

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Second Legislature

OF THE

STATE OF MAINE.

1905.

HOUSE.

Thursday, Feb. 2, 1905.

Prayer by Rev. Mr. Hope of Augusta.

Journal of yesterday read and approved.

Papers from the Senate disposed of in concurrence.

The House order directing the committee on towns to inquire into the claims of towns for reimbursement for one-half of the money they have actually raised and expended on State roads, under the provisions of Chapter 23 of the Revised Statutes, and report by bill, resolve or otherwise, comes from the Senate amended by striking out the word "towns" and inserting the word "claims."

The House reconsidered the vote whereby the order received a passage, the amendment was adopted and the order then received a passage as amended.

Resolve in favor of the Waldo General hospital comes from the Senate, that branch having rejected the report of the committee on appropriations and financial affairs reporting "ought not to pass" and having recommitted the resolve to the committee.

In the House the report of the committee was accepted in non-concurrence.

Mr. POOR of Belfast: Mr. Speaker, the report of the committee was thoroughly investigated in the Senate and it appears that the committee on appropriations and financial affairs did not have a satisfactory hearing owing to the attorney employed by the hospital being unable to be present, and also on account of the storm which prevented many ladies of the Hospital Aid Society from being present. The Senate voted to recommit the resolve to the committee, and if it is in order I move that the vote be reconsidered whereby the House accepted the report of the committee and that the resolve be recommitted to the committee on appropriations and financial affairs in concurrence with the Senate.

The question being on reconsidering the vote whereby the report of the committee was accepted, the motion was agreed to.

The question then being on concur-

ring with the Senate in recommitting the resolve to the committee on appropriations and financial affairs, the motion was agreed to.

Senate Bills on First Reading.

An act to amend Section 26 of Chapter 69 of the Revised Statutes relating to disability of adults under guardianship.

An act in relation to the assessment of taxes on the estates of deceased persons before the appointment of executors and administrators of such estates.

An act to amend Section 4 of Chapter 118 of the Revised Statutes relating to the punishment of persons who enter upon lands claiming authority from a foreign government or magistrate.

An act to amend Chapter 154 of the Private and Special laws of 1895 as amended by Chapter 239 of the private and Special laws of 1901, relating to the charter of the Wiscasset Water Company.

An act to amend paragraph 4, Section 1 of Chapter 73 of the Revised Statutes relating to sale of real estate by license of court.

An act to amend Section 39 of Chapter 93 of the Revised Statutes relating to filing of certificates of liens on real estate.

Resolve in favor of Maine State Library.

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

Judiciary.

By Mr. Powers of Houlton: Petition of R. G. Avery and 400 others, employees of the Bangor & Aroostook railroad, in favor of an amendment to the law relating to trustee process.

By Mr. Thompson of Orono: Remonstrance of Louis S. King and 7 others of Orono, against the passage of the act relating to trustee process.

Also remonstrance of Charles W. Johnson and 50 others of Orono against same.

By Mr. Littlefield of Rockland: Bill, An Act to amend Chapter 83, Section 23 of the Revised Statutes relating to orders for service.

By Mr. Lanigan of Waterville: Bill, An Act to incorporate the Waterville Gas and Electric Company.

By Mr. Baldwin of Boothbay Harbor:

Bill, An Act to amend Section 3 of Chapter 41 of the Revised Statutes relating to searches and seizures.

Legal Affairs.

By Mr. Sargent of Castine: Petition of Leroy R. Flye and 7 others of North Brookline, county of Hancock, asking permission to extend a wharf into the tide waters of Bluehill bay.

By Mr. Webster of Chesterville: Petition of C. A. Pinkham and 33 others remonstrating against the passage of Pill No. 67, in regard to compulsory vaccination.

Also Bill, An Act to incorporate the president and trustees of Farmington Home for Aged People.

By Mr. Jones of Searsport: Bill, An Act to amend Chapter 11 of the Revised Statutes. (Tabled pending reference on motion of Mr. Higgins of Limerick.)

By Mr. Baxter of Portland: Bill, An Act relating to the powers of the Portland Gas Light Company.

By Mr. Webster of Chesterville: Bill, An Act to incorporate the North Chesterville Light and Power Company in the village of North Chesterville, in the towns of Chesterville and Farmington in the county of Franklin.

Appropriations and Financial Affairs.

By Mr. Scribner of Springfield: Petition of Wilbur Grant and 13 others in favor of the Maine State Sanatorium Association.

By Mr. Johnson of Waterville: Petition of F. C. Thayer and 16 others in favor of an appropriation for same.

By Mr. Irving of Presque Isle: Petition of Frank Kilburn and others for same.

By Mr. Sewall of Bath: Petition of Dr. C. W. Price of Richmond, and 32 others, citizens of Maine, for same.

By Mr. Allan of Dennysville: Petition of Frank S. West and 15 others of Dennysville, for same.

By Mr. Kinsman of Cornville: Petition of L. N. Ellingwood and others of Athens, for same.

By Mr. Martin of Rumford: Petition of E. S. Lovejoy and 20 others for same.

By Mr. Leighton of Westbrook: Petition of Mrs. G. E. Morrill and 32 others of Westbrook in favor of the Maine Home and School for the Feeble Minded.

Also petition of H. W. Knight and 27 others of Portland, for same.

Also petition of G. H. Kimball and 22 others of Portland, for same.

Also petition of John A. Smith and 21 others of Portland for same.

Military Affairs.

By Mr. Garcelon of Lewiston: Resolve in favor of a Maine soldiers' monument at the national cemetery at Salisbury, North Carolina.

State Lands and State Roads.

By Mr. Sewall of Bath: Petition of Georgiana L. Drake and 13 ladies of Bath, for the preservation of the beauties of the fields and forests.

By Mr. Ingersoll of Biddeford: Petition of Elizabeth A. Gould and 25 others of the Women's Club of Maine, for same.

By Mr. Scribner of Charleston: Bill, "An Act amendatory of and additional to section 66 of chapter 23 of the Revised Statutes, relating to improved condition of highways and better facilities for public travel."

By Mr. Weatherbee of Lincoln: Resolve in favor of repairing Mattawamkeag bridge.

By Mr. Turner of Whitefield: Petition of H. H. Chamberlain and 31 others of Bristol, in favor of Wiscasset bridge; of S. T. Jackson and 48 others of Jefferson; of James E. Mulligan and 38 others of Nobleboro; of Horatio A. Bickford and 67 others of Dresden; of Eben Chase and 74 others of Damariscotta; of Joel P. Huston and 40 others of Newcastle; of R. H. T. Taylor and 96 others of Wiscasset; of Byron Giles and 28 others of Boothbay; of A. T. Abbott and 14 others of Boothbay; of A. M. Clark and 25 others of Alna; of Thomas A. Simpson and 49 others of Wiscasset; of E. E. Pinkham and 16 others of Southport; of A. P. Greenleaf and 18 others of Southport; of Daniel D. Page and 28 others of Edgecomb; of Parker Dodge and 4 others of Edgecomb; of C. W. Cote and 26 others of Edgecomb; of James C. Riarden and 57 others of Edgecomb; of F. O. Kent and 8 others of Bremen; of J. B. Keene and 13 others of Bremen; of G. W. Greenleaf and 129 others of Boothbay Harbor; of Luther Maddox

and 98 others of Boothbay Harbor; of G. P. Hodgdon and 104 others of Boothbay Harbor, all for same.

By Mr. Merrill of Dixfield: Bill, "An Act to amend section 22 of chapter 128 of the Revised Statutes, relating to obstructing traveled roads."

Inland Fisheries and Game.

By Mr. Barrows of Newport: Petition of Frank W. Bond and others in favor of passage of bill, "An Act to regulate fishing in Adder brook, Penobscot county."

By Mr. Merrill of Dixfield: Petition of John S. Harlow and C. E. Garcelon and 54 others asking that ice fishing for pickerel be permitted in Jenne pond in Oxford and Franklin counties during February, March and April in accordance with the general law of the State, also that Half Moon pond in the county of Oxford be opened to ice fishing in accordance with the general law of the State.

By Mr. Clark of Tremont: Petition of O. W. Albee and 12 others of Swan's island for extension of close time on deer on Swan's island, Hancock county.

By Mr. Nash of Kennebunk: Petition of C. H. Cole and 20 others for an act to prevent fishing in Kennebunk pond in the town of Lyman.

By Mr. Copp of Cornish: Petition of M. C. Trafton and 54 others asking that a law be enacted prohibiting the catching of fish in any manner from Little river, so called, in Cornish, from the first day of June until the first day of April in each year, for a period of five years.

By Mr. Nash of Kennebunk: Petition of George A. Field and 33 others for an act to prevent taking fish from Branch brook in the county of York; of P. J. Andrews and 72 others; of Harry E. Clark and 23 others, for same.

By Mr. Vittum of Concord: Remonstrance of S. C. Durgin and 24 others of West Forks, against the repeal of the law protecting deer in organized towns and plantations.

By Mr. Byron of Phillips: Remonstrance of Joel Wilbur and 20 others against same.

By Mr. Higgins of Limerick: Remonstrance of Edwin Cobb and 45 others of

Limerick, against same.

By Mr. Jillson of Otisfield: Bill, "An Act relating to fishing in the tributaries to Anonymous pond."

Shore Fisheries.

By Mr. Wilder of Pembroke: Petition of W. D. Gove and 51 others of Perry in favor of a law that will remove the discrimination now existing with regard to purse and drag seining in the waters east of Penobscot Bay and river, and will permit the citizens of this State between Sep. 15 and Dec. 1 of each year beyond 600 feet from the mouth of any river.

By Mr. Newcomb of Eastport: Petition of William S. Hume and 502 others of Eastport for the enactment of a law that will permit citizens of this State to use purse and drag seines in the waters of the State east of Penobscot Bay between Sep. 15 and Dec. 1 of each year beyond 600 feet from the mouth of any river.

By Mr. Peacock of Lubec: Petition of J. B. Wallace and 61 others in favor of purse and drag seining east of the Penobscot river; petition of J. P. McCurdy and 44 others; of A. B. Sumner and 41 others; of Wm. Lampson and 35 others—all for same.

By Mr. Wilder of Pembroke: Petition and remonstrance of Bert Coggins and 64 others of Pembroke against any change in the laws now in force relating to the taking of herring in the waters fronting the shores of said Pembroke.

Also petition and remonstrance of Ernest Cleland and 215 other citizens of the shore of the St. Croix river from the breakwater at Calais to Todd's Head at Eastport, against any change in the present laws governing the seining and taking of herring.

Counties.

By Mr. Thomas of Topsham: Bill, an act to repeal Chapter 415 of the Private and Special Laws of 1903 annexing certain islands to the town of Phippsburg.

Towns.

Mr. Price of Weston: Petition of Edwin W. Smart and 9 others of the town of Bancroft praying that lots 14, 15, 16 and 23 in the said town of Bancroft be

set off from the said town of Bancroft and annexed to the town of Weston.

Also remonstrance of the selectmen, town clerk, superintending school committee and 36 others of the town of Bancroft against same.

Claims.

By Mr. Belleau of Lewiston: Resolve in favor of the city of Lewiston for supplies to State paupers, with statement of facts.

Temperance.

By Mr. Martin of Rumford: Remonstrance of John E. Stevens and 60 others against resubmission.

Also remonstrance of Pat McDonald and 23 others against same.

By Mr. Merrill of Dixfield: Remonstrance of Henry W. Park and 52 others against same.

By Mr. Cushman of Woodstock: Remonstrance of S. G. Putnam and 32 others against same.

By Mr. Johnson of Hallowell: Remonstrance of W. F. Canham of Hallowell and 106 others against same.

By Mr. Oakes of Auburn: Remonstrance of Charles S. Maxwell and 20 others against same.

Taxation.

By Mr. Merrill of Dixfield: Petition of M. S. Showell of Dixfield and 36 others for equalization of taxation.

By Mr. Irving of Presque Isle: Bill, An Act to amend Sections 13 and 124 of Chapter 15 of the Revised Statutes relating to the mill fund and school tax.

Cumberland County Delegation.

By Mr. Jordan of Cape Elizabeth: Petition of Joseph Robinson of Windham and 27 others in regard to a close time on deer in Cumberland county.

On motion of Mr. Morrison of Eden the rules were suspended and that gentleman introduced the following:

Remonstrance of Milton Rodick and 75 others against close time on lobsters in Frenchman's Bay; remonstrance of G. B. Gerrish and 23 others against same; remonstrance of C. M. Sargent and 23 others against same—which were referred to the committee on shore fisheries.

Also petition of C. C. Morrison and 30 others praying for an open season to kill deer on Mt. Desert Island; petition of Edgar M. Wells and 28 others for same—which were referred to the committee on inland fisheries and game.

Reports of Committees.

Mr. Newcomb from the committee on the judiciary reported ought not to pass on Bill, An Act entitled "An Act to regulate the appointment of constables by the city council of Portland."

Mr. Hale from same committee reported ought not to pass on Bill, An Act granting Curtis E. Moon the right to establish and maintain a ferry between Sullivan and Hancock.

Mr. Higgins from same committee reported ought to pass on Bill, An Act to authorize the Great Northern Paper Co. to hold shares of the West Branch Driving and Reservoir Dam Co.

Mr. Littlefield from same committee reported ought to pass on Bill, An Act to authorize the Houghton Water Co. to generate, sell and distribute electricity.

Mr. Johnson from same committee reported in a new draft Bill, An Act to amend Chapter 11 of the Private and Special Laws of 1903, for the purpose of correcting errors therein, making the sections of said chapter read consecutively and to ratify the acts heretofore done by said district under said chapter.

Mr. Hale from same committee reported, in a new draft Bill, An Act granting Jesse K. Mitchell and John L. Cameron the right to establish and maintain a ferry between Sullivan and Hancock, and that it ought to pass.

Mr. Weatherbee from the committee on legal affairs reported ought to pass on Bill, An Act to amend Chapter 325 of the Private and Special Laws of 1864 entitled "An Act to incorporate the Passadumkeag Boom Co."

Mr. Morey from the committee on appropriations and financial affairs reported in a new draft Resolve in favor of the Hospital of the Society of the Sisters of Charity of the city of Lewiston, and that it ought to pass.

Mr. Poor from the same committee reported in a new draft Resolve in favor of the Society of the Sisters of

Charity for the use of the Healey Asylum and that it ought to pass.

Mr. Hagarthy from the same committee reported ought to pass on Resolve in favor of the Bar Harbor hospital.

Mr. Knapp from the committee on banks and banking reported ought to pass on Bill, An Act to incorporate the Hamilton Trust Company, Augusta, Me.

Mr. Knapp from same committee reported ought to pass on Bill, An Act to incorporate the Gardiner Trust Company, Gardiner, Me.

Mr. Knapp from the same committee reported ought to pass on Bill, An Act to incorporate the Clinton Trust Company, Clinton, Me.,

Mr. Knapp from same committee reported ought to pass on Bill, An Act to amend Section 80 of Chapter 44 of the Revised Statutes relating to cash reserve in the trust and banking companies.

Mr. Knapp from same committee reported ought to pass on Bill, An Act to amend and extend the charter of the Millinocket Trust Company.

Mr. Knapp from same committee reported ought to pass on Bill, An Act to extend the charter of the South Portland Trust and Banking Company.

Mr. Knapp from same committee reported ought to pass on Bill, An Act to incorporate the Bethel Trust Company, Bethel, Me.

Mr. Knapp from same committee reported ought to pass on Bill, An Act to amend Section 79 of Chapter 48 of the Revised Statutes relating to the authority of bank examiner over trust and banking companies.

Mr. Kimball from the committee on railroad and expresses reported ought to pass on Bill, An Act to amend the charter of the Lime Rock Railroad Company.

Mr. Hall from same committee reported ought to pass on Bill, An Act to extend the charter of the Waldo Street Railway Company.

Mr. Laliberte from the committee on State lands and State roads reported in a new draft Bill, An Act to change the name of Cabbage island to Independence island and that it ought to pass.

Mr. Purinton from the committee on agriculture reported ought to pass on

Resolve in favor of the Central Maine Fair Association.

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

First Reading of Printed Bills and Resolves.

An Act to provide in part for the expenditures of government for the year 1905.

Passed to be Engrossed.

An Act to amend Section 113 of Chapter 15 of the Revised Statutes relating to the number of trustees of State Normal schools.

An Act to incorporate the Island Falls Water Company.

Resolve in favor of the trustees of the University of Maine. (Tabled pending its second reading on motion of Mr. Higgins of Limerick.)

An Act to provide for the treatment of persons suffering from the effects of habitual use of narcotics.

Resolve in favor of the Aroostook Normal school.

Senate order passed in concurrence.

Passed to be Enacted.

An Act to authorize the Northern Seaport Railroad Company to lease or sell its railroad to the Bangor & Aroostook Railroad Company.

An Act to authorize the Northern Maine Seaport Railroad Company and the Bangor Investment Company to build wharves and piers in and near Cape Jellison Harbor.

An Act to authorize the Northern Maine Seaport Railroad Company to locate and build its road across an inlet of Cape Jellison Harbor.

An Act to authorize the Northern Maine Seaport Railroad to locate across tide waters of Passagassawaukeag river.

An Act to authorize the Bangor & Aroostook Railroad Company to guarantee the first mortgage bonds of the Northern Maine Seaport Railroad Company.

Orders of the Day.

On motion of Mr. Higgins of Limerick, Bill, An Act to amend Chapter 11 of the Revised Statutes was taken from the table.

Mr. Higgins offered an amendment to the title by adding thereto the words, "relating to the recording of deeds," so it shall read, "An Act to amend Chapter 11 of the Revised Statutes relating to the recording of deeds."

The amendment was adopted and the bill as amended was then referred to the committee on legal affairs.

On motion of Mr. Downs of Berwick,
Adjourned.