

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

**Seventy-First Legislature**

OF THE

**STATE OF MAINE.**

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1903.

from Knox is carried out, the matter may not be heard before the committee on appropriations and financial affairs.

Mr. STAPLES of Knox: Mr. President, the senator from Penobscot has given me information upon something I never have known before. I have great confidence in the rules of the presiding officer and I am always glad to accept his suggestions.

The PRESIDENT: I made it as a suggestion and not as a ruling.

Mr. STAPLES: I will withdraw my motion.

The PRESIDENT: The matter is now before the Senate on the acceptance of the report of the committee on federal relations, which is that the resolve ought to pass.

The question being put,

The report was accepted, and under the rules the resolve goes to the committee on appropriations and financial affairs.

On motion by Mr. Clark from Hancock, House Document No. 35, An Act to regulate the placing of permanent moorings in harbors, was taken from the table, and the vote whereby the same was passed to be engrossed was reconsidered, and on further motion by the same senator the bill was recommitted to the committee on legal affairs.

On motion by Dudley of Aroostook, the vote whereby the report "Ought not to pass," on report to provide for the protection of trees and shrubs from injurious diseases and insects was accepted, was reconsidered, and on further motion by the same senator Senate amendment A, striking out the word "not," so that said report as amended shall read: And ask leave to report that same "ought to pass," was adopted. And the report as amended was accepted and the bill tabled for printing.

On motion by Mr. Bryant of Somerset, House Document 165 was taken from the table, and on further motion of the same senator was recommitted to the committee on legal affairs.

On motion by Mr. Staples of Knox, the Senate adjourned to meet on Wednesday, March 4th, 1903, at 10 o'clock A. M.

## HOUSE.

Tuesday, March 3, 1903.

Prayer by Rev. Mr. Doherty of Augusta.

Papers from the Senate disposed of in concurrence.

Certain remonstrances against re-submission 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 by Mr. Page of Skowhegan, the House receded and concurred with the Senate.

The majority and minority reports of the committee on judiciary in relation to the bill relative to the election of a road commissioner in the town of Boothbay Harbor, were received from the Senate, that body having adopted the minority report, ought to pass, and having passed the bill to be engrossed.

Mr. Sewall of Bath, moved to concur with the action of the Senate.

On motion of Mr. Weeks of Fairfield, pending action upon these reports, they were laid upon the table.

### Senate Bills on First Reading.

Bill, An Act to relieve the town of Boothbay Harbor from the duty of building, repairing or maintaining roads, streets or ways in the Isle of Springs, came from the Senate amended by Senate amendment A. In the House the amendment was adopted and the bill was assigned for tomorrow morning.

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."

An Act to amend the charter of the Bar Harbor Banking and Trust Company.

An Act to grant certain powers to Hancock county trustees of public reservations.

An Act to cede jurisdiction of the State of Maine to the United States of America over so much land as has been or may be hereafter acquired for the public purposes of the United States.

Mr. WEEKS of Fairfield: Mr. Speaker, as this is the last day for the reception of private bills and petitions, I move that the rules be suspended and that the clerk be directed to open the box and lay the papers therein before the House.

The motion was agreed to.

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

#### Judiciary.

By Mr. Eaton of Calais: Bill, An Act to repeal Chapter 4, Section 29 of the Revised Statutes, relating to manner of voting.

#### Legal Affairs.

By Mr. Tapley of Brooksville: Bill, An Act to incorporate the Castine Gas Company, Castine, Hancock county.

#### Railroads, Telegraphs and Expresses.

By Mr. Nelson of New Gloucester: Petition of Henry J. Lane and 11 others of Raymond, for the enactment of a law for better connection between telephone lines.

By Mr. Sewall of Bath: Protest of Socialist Club of Bath, against act enabling steam railroads to acquire electric railroads.

By Mr. Pike of Lubec: Bill, An Act to establish the Lubec & Machias Railway Company.

By Mr. Shaw of Bath: Bill, An Act to prohibit spitting upon the floor of street cars.

By Mr. Greenleaf of Westport: Bill, An Act in relation to the Boothbay Electric Railway Company.

#### Federal Relations.

By Mr. Farnsworth of Tremont: Resolve of Alvah D. Rich and 13 others of Tremont, in favor of national ownership of anthracite coal mines.

#### Education.

By Mr. Newcomb of Eastport: Resolve in favor of the city of Eastport for the benefit of the Boynton High school.

By Mr. Drew of Portland: Resolve in favor of the Normal Schools of the State.

#### Banks and Banking.

By Mr. Perkins of Wilton: Bill, An Act to incorporate the Wilton Trust Company.

#### Placed on File.

By Mr. Dudley of Augusta: Remonstrance against resubmission by Friends church of Winthrop, West Gardiner, Augusta and Manchester.

#### Agriculture.

By Mr. Snowe of Gardiner: Bill, An Act in relation to agricultural institutions.

#### Military Affairs.

By Mr. Maybury of Saco: Bill, An Act to amend Section 16 of Chapter 266 of the Public Laws of 1893, relating to the militia.

#### Ways and Bridges.

By Mr. Allen of Wellington: Petition of Herbert Lawrence and 36 others of Wellington, in regard to change of road law.

#### Inland Fisheries and Game.

By Mr. Farnsworth of Tremont: Remonstrance of P. W. Richardson and 23 others of Tremont against any legislation prohibiting the killing of deer on Mount Desert Island other than the general laws of Maine.

Also: Remonstrance of E. A. Lawler and 25 others of Mount Desert Island, against same.

By Mr. Smith of Presque Isle: Bill, An Act to repeal so much of Section 5 of Chapter 42, Public Laws of 1899, as prohibits fishing in Inlet Stream of Squaw Pan Lake, Aroostook county.

By Mr. Favour of Kittery: Bill, An Act providing for a close time on quail.

By Mr. Randall of Freeport: Bill, An Act to amend Chapter 381 of the Private Laws of 1901, relating to open time on deer in Cumberland county.

#### Shore Fisheries.

By Mr. Pike of Lubec: Remonstrance of James A. Parker and 47 others against any change in the smelt law in Cobbscook bay and river.

#### Public Charities and State Beneficiaries.

By Mr. Norton of Gardiner: Petition of Laura E. Richards and 40 others of Gardiner, in favor of State Home for Feeble Minded.

#### Towns.

By Mr. Butler of Thomaston: Remonstrance against the annexation of Muscle Ridge Plantation to the town of South Thomaston.

### Salaries.

By Mr. Weeks of Fairfield: Bill, An Act to fix the salary of the attorney general.

Also: An Act to fix the salary of the State pension clerk.

By Mr. Allen of Sanford: An Act to fix the salary of the secretary of State.

By Mr. Weatherbee of Lincoln: An Act to amend Section 8 of Chapter 115 of the Revised Statutes, relating to the compensation of the members of the government.

### Sagadahoc County Delegation.

By Mr. Sewall of Bath: Petition of L. B. Swett, G. W. Johnson and 131 others, residents of Sagadahoc county, to incorporate such amendments in the proposed act in relation to Merry-meeting Bay and Arrowsic bridge as will authorize the city of Bath and the town of Woolwich to convey to the county of Sagadahoc the Sagadahoc Ferry, so called, reduce the tolls and place the duty of maintaining said ferry upon said county.

### Placed on File.

By Mr. Hayes of North Yarmouth: Remonstrance of Good Templar Lodge of Yarmouth, against resubmission.

### Orders.

On motion of Mr. Weeks of Fairfield,

Ordered, The Senate concurring, that a special joint committee of three on the part of the House and such as the Senate may join, be appointed to inquire into the amount of compensation received by all State and county officials whose salaries are determinable by the Legislature. Said committee is hereby authorized to sit during any recess and after the adjournment of the present session, with full power to employ a stenographer, summon, administer oaths to and examine witnesses, call for books and papers, and in general to obtain all necessary information upon which may be based legislative action looking towards equalization of salaries and complete abolition of the fee system; and report in writing, which report shall be filed with the clerk of the House not later than December 1, 1904, and be

referred to the next Legislature without further action thereon.

On motion of Mr. Page of Skowhegan,

Ordered, That the time of the reception of private and special legislation be extended to and including March 11th, 1903.

### Reports of Committees.

Mr. Potter from the committee on the judiciary, on bill, An Act authorizing the county commissioners of Cumberland county to erect a county building in Portland, reported that the same be referred to the Cumberland county delegation.

Mr. Potter from same committee, which was instructed by an order of the Legislature to inquire into the expediency of providing additional legislation for the prohibition of prize fights, reported legislation thereon inexpedient.

Mr. Campbell from the committee on legal affairs, on bill, An Act authorizing the Damariscotta Gas Light Company to supply gas in Damariscotta and NewCastle, reported ought not to pass.

Mr. Perkins from the committee on education, on bill, An Act relating to the Free High school in the town of Stonington, county of Hancock, reported ought not to pass.

Mr. Knapp from the committee on State lands and State roads, on bill, An Act authorizing the town of Millinocket to purchase and the land agent to sell and convey certain of the lands reserved for public uses in Indian Township No. 3 in the county of Penobscot, reported legislation thereon inexpedient.

Mr. Furbish from the committee on inland fisheries and game, on petition of J. Frank Niles and 62 others relating to fishing in Kennebeco river in Franklin county, reported leave to withdraw.

Mr. Potter from the committee on judiciary, on bill, An Act authorizing the town of Athens to remove the bodies of deceased persons, reported ought to pass.

Mr. Drew from the same committee, on bill, An Act relating to the election and term of office of certain members of the board of assessors, board of overseers of the poor and female members of the school committee of the city of Portland, reported ought to pass.

Mr. Libby from the same committee, on bill, An Act to extend the charter of the Winthrop Cold Spring Water Company, reported ought to pass.

Mr. Drew from the same committee, on bill, An Act relating to Gorham Academy, reported a bill in a new draft under the same title and that it ought to pass.

Mr. Drew from the same committee reported in a new draft bill, An Act relating to the Young Women's Christian Association of Portland, Maine, and that it ought to pass.

Mr. Drew from the same committee, on bill, An Act to enlarge the powers of the

Prout's Neck Water Company, reported ought to pass.

Mr. Smith from the same committee, on bill, An Act to authorize the Van Buren Water Company to increase its capital stock and bonds, reported ought to pass.

Mr. Smith from the same committee, reported in a new draft bill, An Act to incorporate the Van Buren Sewerage Company, and that it ought to pass.

Mr. Newcomb from the committee on legal affairs, reported in a new draft bill, An Act to authorize the town of Kennebunk to own and maintain an electric lighting and power plant and that it ought to pass.

Mr. Campbell from the same committee, reported in a new draft bill, An Act to incorporate the Hancock Water, light and Power Company, and that it ought to pass.

Mr. Bailey from the committee on inland fisheries and game, reported ought to pass on 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 Sabbattus pond in Androscoggin county, as amended by Chapter 287 of the Public Laws of 1901.

Mr. Farnsworth from the committee on taxation, on bill, An Act relating to the taxation of mortgaged real estate, reported ought not to pass.

Mr. Davidson from the committee on taxation, on resolve waiving a forfeiture of the public lot in the south quarter of Township No. 4, Hancock county, northern division, reported ought to pass.

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

Mr. Snowe from the committee on agriculture, on bill, An Act to amend Section 11 of Chapter 58 of the Revised Statutes, relating to the stipend paid from the State treasury to agricultural societies, reported ought to pass. (Referred to the committee on appropriations and financial affairs.)

Mr. Gagnon from the committee on ways and bridges, on resolve from the last Legislature in favor of the town of Trescott, reported a resolve in a new draft entitled, "Resolve in favor of the town of Trescott," and that it ought to pass. (Referred to the committee on appropriations and financial affairs.)

Mr. Gannett from the committee on public buildings and grounds, on resolve in favor of repairs on elevator in State House, reported in a new draft resolve in favor of repairing elevator in State House and that it ought to pass. (Referred to the committee on appropriations and financial affairs.)

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

An Act relating to the salary of the sheriff of the county of Aroostook, and fixing the same at \$500 a year.

An Act to incorporate the executive committee of Hutton Hill Grange, No. 398, Patrons of Husbandry.

An Act to amend Chapter 149 of the Private and Special Laws of 1895, entitled "An Act to divide the town of Sullivan and incorporate the town of Sorrento."

An Act for the better education of youth. (Tabled on motion of Mr. Pettegill of Rumford, pending its second reading.)

An Act to amend Chapter 332 of the Public Laws of 1897, relating to the powers and duties of school committees and the manner of electing town superintendents.

An Act to amend Chapter 61, Public Laws of 1887, relating to Loan and Building Associations.

An Act to incorporate the Meduxnekeag Light and Power Company.

An Act to incorporate the Houlton and Woodstock Electric Railroad Company.

An Act to incorporate the Millinocket Trust Company.

An Act to incorporate the Security Trust Company.

An Act to incorporate the Maine Midland Railroad Company.

An Act to incorporate the Brunswick and Topsham Water District.

An Act to establish a municipal court in the city of Eastport.

An Act to incorporate the Kennebec Valley Railroad Company.

An Act to enable the Presque Isle Water Company to issue bonds to pay, retire and cancel its outstanding bonds.

An act to amend the charter of the president and trustees of Colby College.

An Act to amend the charter of the Portland and Cape Elizabeth Ferry Company.

An Act to amend Chapter 194 of the Public Laws of 1901 entitled "An Act additional to Chapter 29 of the Revised Statutes relating to bowling alleys."

An Act for the better protection of deer in the county of York.

An Act to provide in part for the expenditures of government for the year 1903.

An Act establishing the salary of the county attorney for the county of York.

An Act relating to the office of county commissioner.

An Act to amend Chapter 175 of the Private and Special Laws of 1887, entitled "An Act to incorporate the Androscoggin Valley Agricultural Society."

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.

Resolves authorizing a temporary loan for the year 1903.

Resolves authorizing a temporary loan for the year 1904.

Resolve making appropriations for the Passamaquoddy tribe of Indians.

Resolve to provide for the expenses of the Maine Industrial School for Girls.

Resolve in favor of roads in the Indian Township, Washington county.

Resolve making appropriation for the Penobscot tribe of Indians.

Resolve in favor of establishing a fish hatchery and feeding station at the Rangeley Lakes.

**Passed to be Engrossed.**

An Act to incorporate the Tyngstown Water Company.

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

Mr. Potter of Brunswick, moved that this bill lie upon the table pending its third reading.

Mr. Weeks of Fairfield, offered an amendment, and the bill and amendment were then laid upon the table.

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.

Tabled pending its third reading on motion of Mr. Smith of Presque Isle.

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 29 of Chapter 18 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.

An Act to amend an act to incorporate the Portland Widow's Wood Society.

An Act to authorize the county commissioners of Somerset county to borrow a sum of money with which to build an extension to the court house at Skowhegan in said county.

**Passed to Be Enacted.**

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

An Act to set apart an annual Old Home Week.

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

An Act relating to the duties of secretary of State.

An Act relating to the dedication of streets.

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

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

An Act to repeal Chapter 25 of the Revised Statutes, except Sections 11 and 12, 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 relating to work houses.

An Act relating to houses of correction.

An Act to amend Chapter 204 of the Private and Special Laws of 1883, entitled "An Act to establish a municipal court in the town of Westbrook."

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

An Act to repeal Section 200 of Chapter 6 of the Revised Statutes, as amended by Section 10, Chapter 70, Public Laws of 1895, relating to tax sales.

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

An Act to consolidate and amend Chapter 78 of the Special Laws of 1861, Chapter 395 of the Special Laws of 1864, Chapter 140 of the Special Laws of 1866, Chapter 536 of the Special Laws of 1874, Chapter 304 of the Special Laws of 1895, and Chapter 398 of the Special Laws of 1901, relating to a police court in the city of Rockland.

An Act to legalize the acts and doing of the town of Williamsburg.

An Act relating to lost goods and stray beasts.

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

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 amend Chapter 215 of the resolves of the State of Maine, of 1897, relating to tuition of students in agriculture at University of Maine.

An Act conferring additional powers upon proprietors of Union wharf, incorporated by special act of the Legislature, approved February 9, in the year 1856.

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.

An Act to extend the charter of the Ellsworth Street Railway Company.

An Act in relation to the Hancock County Railway Company.

An Act to repeal Sections 40, 42 and 123 of Chapter 51 of the Revised Statutes, relating to railroads.

An Act to repeal the provisions of Section 3 of Chapter 544 of the Special Laws of 1889, relating to the Bangor Street Railway.

An Act to incorporate the South West Harbor Trust Company.

An Act extending the charter and changing the name of the Van Buren Trust and Banking Company.

An Act to amend Section 129 of Chapter 47 of the Revised Statutes, relating to officers and corporators of savings banks.

An Act to amend Chapter 229 of the Private and Special Laws of 1883, as amended by Chapter 383 of the Private and Special Laws of 1885, entitled "An Act to incorporate the Passadumkeag Log Driving Company."

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

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

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

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

An Act to repeal Section 87 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 repeal Sections 14 and 17, Chapter 3 of the Revised Statutes, relating to duties of county treasurers.

An Act in relation to the trustees of Westbrook Seminary.

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 Section 9 of Chapter 13 of the Revised Statutes, relating to the practice of medicine and surgery.

An Act to repeal Sections 7 to 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 Chapter 23 of the Revised Statutes, relating to pounds and impounding beasts.

#### Finally Passed.

Resolve providing for paying to the city of Rockland the amount deducted from its school fund for the year 1902, on account of imperfect school returns.

Resolve in favor of the town of Sanford.

Resolves in relation to the completion of the fifth revision of the general and public laws, and appointing a commissioner therefor.

#### Orders of the Day.

On motion of Mr. Pettengill of Rumford, bill, An Act for the better education of youth was taken from the table.

The bill was then read a second time and assigned for tomorrow morning.

On motion of Mr. Allen of Sanford, bill, An Act relating to commitments by trial justices and judges of police and municipal courts, was taken from the table. Mr. Allen offered amendment A, which was adopted, and the bill was then read a third time and was passed to be engrossed as amended.

On motion of Mr. Littlefield of Rockland, bill, An Act to authorize Washington county to sell its stock in the Washington County Railroad Company and authorizing the sale or lease of said railroad, was taken from the table. The bill was then read twice, and on motion of Mr. Eaton of Calais, the rules were suspended, the bill

received its third reading and was passed to be engrossed.

Order, relating to appointment of commission by Governor, consisting of five members of present Legislature, to investigate amount of salaries paid to the several State and county officials, whose salaries at present are determined by the Legislature.

Mr. WEEKS of Fairfield: Mr. Speaker, as the subject matter included in this order has already been passed upon by this House in an order introduced by me at the present session, I therefore move that this order be indefinitely postponed.

The motion was agreed to.

On motion by Mr. Weeks of Fairfield, resolve in favor of purchase of Maine State Year Book and Legislative Journal for 1903 and 1904 was taken from the table.

The resolve was then finally passed.

On motion of Mr. Swett of Portland,

Adjourned.