

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

**Seventy-Second Legislature**

OF THE

STATE OF MAINE.

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1905.

On motion by Mr. Knowlton of Pe-  
robscot, the Senate adjourned to meet  
on Friday, Feb. 10, 1905 at 10 o'clock in  
the forenoon.

## HOUSE.

Thursday, February 9, 1905.

Prayer by Rev. Fr. Hurley of Port-  
land.

Journal of yesterday read and ap-  
proved.

Papers from the Senate disposed of in  
concurrence.

### Senate Bills on First Reading.

An act to change the name of the  
Sanford Light and Water Company and  
to enlarge its powers.

An act to extend the charter of the  
Lincoln County street railway.

An act to extend the franchises of the  
Wiscasset, Waterville and Farmington  
Railway Company.

An act to extend the charter of the  
Maine Midland Railroad Company.

An act to amend section 17 of chap-  
ter 52 of the Revised Statutes relating  
to street railroads.

An act relating to the Rumford Falls  
and Rangeley Lakes Railroad Com-  
pany.

Resolve in favor of Women's Chris-  
tian Temperance Union, department of  
homes for homeless children.

An act to amend the charter of the  
Columbia Falls Water and Electric  
Light Company.

An act to authorize the Northern  
Telegraph Company to extend its lines  
along the Northern Maine Seaport  
Railroad and to increase its capital  
stock.

An act to incorporate the Stockton  
Springs Trust Company, having been  
passed to be engrossed in the House  
and sent to the Senate, now comes from  
the Senate amended by Senate amend-  
ment A. In the House the amendment  
was adopted and the bill was passed  
to be engrossed as amended.

An act to incorporate the Houlton  
Trust Company, having been passed to  
be engrossed in the House and sent to  
the Senate, now comes from the Senate  
amended by Senate amendment A. In  
the House the amendment was adopted  
and the bill was passed to be engrossed  
as amended.

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

**Judiciary.**

By Mr. Sanborn of Vienna: Petition of Augustus Pease and 81 others, citizens and taxpayers of the town of Fayette, to restore the jurisdiction of trial justices in the town of Fayette.

By Mr. Norcross of Winthrop: Petition of W. H. Perry and 45 others of Hallowell for woman suffrage; of H. J. Bailey and 58 others of Winthrop for same; of E. L. Marsh and 20 others of Waterville for same; of Annie M. Priest and 16 others of Vassalboro for same; of C. E. Wingate and 30 others of Wayne for same; of Cascade Grange No. 92 of Oakland for same.

By Mr. Burkett of Union: Remonstrance of W. O. Vinal and 14 others of Warren against charge of law relating to trustee process; of W. A. Luce and 16 others of Washington against same.

By Mr. Morey of Lewiston: Remonstrance of E. E. Bechard and 55 others of Lewiston against same.

By Mr. Witt of Norway: Remonstrance of A. J. Stearns and 27 others of Norway against same; of George Hazen and 17 others against same; of L. E. King and 17 others of Oxford against same.

By Mr. Sanborn of Vienna: Bill, an act to restore the jurisdiction of trial justices in the town of Fayette in the county of Kennebec.

By Mr. Powers of Houlton: Bill, an act to authorize cities and towns to raise money to be expended for exterminating or controlling the brown-tail moths and other insect pests.

By Mr. Oakes of Auburn: Bill, an act to amend section 26 of chapter 135 of the Revised Statutes relating to sentences.

By Mr. Hale of Portland: Bill, an act to amend chapter 126 of the Revised Statutes in relation to gambling.

By Mr. Littlefield of Rockland: Bill, an act to amend section 74 of chapter 6 of the Revised Statutes relating to costs in contested election cases heard by the court.

**Legal Affairs.**

By Mr. Webb of Brunswick: Petition of Joshua L. Chamberlain and 31 others relating to the fencing of burying grounds.

By Mr. Newcomb of Eastport: Petition of John H. McPaul and 76 others of Eastport for enactment of the optical bill recommended by the Maine association of opticians.

By Mr. Morey of Lewiston: Petition of George Pottle and 17 others of Lewiston for same; of C. O. Holt and 18 others of Lewiston for same.

By Mr. Knapp of South Portland: Petition of Samuel M. Dingley and 12 others for same; of William F. Weeks and 18 others for same.

By Mr. Powers of Houlton: Petition of C. H. Pierce and 25 others for same.

By Mr. Witt of Norway: Petition of Bial F. Bradbury, M. D., and 18 others, physicians, and 78 others of Norway and Paris, for same.

By Mr. Byron of Phillips: Bill, an act to amend an act entitled, "An act to incorporate the Phillips Village Corporation."

By Mr. Briggs of Auburn: Bill, an act to amend section 53 of chapter 125 of the Revised Statutes relating to cruelty to animals; bill, an act to amend section 54 of chapter 125 of the Revised Statutes relating to cruelty to animals; bill, an act to amend section 48 of chapter 125 of the Revised Statutes relating to cruelty to animals.

**Financial Affairs.**

By Mr. Tupper of Bangor: Petition of R. T. Fisher and 22 others for Home of Friendless Boys located in Portland, Me.

By Mr. Scribner of Charleston: Petition of G. B. Noyes and 15 others of Charleston in favor of Maine State Sanitarium Association. (Placed on file.)

**Railroads and Expresses.**

By Mr. Newcomb of Eastport: Petition of H. W. Bromley and 93 others of Eastport for the enactment of a law requiring the Washington County Railway Company to issue and sell mileage books of one thousand miles at the rate of two cents per mile; petition of John H. McPaul and 56 others of Eastport for same.

**Mercantile Affairs and Insurance.**

By Mr. Oakes of Auburn: Remonstrance of A. M. Penley and 28 others against any change in laws relating to fire insurance.

**Interior Waters.**

By Mr. Higgins of Limerick: Petition of Geo. H. Swasey and 40 others of York county for legislation prohibiting the throwing of sawdust and other refuse into Little Ossipee river within the limits of the towns of Shapleigh, Newfield, Waterboro, Limerick and Limington.

By Mr. Milliken of Island Falls: Bill, an act to authorize Emerson Lumber Company to erect and maintain dams in the west branch of the Mattawamkeag river in the town of Island Falls. (Tabled for printing pending reference on motion of Mr. Milliken of Island Falls.)

By Mr. Lanigan of Waterville: Bill, an act relating to the control and extinguishment of forest fires in plantations and unorganized townships.

By Mr. Putnam of Danforth: Resolve in aid of navigation on Lewey, Long and Big lakes.

**Ways and Bridges.**

By Mr. Shaw of Clinton: Petition of Daniel C. Cain and 17 others for aid for a bridge across the Kennebec river at Pishon's Ferry so called; of Thomas E. Bartley and 27 others for same; of E. B. Perkins and 69 others for same.

By Mr. Weatherbee of Lincoln: Resolve for aid in building a steel bridge across the Penobscot river between the towns of Lincoln and Chester.

**Inland Fisheries and Game.**

By Mr. Milliken of Island Falls: Petition of J. A. Nason and 39 others of Sherman for a bounty on bears.

By Mr. Burkett of Union: Petition of W. E. Norwood and 5 others prohibiting fishing in the Norwood brook in Union for a term of four years; of J. A. Calderwood and 3 others prohibiting fishing in the Calderwood brook in Washington for a term of four years.

By Mr. Berry of Carthage: Petition of J. A. Decker and 28 others of Weld for regulations upon fishing in Lake Webb, Franklin county.

By Mr. Sparrow of Freedom: Petition of W. C. Fuller and 8 others of Unity asking for enactment of a law prohibiting fishing in Sandy and Half-moon stream and their tributaries, also the tributaries to Unity pond, in Waldo county; of A. B. Sparrow and 47 others

of Freedom and Thorndike for same.

**Shore Fisheries.**

By Mr. Peacock of Lubec: Petition of William Robinson and 20 others of Trescott in favor of the use of purse and drag seines east of Penobscot bay and river.

By Mr. Stevens of Portland: Petition of Milliken, Tomlinson & Co. and 252 others to restrict the use of purse and drag seines in the rivers and bays of this State.

By Mr. Witherspoon of North Haven: Petition of C. F. Brown and 29 others of North Haven relating to repeal of special law relating to fish.

By Mr. Wilder of Pembroke: Petition and remonstrance of W. H. Frost and 49 others of Perry against any change in the present law relating to the taking of herring in the waters fronting the shores of said Perry.

By Mr. Grant of Freeport: Petition of L. L. Shaw and 47 others of Yarmouth regarding the repeal of law regarding bounty on seals; of John Lunt and 13 others for same.

By Mr. Peacock of Lubec: Petition of Kenneth Pressley and 25 others of Trescott in favor of the use of purse and drag seining in waters east of Penobscot bay and river; of Alvin C. Ramsdall and 20 others of Lubec for same; of E. M. Lawrence and 129 others of Lubec for same; of John C. Ramsdell and 20 others of Lubec protesting against legislation permitting seining where it is now prohibited in the waters of Washington county.

By Mr. Hanson of Machiasport: Petition of E. S. Wright and 68 others protesting against same; of M. J. Wright and 111 others against same; of C. S. Hinckley and 132 others of Jonesport against same; of Robert Seavey and 26 others of Jonesport against same; of D. J. Sawyer and 50 others of Jonesport against same; of Jason E. Lakeman and 84 others of Jonesport against same.

By Mr. Peacock of Lubec: Petition of Stewart McFadden and 62 others of Trescott against same.

By Mr. Hanson of Lubec: Petition of Fred E. Small and 6 others of Machiasport against same; of M. G. Huntley of Cutler and 53 others against same; of O. B. Hall and 23 others of Jonesport

against same; also bill, an act to amend section 38 of chapter 41 of the Revised Statutes of Maine.

By Mr. Whitmore of Brunswick: Bill, an act prohibiting the use of motor boats in hunting sea birds on the waters of Casco bay, so called, on the coast of Maine.

By Mr. Grant of Freeport: Bill, an act to amend section 52 of chapter 41 of the Revised Statutes relating to a bounty on seals.

#### Towns.

By Mr. Berry of Carthage: Petition of I. W. Hutchinson and 8 others asking that certain territory in the town of Weld be annexed to the town of Carthage.

#### Temperance.

By Mr. Lanigan of Waterville: Remonstrance of Newton C. Blanchard and 587 others against resubmission.

By Mr. Norcross of Winthrop: Remonstrance of Levi Richmond and 22 others of Winthrop against same.

By Mr. Jordan of Yarmouth: Remonstrance of A. K. Bryant and 38 others of Yarmouth against same.

By Mr. Lanigan of Waterville: Remonstrance of Frank W. Gowen and 31 others of Waterville against same.

#### Taxation.

By Mr. Downs of Berwick: Petition of G. W. Stillings and 11 others for equalization of taxation; of W. D. Spencer and 9 others for same.

By Mr. Bunker of Anson: Petition for equalization of taxation by C. D. Holbrook and 16 others of Madison.

By Mr. Merrill of Skowhegan: Petition of F. M. Perkins and 23 others of Cornville in favor of the Merrill bill.

By Mr. Kinsman of Cornville: Petition of Richard P. Chase and 50 others of Canaan for equalization of taxation.

By Mr. Merrill of Skowhegan: Petition of James Fellows and 21 others of Skowhegan in favor of Merrill bill.

By Mr. Vittum of Concord: Petition of O. O. Vittum and 63 others of Solon for same.

By Mr. Sawyer of Smithfield: Petition of L. T. Blackwell and 17 others of Fairfield for same.

By Mr. Kinsman of Cornville: Petition of Henry E. Getchell and 23 others of Hartland for same; of Calvin Blake

and 23 others of Hartland for same; of W. H. Morrill and 13 others of Cornville for same; of John F. Holman and 20 others of Athens for same.

By Mr. Hastings of Bethel: Bill, an act relating to the assessment and collection of the State and county taxes on organized plantations.

#### Reports of Committees.

Mr. Merrill from the committee on the judiciary reported ought not to pass or bill, an act to extend the charter of the Caratunk Power Company.

Mr. Higgins from same committee reported ought to pass on bill, an act to repeal paragraph 26 of chapter 60 of the Revised Statutes relating to agricultural societies.

Mr. Merrill from same committee reported ought to pass on bill, an act to extend the charter of the Rangeley Water Company.

Mr. Hale from same committee reported ought to pass on bill, an act to permit the Bridgton Street Railway Company to discontinue the operation of its lines during certain months in the year.

Mr. Johnson from same committee reported ought to pass on bill, an act granting additional powers, rights and privileges to the Bodwell Water Company of Old Town, Maine.

Mr. Johnson from same committee reported in a new draft bill, an act to amend section one of chapter 81 of the Revised Statutes, relating to the appointment of clerks of the judicial courts, and that it ought to pass.

Mr. Hale from same committee reported ought to pass on bill, an act relating to the Houlton Electric Light and Power Company.

Mr. Higgins from same committee reported ought to pass on bill, an act to authorize the town of Sangerville to remove the bodies of deceased persons.

Mr. Powers from same committee reported ought to pass on Bill, an act to amend section 65 of chapter 10 of the Revised Statutes relating to the collection of taxes.

Mr. Johnson from the committee on appropriations and financial affairs reported in a new draft resolve in favor of the Augusta City Hospital, and that it ought to pass.

Mr. Kimball from the committee on railroads and expresses reported ought to pass on bill, an act relating to the Lincoln Electric Railway Company.

Mr. Nash from same committee reported ought to pass on bill, an act to extend the time of construction of the Boothbay railroad.

Mr. Knapp from the committee on banks and banking reported in a new draft bill, an act to amend and extend the charter of the Rangeley Trust Company, and that it ought to pass.

Mr. Knapp from same committee reported in a new draft bill, an act to incorporate the Guilford Trust Company, and that it ought to pass.

Mr. Knapp from same committee reported ought to pass on bill, an act to authorize the Piscataquis Savings Bank of Dover, Maine, to construct and maintain safety deposit boxes.

Mr. Knapp from same committee reported ought to pass on bill, an act to amend chapter 51 of the private and special laws of 1903 relating to the Pittsfield Trust Company.

Mr. Knapp from same committee reported ought to pass on Bill, an act to amend Section 86 of Chapter 48 of the Revised Statutes relating to responsibility of share-holders in trust and banking companies.

Mr. Knapp from same committee reported ought to pass on Bill, an act to extend the charter of the Belfast Trust Co.

Mr. Putnam for the committee on agriculture reported ought to pass on Resolve in favor of the dairying interests of the State of Maine.

Mr. Laliberte from the committee on State lands and State roads reported ought to pass on Bill, An Act to change the name of Calf island to Opechee island.

Mr. Peacock from the committee on shore fisheries reported in a new draft Bill, An Act to amend Chapter 41 of the Revised Statutes relating to sea and shore fisheries and that it ought to pass.

Mr. Treworgy reported ought to pass on bill, An Act to fix the salary of the recorder of the Western Hancock municipal court.

The reports were accepted and the

ills and resolves ordered printed under joint rules.

#### First Reading of Printed Bills.

An Act to authorize F. C. Robinson & Sons to build and maintain piers, booms and buoys in Portage lake in the county of Aroostook.

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

An Act authorizing the construction of a wharf into the tide waters of Casco bay in the town of Falmouth, Maine.

Resolve in favor of the Central Maine General hospital.

Resolve in aid of the Temporary Home of Women and Children at Portland.

Resolve in favor of the Maine Eye and Ear Infirmary.

#### Passed to be Engrossed.

An Act to extend the charter of the South Portland Trust and Banking Co.

An Act to amend and extend the charter of the Millinocket Trust Company.

An Act to incorporate the Gardiner Trust Company.

An Act to amend Section 79 of Chapter 48 of the Revised Statutes relating to the authority of the bank examiner over trust and banking companies.

An Act to change the name of Cabbage Island to Independence Island.

An Act to amend Chapter 326 of the Private and Special Laws of 1864 entitled "An Act to incorporate the Passadumkeag Boom Co.

An Act to incorporate the Clinton Trust Co.

An Act to authorize the construction of a highway and bridge across York river.

An Act to amend Chapter 11 of the Private and Special Laws of 193 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 11.

An Act to extend the provisions of Chapter 241 of the Private and Special Laws of 1903 entitled "An Act to supply the town of Lisbon with pure water."

An Act to amend Section 1 of Chapter 26 of the Private and Special Laws

of 1887, as amended by Chapter 487 of the Private and Special Laws of 1897, relating to the taxation of certain plantations.

An act to divide the town of Tremont and incorporate the town of Southwest arbor.

Resolve in favor of the Society of the Sisters of Charity for the use of the Healey Asylum, Lewiston, Maine.

Resolve in favor of the Bar Harbor hospital located at Bar Harbor, Maine.

Resolve in favor of the Central Maine Fair Association.

Resolve in favor of the hospital of the Society of the Sisters of Charity of the city of Lewiston.

An Act to amend Section 80 of Chapter 48 of the Revised Statutes relating to the cash reserve in trust and banking companies.

Mr. Oakes of Auburn moved amendment A, by inserting after word "money" in line 17 of the bill the words "or national bank notes"; also by striking out the words "lawful money" in line 21 and inserting in place thereof the words "such cash reserve."

The amendment was adopted and the bill as amended was passed to be engrossed.

An Act to incorporate the Bethel Trust Company.

Mr. Hastings of Bethel moved to amend Section 6, line 8, by substituting the word "three" for the word "five," so that the section as amended shall read, "the affairs and powers of the corporation may be entrusted to an executive board of not less than three members to be elected from the full board of trustees."

The amendment was adopted and the bill as amended was passed to be engrossed.

On motion of Mr. Higgins of Limerick, the vote was reconsidered whereby the House passed to be engrossed 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 consecutively and to ratify the acts heretofore done by said district under said Chapter 11 and on further motion by the same gentleman the bill was laid on the table.

The Speaker joined on the part of the House to the committee to attend the funeral services of the late Hon. Joseph H. Manley, to be held at his residence in Augusta on Friday afternoon at 2 o'clock, Messrs. Kinsman of Augusta, Gannett of Augusta, Johnson of Waterville, Oakes of Auburn, Baxter of Portland, and Tupper of Bangor.

#### Passed to be Enacted.

An Act to repeal section 15 of chapter 32 of the Revised Statutes relating to bounties on porcupines.

The SPEAKER: I think I voice the sentiment of the entire House when I say that it is our desire that this House shall place upon its records a memorial of the late Honorable Joseph H. Manley, a former Speaker of this House, and with the consent of the House the Chair will appoint Messrs. Higgins of Limerick, Powers of Houlton and Sewall of Bath to prepare an appropriate memorial and present to us later on.

#### Orders of the Day.

Mr. THOMPSON of Orono: Mr. Speaker, a few days ago in my absence a bill in which I was interested was tabled by the gentleman from Limerick (Mr. Higgins). I now trust that the gentleman will assign an early day for its consideration.

Mr. HIGGINS: I have an amendment which I desire to offer, and as soon as the amendment is offered I will assign an early day for the consideration of the bill.

On motion of Mr. Kimball of Rockland, bill, an act in relation to selling giving or delivering trading stamps, etc., was taken from the table, and on further motion by the same gentleman it was referred to the committee on legal affairs.

On motion of Mr. Cobb of Gardiner, bill, an act for the preservation of the health of workmen in foundries, was taken from the table, and on further motion by the same gentleman it was referred to the committee on labor.

The following were received under a suspension of the rules:



By Mr. Howes of Palmyra: Bill, an act to permit registered apothecaries to sell alcoholic liquors for medicinal and mechanical purposes. (Tabled for printing pending reference on motion of Mr. Howes.)

By Mr. Jordan of Yarmouth: Bill, an act concerning the Merrill Memorial Library at York. (Referred to the committee on the judiciary.)

By Mr. Therriault of Grand Isle: Resolution of the Legislature of Maine, asking Congress to repeal an Act of Congress whereby the products of the forests of Maine on the waters of the St. John river, after being manufactured in New Brunswick, are admitted to the United States free of duty. (Tabled for printing pending reference on motion of Mr. Laliberte of Fort Kent.)

By Mr. Kinsman of Cornville: Petition of L. C. Elliott and 31 others of Cornville to amend section 8 of article 9 of the Constitution of the State so as to tax wild lands at the average rate of municipal taxation throughout the State; also petition of F. W. Page and 31 others of Cornville to increase the school tax fund by one mill. (Referred to the committee on taxation.)

Also petition of L. C. Elliott and others of Cornville for the adoption of the report of the committee on the abolition of the fee system. (Referred to the committee on salaries).

A message was received from the Senate through its secretary, proposing a joint convention of the two branches of the Legislature forthwith in the hall of the House for the purpose of electing a treasurer of State for the current fiscal years of 1905 and 1906.

On motion of Mr. Littlefield of Rockland, the House concurred in the proposition, and that gentleman was directed to convey the information to the Senate.

Mr. Littlefield subsequently reported that he had performed the duty assigned him.

Thereupon the Senate came in and a convention was formed.

#### In Convention.

On motion of Senator Pierce, Messrs. Pierce of Aroostook, Staples of Knox, Tupper of Bangor, Webb of Brunswick,

Byron of Phillips, Hastings of Bethel, and Morey of Lewiston, were appointed a committee to receive, sort and count votes for a treasurer of State.

Having attended to the duty assigned it, Mr. Pierce from the committee reported as follows:

Whole number of votes .....	135
Necessary for a choice .....	68
Oramandal Smith had .....	113
John S. P. H. Wilson had .....	22

And Oramandal Smith was declared duly elected treasurer of State for the current fiscal years of 1905 and 1906.

On motion of Senator Heselton of Kennebec, the secretary of the convention was directed to notify Hon. Oramandal Smith of his election as treasurer of State for the current fiscal years of 1905 and 1906.

The secretary subsequently announced that he had performed the duty assigned him.

On motion of Senator Clark of Hancock, the secretary of the convention was directed to notify the Governor and Council of the election of the Hon. Oramandal Smith as treasurer of State for the fiscal years of 1905 and 1906.

The secretary subsequently reported that he had performed the duty assigned him.

The purpose for which the convention was formed having been accomplished, it was dissolved and the Senate retired.

#### In House.

A message was received from the Senate through its secretary, requesting the return to that branch of Bill, an act to amend Section 17 of Chapter 53 of the Revised Statutes, relating to street railways.

There being no objection the bill was returned to the Senate.

On motion of Mr. Libbey of South Berwick,

Adjourned.