr. Oakes from the committee on legal affairs, on bill, An Act to amend Chapter 175 of the Private and Special Laws of 1887, entitled an act to incorporate the Androscoggin Valley Agri-

cultural Society, reported ought to pass.

Mr. Newcomb from the same committee, on 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, reported ought to pass.

Mr. Kelley from the same committee, on bill, An Act to amend Chapter 194 of the Public Laws of 1901 relating to bowling alleys, reported ought to pass.

Mr. Swett from the committee on appropriations and financial affairs, on bill, An Act relating to the salary of the county attorney of York, reported ought to pass.

Mr. Dudley from the same committee, on resolve in favor of establishing a fish hatchery and feeding station at the Rangeley lakes, reported ought to pass.

Mr. Eaton from the same committee, on resolve in favor of roads in the Indian township in Washington county, reported ought to pass.

Mr. Bodwell from the same committee, on resolve to provide for the expenses of the Maine Industrial School for Girls, reported ought to pass.

Mr. Page from the same committee, on resolve making appropriation for the Passamaquoddy tribe of Indians, reported ought to pass.

Mr. Dudley from the same committee, on resolve making appropriation for the Penobscot tribe of Indians, reported ought to pass.

Mr. Page from the same committee, on bill, An Act to provide in part for the expenditures of government for the year 1903, reported ought to pass.

Mr. Pettengill from the same committee, on resolve providing for a temporary loan for the year 1903, reported ought to pass.

Same gentleman from same committee, on resolve providing for a temporary loan for the year 1904, reported ought to pass.

Mr. Rice from the committee on State lands and State roads, reported in a new draft and ought to pass resolve for repairs on highways in Upton, Lincoln Plantation and Township C in Oxford county. (Referred to committee on appropriations and financial affairs).

Mr. Clark from the committee on public buildings and grounds, on resolve in favor of Fort William Henry reported ought not to pass.

Mr. Abbott from the York county delegation, reported in a new draft and ought to pass bill, An Act for the better protection of deer in the county of York.

Mr. Bodwell from the committee on taxation, on order of the Legislature relating to the expediency of having county commissioners collect the taxes, which under the provisions of Sections 69 and 70 of Chapter six of the Revised Statutes are assessed by county commissioners on lands not exempt and not liable to be assessed in any town instead of having said taxes collected by the treasurer of State, as now provided by law, reported bill, An Act to amend Chapter six of the Revised Statutes so that counties may collect county taxes on lands in unincorporated places, and that the bill be printed and recommitted to the committee.

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

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

An Act to incorporate the Tyngstown Water Company.

An Act providing for a license for non-residents to hunt moose and deer.

An Act to amend Section 12 and following Sections of Chapter 43 of the revised statutes in relation to meridian lines and a standard of length.

An Act relating to street railroad locations.

An Act relating to the jurisdiction of the municipal court of the city of Biddeford.

An Act to amend Section twenty-nine of Chapter eighteen of the revised statutes, relating to ways across station grounds of railroads.

An Act to extend the charter of the Granite Trust Company.

An Act to extend the charter of the Old Orchard Trust and Banking Company.

#### **Passed to be Engrossed.**

An Act to amend Section 12 of Chapter three of the revised statutes of 1883, as amended by Chapter 335 of the public laws of 1885. (Tabled and as-

signed for Friday of next week on motion of Mr. Putnam of Houlton).

An Act to amend Section 3 of Chapter 216 of the Public Laws of 1893, relating to the conveyance of scholars and to the maintenance of public schools.

An Act to amend Chapter 284 of the Public Laws of 1901, relating to Sea and Shore Fisheries.

An Act to amend Section 3, Chapter 80 of the Public Laws of 1899, relating to the election of truant officers and the filling of vacancies occurring in the office of truant officer.

An Act to provide for the recording of plans.

An Act to amend an act entitled, "An Act to authorize the opening of a second channel of Mousam river."

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."

An Act relating to the duties of Secretary of State.

An Act to repeal Sections 21, 22, 46, 66 and 70 of Chapter 2 of the Revised Statutes, relating to the duties of Treasurer of State and Secretary of State.

An Act to repeal Section 67 of Chapter 2 of the Revised Statutes and to amend Section 87 of Chapter 6 of the Revised Statutes relating to the duties of the treasurer of State.

An Act to amend Section 12 of Chapter 3 of the Revised Statutes as amended by Chapter 335 of the Public Laws of 1885 and to repeal conflicting statutes relating to the election of collectors of taxes.

An act to repeal Sections 39, 40, 41 of Chapter 3 of the Revised Statutes relating to the returns made by assessors.

An Act to amend paragraph 1, Section 6 of Chapter 6 of the Revised Statutes relating to property exempt from taxation.

An Act to amend Section 83 of Chapter 6 of the Revised Statutes relating to tax sales.

An Act to amend Chapter 162 of the Public Laws of 1895 relating to tax sales.

An Act to repeal Section 201, Chapter 6 of the Revised Statutes relating to tax sales.

An Act to repeal Section 200 of the Revised Statutes as amended by Section 10, Chapter 70, Public Laws of 1895 relating to tax sales.

An Act to repeal Sections 14 and 17, Chapter 8 of the Revised Statutes, relating to duties of county treasurers.

An Act to repeal Section 9 of Chapter 13 of the Revised Statutes relating to the practice of medicine and surgery.

An Act relating to the dedication of streets.

An Act to amend Chapter 97 of the Public Laws of 1887, relating to assessment of damages resulting from the raising and lowering of ways.

An Act to repeal Chapter 23 of the Revised Statutes relating to pounds and impounding beasts.

An Act to repeal Chapter 25 of the Revised Statutes, except Sections eleven and twelve, relating to watch and ward in towns.

An Act to repeal Sections 1 to 35 inclusive, of Chapter 38 of the Revised Statutes relating to the inspection of pork and beef.

An Act to repeal Sections 58 and 59 of Chapter 38 of the Revised Statutes relating to bounties on silk and beet sugar.

An Act to repeal Sections 7-22 inclusive of Chapter 39 of the Revised Statutes relating to the inspection of pot and pearl ashes and the inspection of nails.

An Act to repeal Section 30 and Section 31 of Chapter 39 of the Revised Statutes relating to firearms.

An Act to repeal Sections 40, 42 and 128 of Chapter 51 of the Revised Statutes, relating to railroads.

An Act relating to lost goods and stray beasts.

An Act relating to Houses of Correction.

An Act relating to Work Houses.

An Act to amend the Merrill Trust Company.

An Act to incorporate the Smith Cemetery Association of Palermo, Waldo county, Maine.

An Act to amend Chapter 296 of the Public Laws of 1897, relating to the employment of superintendents of schools.

### Adjournment Order.

On motion of Mr. Smith of Presque Isle, the rules were suspended and that gentleman introduced the following order:

Ordered, The Senate concurring, that when the Senate and House adjourn they adjourn to meet on Tuesday next, March 3d, A. D. 1903, at four o'clock in the afternoon.

MR. DAVIS of Waterville: Mr. Speaker, I would like to amend that by making the time four-thirty on Monday afternoon. There are many of us who would like to get through with this session sometime this summer. I think we should conserve our energies and our time. I think all the members can get back on the trains in time to hold an afternoon session on Monday.

MR. BUZZELL of Old Town: Mr. Speaker, I second the motion.

MR. PETTENGILL of Rumford: Mr. Speaker, I hope that the amendment will not prevail, and for this reason: Probably three-fourths of the municipalities in our state have their elections next Monday. It is almost universally the case with the towns in the section of the State from which I come. Our municipal elections are matters of so much importance that it is the duty of every representative to attend the election in his city or town. Now, if we attend our elections on Monday, it will be impossible for us to be here earlier than four o'clock on Tuesday afternoon. There is no member in this House more anxious than myself to complete this session, but we shall gain nothing by a meeting on Monday. We won't have a quorum. And if we have our session on Tuesday at four o'clock we have lost no time; and I certainly hope that the amendment will not prevail.

MR. BURRILL of Ellsworth: Mr. Speaker, I wish to say practically the same as the gentleman from Rumford. We have a municipal election in our town on Monday and I certainly want to be there, and I think that is the situation with a large proportion of the members of this House; and I hope the amendment will not prevail.

MR. DAVIS: Mr. Speaker, I had forgotten, not being interested in poli-

tics (Laughter) that there was an election on Monday. I withdraw the amendment I offered.

MR. BUZZELL: Mr. Speaker, I withdraw my second.

MR. SEWALL of Bath: Mr. Speaker, before acting upon that order of the gentleman from Presque Isle, I would suggest that there is a resolve on the table to be called up on Tuesday.

MR. PETTENGILL: In regard to that very matter of our assignment of Tuesday, I would say that we will have a session on Tuesday. We will lose no time. The assignment will come up Tuesday afternoon just the same, only it will be at four o'clock instead of ten o'clock.

The question being on the passage of the order.

The motion was agreed to.

#### Passed to be Enacted.

An Act to correct an error in Chapter 79 of the Public Acts of 1899 and to amend Section 2 of Chapter 40 of the Revised Statutes allowing divorces in the State providing libelee resides therein.

An Act to amend Chapter 613 of the Private and Special Laws of 1893 entitled, "An Act to establish the Western Hancock Municipal Court."

An Act to amend the charter of the Nortport Wesleyan Grove Camp Meeting Association.

An Act to incorporate the Lily Water Company.

An Act to incorporate the Knox County General Hospital.

An Act to incorporate the Union Power Company.

An Act to incorporate the Union Gas Company.

An Act additional to and amendatory of Chapter 376 of the Private and Special Laws of 1889 as amended by Chapter 479 of the Private and Special Laws of 1901, to enable the Maine Lake Ice Company to increase its capital stock.

An Act authorizing the city of Rockland to accept donations of money and property to establish and maintain a free public library in Rockland, and to accept conveyances of land for a site therefor.

An Act to amend Chapter 236 of the

Public Laws of 1893, relating to the taking of lands or other property by railroads.

An Act to amend Chapter 53 of the Public Laws of 1895 relating to the salary of the register of probate for the county of Penobscot.

#### Finally Passed.

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

On motion of Mr. Davis of Waterville,

Adjourned.