

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

Seventy-First Legislature

OF THE

STATE OF MAINE.

1903.

master of the Senate receive the same sum for expenses as is received by the postmaster of the House, was passed, was reconsidered, and on further motion of the same senator the order was referred to the committee on appropriations and financial affairs.

On motion by Mr. Staples of Knox, the bill relating to the taxation of railroad companies in accordance with their cash value, was taken from the table, and on the further motion of the same senator was specially assigned for next Tuesday.

On motion by Mr. Gardner of Penobscot, the Senate adjourned to meet on Monday, March 23, 1903, at 4.30 o'clock P. M.

HOUSE.

Saturday, March 21, 1903.

Prayer by Rev. Mr. Degen of Augusta.

Papers from the Senate disposed of in concurrence.

Resolve in favor of the Committee on Maine State Prison, came from the Senate passed to be engrossed under a suspension of the rules.

On motion of Mr. Dudley of Augusta, the rules were suspended, the resolve received its two readings and was passed to be engrossed in concurrence.

Bill, An Act relative to elections of treasurer and collector of taxes of the town of Sidney, came from the Senate indefinitely postponed.

On motion of Mr. Blake of Sidney, this bill was indefinitely postponed in concurrence.

Bill, An Act to amend Section 43 of Chapter 284 of the Public Acts of 1901, came from the Senate amended by Senate amendment A.

On motion of Mr. Oakes of Milford, the vote was reconsidered whereby this bill was passed to be engrossed, Senate amendment A was adopted and the bill was then passed to be engrossed as amended in concurrence.

The report of the Judiciary Committee came from the Senate, reporting ought not to pass, on Bill, An Act to amend Chapter 46 of the Revised Statutes of 1883, relating to the duties of treasurers of corporations. In the House the report was accepted.

On motion of Mr. Howe of Canton, the vote was reconsidered whereby this report was accepted, and on further motion by the same gentleman the bill was laid on the table pending the acceptance of the report.

Senate Bills on First Reading.

An Act to change the time of holding sessions of the county commissioners in Aroostook county.

Resolve in favor of Maine State Prison.

An Act to authorize the Portage Lake Mill Company to build and maintain piers and booms and to operate a steamboat in Portage lake.

(Tabled pending third reading on motion of Mr. Thornton of Ashland).

An Act in relation to the Bath Military Naval and Orphan Asylum. (Read three times and passed to be engrossed under suspension of the rules on motion of Mr. Potter of Brunswick).

An Act to prohibit the throwing of sawdust or other mill refuse into Ellis Stream, so called, in Waldo, Brooks and Belfast, in Waldo county. (Read three times and passed to be engrossed in concurrence under a suspension of the rules, on motion of Mr. Merriam of Morrill).

An Act to open certain tributaries to Sebec Lake to fishing under the general law. (Read three times and passed to be engrossed under a suspension of the rules, on motion of Mr. Smith of Madison).

An Act to amend Chapter 495 of the Private and Special Laws of 1883, relating to the destruction of fish in the Eastern Penobscot river in the town of Orland.

An Act to amend Chapter 286 of the Public Laws of 1901, relating to taxation of interest bearing deposits in Trust and Banking Companies.

An Act to amend Section 15 of Chapter 122 of the Revised Statutes, relating to appeals from magistrates in criminal cases.

Mr. Oakes of Auburn presented Bill, An Act amendatory of Chapter 73, Section 8 of the Revised Statutes, relating to the recording of deeds of release. (Referred to the Committee on Legal Affairs).

Orders.

On motion of Mr. Smith of Presque Isle,

Ordered, the Senate concurring, that the time for making the final reports of the Committee on Judiciary be and hereby is extended to and including Thursday, March 26th, 1903.

On motion of Mr. Ross of Bangor,

Ordered, that the treasurer be authorized to pay S. P. Mills, secretary of the Committee on Shore Fisheries, the sum of one hundred and fifty dollars, the same being for services of stenogra-

pher and clerical help employed during the session.

Reports of Committees.

Mr. Pettengill from the committee on Appropriations and Financial Affairs, on resolve in favor of the Maine Division of the International Sunshine Society, reported ought not to pass.

Mr. Furbish from the Committee on Inland Fisheries and Game, on Bill, An Act for the protection of white perch in Pattee's pond in Winslow, Kennebec county, reported ought not to pass.

Mr. Bodwell, from the Committee on Appropriations and Financial Affairs, reported in a new draft resolve in favor of the trustees of the University of Maine, and that it ought to pass.

On motion of Mr. Putnam of Houlton, pending the acceptance of the report, it was laid on the table, the resolve to be printed, and Tuesday of next week assigned for its consideration.

Mr. Merriam from the committee on State lands and State roads, reported in a new draft bill, An Act to establish a bounty of porcupine, so-called, for the better protection of timber lands, and that it ought to pass. (Referred to the committee on appropriations and financial affairs.)

Mr. Albert from the same committee reported in a new draft resolve in favor of repairing Mattawamkeag bridge, and that it ought to pass. (Referred to the committee on appropriations and financial affairs).

Mr. Cordwell from the committee on inland fisheries and game, on bill, An Act to prohibit the throwing of sawdust and other refuse into Norton, Brown and Heath brooks or their tributaries in the towns of Shapleigh and Limerick, reported ought to pass.

Mr. Cordwell from same committee reported in a new draft bill, An Act to amend Section 11 of Chapter 30 of the Revised Statutes, as amended by Chapter 42 of the Public Laws of 1899 and as amended by Chapter 258 of the Public Laws of 1901, relating to a close time for game birds, and that it ought to pass.

Mr. Farnsworth from the committee on sea and shore fisheries, on bill, An Act to repeal the special laws relating to migratory fish in Pleasant river, in

Washington county, reported ought not to pass.

Mr. Pike from same committee, reported in a new draft and ought to pass bill, An Act to amend Chapter 279 of the Public Laws of 1897, as amended by Chapter 240 of the Public Laws of 1901, relating to packing sardines.

Mr. Greenleaf from same committee, reported in a new draft and ought to pass bill, An Act to protect smelts during their spawning season in tributaries of Damariscotta river.

Same gentleman from same committee, reported in a new draft and ought to pass bill, An Act to amend Section 48 of Chapter 284 of the Public Laws of 1901, entitled "An Act to consolidate and simplify the laws pertaining to sea and shore fisheries as contained in Chapter 40 of the Revised Statutes and any amendments and additions thereto."

Mr. Stearns from the committee on claims, reported in a new draft and ought to pass resolve in favor of the town of Edmunds. (Referred to the committee on appropriations and financial affairs).

Same gentleman from same committee, on resolve in favor of the city of Rockland on account of money paid to the Hallowell Industrial school for care of Mary Newell, a minor and member of the Passamaquoddy tribe of Indians, reported ought to pass. (Referred to the committee on appropriations and financial affairs).

Mr. Howe from the Committee on Taxation, on Bill, An Act relating to the taxation of telegraph and telephone companies, reported ought to pass.

Mr. Josselyn from the Portland Delegation, reported in a new draft and ought to pass bill, An Act regulating the police force of the city of Portland.

On motion of Mr. Drew of Portland, the rules were suspended, the bill was given its three readings and was passed to be engrossed.

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

First Reading of Printed Bills and Resolves.

Resolve in favor of Lyman E. Smith of Brunswick for attendance before

Agricultural Committee, 1901. (Read a second time and passed to be engrossed under suspension of the rules, on motion of Mr. Potter of Brunswick).

An Act relating to defense of actions brought against administrators and executors.

An Act relating to bonds given by collectors of taxes.

An Act relating to actions for libel or slander.

An Act to establish the salary of the judge of probate in the county of Washington. (Read a third time and passed to be engrossed under suspension of the rules, on motion of Mr. Thornton of Ashland).

An Act closing Cupsuptic river and its tributaries to all fishing, above the foot of the first falls near its mouth, from July first to May first.

An Act to regulate fishing in the tributaries of Wilson lake in Wilton, in the county of Franklin.

An Act to abolish the office of inspector of factories, workshops, mines and quarries.

An Act prohibiting the use of boats or launches of any kind propelled by steam, naphtha, gasoline, or electricity, while hunting sea birds in the waters of Frenchman's bay, so called, on the coast of Maine.

An Act to amend Chapter 51 of the Revised Statutes, relating to the duties of railroad commissioners.

An Act to prohibit all ice fishing in Lake Webb or Weld pond, so called, in the town of Weld, county of Franklin.

An Act to prohibit the dumping of herring and all fish offal in the waters of Jonesport and Addison.

An Act to amend Section 16 of Chapter 19 of the Revised Statutes relating to the law of the road.

An Act to amend the charter of the Augusta Trust Company. (Read a third time and passed to be engrossed under suspension of the rules, on motion of Mr. Dudley of Augusta).

AN Act to extend time of construction of Boothbay Railroad.

An Act for the protection of deer and moose in the county of Sagadahoc.

An Act to grant additional powers to the Auburn, Mechanic Falls and Norway Street Railway.

An Act to amend an act relating to the municipal court for the city of Lewiston.

An Act to incorporate the Maine Coast Telephone Company.

An Act to regulate the use of automobiles and motor vehicles upon public ways. (Tabled pending third reading, on motion of Mr. Sewall of Bath).

Resolve providing for a fund for completing the records of the clerk of courts of Lincoln county. (Read a second time and passed to be engrossed, under suspension of the rules, on motion of Mr. Drew of Portland).

An Act to amend Chapter 378 of the Public Laws of 1885, regulating the erection of posts and lines for purposes of electricity. (Read a third time and passed to be engrossed, under suspension of the rules, on motion of Mr. Oakes of Milford).

Resolve providing for completing the fireproofing and necessary repairs in the south wing of the State capital.

Resolve providing for repairs to be made on the tomb of Governor Knoch Lincoln.

Resolve in favor of the town of Jackson.

Resolve in favor of Lee Normal Academy.

On motion of Mr. Putnam of Houlton, the vote was reconsidered whereby resolve in favor of the University of Maine was laid on the table and assigned for Tuesday of next week, and on further motion of the same gentleman, the vote was reconsidered whereby the resolve was ordered printed.

Mr. POTTER of Brunswick: Mr Speaker, I offer an amendment to the resolve in favor of the University of Maine, and move that the resolve be laid on the table to be printed.

The amendment is as follows:

"This appropriation is made on condition that the University discontinue its courses in Latin and Greek, opened in 1893 and 1899, and the degrees of Bachelor of Arts and Bachelor of Philosophy to which these courses lead, inasmuch as they duplicate work done in the three other colleges of the State, at no expense to the State beyond exemption from taxation; and that the University confine itself hereafter to the agricultural, mechanical, technical and professional courses for which it was especially intended, and which, if thoroughly done, will absorb all the aid the State can afford to bestow."

And Mr. Speaker, if it is in order, I move that next Wednesday be assigned for the consideration of the amendment.

Mr. DREW of Portland: Mr. Speaker, I think Wednesday is a very late date to assign anything for a hearing where there

is to be any conference. I think by Tuesday of next week we may be holding two or three sessions a day. All the committees will have reported, except the Finance committee, and I hope the gentleman from Brunswick will assign Tuesday for the consideration of the matter.

Mr. POTTER of Brunswick: Mr. Speaker, my object in suggesting Wednesday rather than Tuesday is that I notice that three of the four printed arrangements here are for Tuesday, and I thought there might not be time to hear them all on that day. I have no other objection to the early arrangement, if we can be sure to reach this on Wednesday, and I hope the motion will prevail.

Mr. PUTNAM of Houlton: Mr. Speaker, I trust this matter will not be assigned as late as Wednesday. Many gentlemen are interested in the University of Maine, and I move to substitute Tuesday instead of Wednesday.

The motion was agreed to.

Passed to Be Engrossed.

An Act to amend the charter of the Penobscot Lumber Association.

An Act relating to prize logs on the Penobscot river and its tributaries.

Resolve in favor of the town of Cutler.

An Act additional to the act creating the Rumford Falls Municipal Court.

Resolve in favor of the Maine Children's Home Society, Augusta.

An Act to incorporate the Madunkeunk Dam and Improvement Company.

An Act to amend Chapter 96 of the Public Laws of 1899 entitled "An Act to prevent incompetent persons from conducting business of a pharmacist." (Tabled pending third reading on motion of Mr. Drew of Portland).

An Act amendatory of Section one of Chapter 221 of the Public Laws of 1897, relating to waiving the provisions of a will by the widow or widower, and to will in which no provision is made for the widow or widower, and the interest which the widow or widower shall have in the personal estate of the testator or testatrix in such cases.

An Act to amend section two of Chapter 508 of the Private and Special Laws of 1885, as amended by Chapter 134 of the Private and Special Laws of 1887, Chapter 527 of the Private and Special Laws of 1893, and Chapter 425 of the Private and Special Laws of 1901, relating to Norway municipal court.

An Act to incorporate the Fraternity Temple Company.

An Act to incorporate the Peaks Island Water and Light Company.

An Act relating to bonds to be given by treasurers of towns and plantations.

An Act to amend Chapter 11 of the Public Laws of 1887, as amended by Chapter 44 of the Public Laws of 1899, authorizing cities and towns to accept legacies, devises and bequests, and to raise money.

An Act to incorporate the Augusta Water District.

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."

An Act to amend Sections 2 and 16 of Chapter 48 of the Revised Statutes, relating to corporations.

An Act to limit the number of fish that may be taken from Spring lake, in Somerset county, in one day.

An Act fixing the beginning of the open season for fishing in Little Sebago pond, in the towns of Gray and Windham in Cumberland county.

An Act to incorporate the Duck Lake Dam Company.

An Act to repeal so much of Chapter 30 of the Revised Statutes, as amended by Chapter 42, Section 5 of the Public Laws of 1899, as prohibits fishing in Parlin stream, in Somerset county, from the mouth of Bean brook to Long pond.

An Act to repeal so much of Chapter 30 of the Revised Statutes, as amended by Section 5 of Chapter 42 of the Public Laws of 1899, and as amended by Chapter 370 of the Private and Special Laws of 1901, as prohibits fishing through the ice in Fig Carry pond, or West Carry pond, so-called, in Somerset county.

An Act to repeal so much of Chapter 30 of the Revised Statutes, as amended by Section 5 of Chapter 42 of the Public Laws of 1899, and as amended by Chapter 329 of the Private and Special Laws of 1901, as prohibits ice fishing in Black, Whittier and Perry ponds, in the towns of Vienna and Chesterville in Kennebec and Franklin counties.

An Act to repeal so much of Chapter 30 of the Revised Statutes, as amended by Section 5 of Chapter 42 of the Public Laws of 1899, and as amended by Chapter 230 of the Private and Special Laws of 1901, as prohibits fishing through the ice in Large Greenwood pond in Elliottsville and Willimantic, in Piscataquis county.

An Act to prohibit the sale of any kind of fish, except eels, taken from certain ponds in Kennebec and Somerset counties.

An Act to incorporate the Kibbie Dam Company.

An Act to prohibit fishing in Morrill pond in the County of Somerset.

An Act to amend Section 1 of Chapter 516 of the Private and Special Laws of 1877, entitled "An Act additional relating to the appointment of recorder for the Bath municipal court."

An Act to prevent the destruction of smelts or tomcods so-called, in Steuben bay.

An Act relating to the salary of the register of probate of Sagadahoc county.

An Act relating to the compensation of county commissioners of Hancock county.

An Act to exempt religious institutions from the collateral inheritance tax.

An Act to prohibit the taking of clams in the shores or flats within the town of Scarborough.

Resolve abating a part of the State tax of the town of Bowdoinham for the years 1903 and 1904.

An Act to regulate the taking of black bass in Upper Kezar pond in Oxford county. Also to prohibit the taking of smelts in any tributary of said pond.

The Committee on County Estimates to which was referred communication of the Secretary of State, transmitting county estimates for the several counties for the years 1903 and 1904, reported a resolve laying a tax on the counties of the State for the years 1903 and 1904, and that it ought to pass. (Printed under joint rules.)

On motion of Mr. Clarke of Nobleboro, the vote was reconsidered whereby the House assigned for tomorrow morning resolve providing for completing the fire-proofing and necessary repairs in the south wing of the State House, and on and on further motion by the same gentleman the rules were suspended, the resolve received its second reading and was passed to be engrossed.

On motion of Mr. Benner of Waldoboro, the vote was reconsidered whereby the House assigned for tomorrow morning resolve providing for the repairs to be made on the tomb of Governor Enoch Lincoln, and on further motion by the same gentleman the rules were suspended and the resolve received its second reading and was passed to be engrossed.

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

Ordered, That when the House adjourns, it adjourn to meet on Monday, March 21st, at four-thirty o'clock in the afternoon.

The order received a passage.

Passed to be Enacted.

An Act in aid of the soldiers of the Aroostook War.

An Act to amend Chapter 89 of the Public Laws of 1890, and amendatory of Chapter 116 of the Public Laws of 1895, as amended by Chapter 236 of the Public Laws of 1897 and Chapter 206 of the Public Laws of 1901, entitled "An Act to provide for the schooling of children in un-organized plantations."

An Act to amend Chapter 378 of the Public Laws of 1885, relating to electric posts and wires.

An Act to provide in part for the expenditures of government for the year 1904.

An Act to supply the town of Lisbon with pure water.

An Act to incorporate the Wilton Trust Company.

An Act to incorporate the Lubec Trust and Banking Company.

An Act to incorporate the Somerset Trust Company.

An Act authorizing the town of Anson to purchase with the town of Madison, in the county of Somerset, the Norridgewock Falls bridge.

An Act to incorporate Mount Abram Cemetery Company.

An Act relating to claims against the estates of deceased persons.

An Act to prevent ice fishing in Pease pond on Saturdays of each week during certain months.

An Act authorizing the sale of the Norridgewock Falls Bridge.

An Act to authorize the Augusta Trust Company to increase its capital stock.

An Act amendatory to Chapter 369 of the Private and Special Laws of 1889, entitled "An Act regulating the appointment of members of the police force of the city of Bangor."

An Act to protect the waters of Lake Auburn.

An Act fixing the salary of the Judge of Probate of Sagadahoc County.

An Act relating to the jurisdiction of the Municipal Court of the city of Auburn.

An Act to repeal so much of section five of chapter 42 of the Public Laws of 1899, as prohibits fishing in the inlet stream of Squaw Pan Lake from Thibodeau's Landing to the source of said stream.

An Act to incorporate the Castine Gas Company, Castine, Hancock county.

An Act regulating the sale or exchange of mortgaged personal property.

An Act to amend the charter of the Dead River Log Driving Company.

An Act to extend the time for the acceptance of the charter of the city of Dexter.

An Act to amend section one of chapter 284 of the Public Laws of 1833, in relation to ways.

Orders of the Day.

On motion of Mr. Clarke of Nobleboro, the vote was reconsidered whereby the House passed to be engrossed An Act to establish the salary of the judge of Probate in the county of Washington.

Mr. Clarke offered House amendment A, strike out the word "presiding" before the word "judge" in the ninth line, and insert in place thereof the word "any" and adding after the word "county" in the tenth line the words "during term time or vacation."

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

Mr. Mills of Stonington moved a suspension of the rules to introduce bill, An Act amendatory to An Act passed at this session of the Legislature, relating to the election of superintendent of schools.

On motion of Mr. Thomas of Topsham, the bill was laid on the table.

On motion of Mr. Clarke of Nobleboro, the rules were suspended and that gentleman introduced bill, An Act to amend An Act relating to the alewife fishery at Damariscotta Mills, and on further motion by the same gentleman, the rules were suspended, the bill received its three readings and was passed to be engrossed.

On motion of Mr. Mills of Stonington, with the consent of Mr. Thomas of Topsham, bill, An Act amendatory to an act passed at this session of the legislature, relating to the election of superintendent of schools, was taken from the table, and on further motion by the same gentleman it was referred to the committee on education.

On motion of Mr. Gagnon of Van Buren, Adjourned.