

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

**Seventy-Second Legislature**

OF THE

STATE OF MAINE.

---

1905.

**HOUSE.**

Friday, February 10, 1905.

Prayer by Rev. Mr. Mcsher of Augusta.

Journal of yesterday read and approved.

Papers from the Senate disposed of in concurrence.

**Senate Bills on First Reading.**

An act to confirm the organization of the Old Town Electric Company to change its name to Bangor Railway and Electric Company, and to authorize it to acquire the properties and franchises of the Public Works Company, the Bangor, Orono and Oldtown Railway Company and the Bangor, Hampden and Winterport Railway Company, and to confer certain powers upon said Bangor Railway and Electric Company.

The petition of L. R. Cook and 43 others for aid for the Maine Sanatorium Association referred in the House to the committee on appropriations and financial affairs, comes from the Senate placed on file in non-concurrence.

The House receded and concurred with the Senate in its action.

Petition of E. W. Worcester and 6 others of Hancock for an act to amend section 8 of chapter 32 of the Revised Statutes relative to the protection of wild birds, referred in the House to the committee on agriculture, comes from the Senate referred to the committee on inland fisheries and gave in non-concurrence.

On motion of Mr. Baldwin of Boothbay Harbor the House receded and concurred with the Senate in its reference.

Bill, an act to amend section 8 of chapter 32 of the Revised Statutes relative to the protection of wild birds, referred in the House to the committee on agriculture, comes from the Senate referred to the committee on inland fisheries and game in non-concurrence.

On motion of Mr. Baldwin of Boothbay Harbor the House receded and concurred with the Senate in its reference.

Bill, an act to incorporate the State Trust Company, passed to be engrossed by the House, comes from the Senate amended by Senate amendment A.

On motion of Mr. Kinsman of Augusta the vote was reconsidered whereby this bill was passed to be engrossed, and on further motion by the same gentleman Senate amendment A was adopted, and the bill was then passed to be engrossed as amended.

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

**Judiciary.**

By Mr. Norcross of Winthrop: Petition of Charles W. Johnston and 88 others of Fort Fairfield asking for woman's suffrage; of Judson K. Washburn and 103 others of Camden for same; of M. K. Stevens and 7 others of Warren for same; of W. K. Coburn and 28 others of Parkman for same; of H. J. Eddy and 29 others of Exeter for same; of G. M. Hoyt and 55 others of Dexter for same; of George A. French and 14 others of Greenbush for same; of Henry E. Bartlett and 24 others of Lamoine for same.

By Mr. Baxter of Portland: Petition of Franklin F. Royal and 18 others of Freeport for same; of Edwin P. Wentworth and 19 others of South Portland for same; of George E. Merrill and 22 others of Westbrook for same; of N. E. Warren and 21 others of Otisfield for same; of Cora F. Berry and 30 others of New Gloucester for same; of Charles A. Nichols and 36 others of Windham for same; of Cornelia M. Dow and 128 others of Portland for same.

By Mr. Merrill of Dixfield: Petition of W. K. Tarbox and 22 others of Fryeburg for same; of O. R. Yates, M. D., and 23 others of West Paris for same; of O. M. Mason and 9 others of Bethel for same.

By Mr. Reed of Portland: Petition of Iron Moulders' Union No. 248 for submission of an amendment to the Constitution providing for a system of initiative and referendum; of the Central Labor Union for same; of Bricklayers Protective Union of Portland for same.

By Mr. Berry of Carthage: Petition of F. M. Davis and 112 others of Calais for woman's suffrage; of George M. Allen and 19 others of Cherryfield for same; of E. B. Allen and 97 others of Columbia Falls for same; of Winnifred Fletcher and 28 others of Harrington

for same; of J. F. Sawyer and 90 others of Androscoggin county for same; of Herbert W. Jack and 122 others of Lisbon for same; of W. H. Gowell and 22 others of Poland for same; of Charles W. Wilbur and 36 others of South Durham for same; of Solon Chase and 40 others of Turner for same; of Effie J. Sawyer and 73 others of Milbridge for same; of W. L. Plummer and 33 others of Addison for same.

By Mr. Norcross of Winthrop: Petition of Rev. C. L. Buckingham and 28 others of Friendship for same; of Frances E. Frost and 39 others of Belfast for same; of Emily F. Miller and 37 others of Searsmont for same; of M. Elizabeth Stevens and 37 others of Monroe for same.

By Mr. Tupper of Bangor: Petition of Typographical Union No. 446 of Bangor for the submission of an amendment to the State Constitution so as to provide a system of initiative and referendum; of the Federal Labor Union No. 9646 of Bangor for same; of International Brotherhood of Teamsters 365 of Bangor for same; of Central Labor Union of Bangor for same; of United Brotherhood of Carpenters and Joiners No. 621 of Bangor for same.

By Mr. Merrill of Skowhegan: Petition of Bricklayers and Masons International Union of America located at Skowhegan for same.

By Mr. Tupper of Bangor: Petition of Penobscot Lodge No. 514, B. of L. F. of Bangor for same.

By Mr. Gray of Paris: Petition of Dayton, Bolster & Co. and 14 others against any change in trustee law.

By Mr. Johnson of Calais: Remonstrance of S. S. Pineo and 31 others of Calais against change of law relating to trustee process.

By Mr. Berry of Carthage: Bill, an act to amend the charter of the Wilton Water Company; also bill, an act to incorporate the Wilton Village Corporation.

By Mr. Staples of Eliot: Bill, an act to incorporate the Kittery Village Corporation. (Tabled for printing pending reference on motion by Mr. Staples of Eliot.)

By Mr. Martin of Rumford: Bill, an act to amend chapter 153 of the private

and special laws of 1879 in regard to building dams and embankments on Swift river in the town of Byron.

By Mr. Littlefield of Rockland: Bill, an act to amend chapter 11 of the Revised Statutes relating to register of deeds; also bill, an act to amend section 7 of chapter 128 of the Revised Statutes relating to malicious mischief.

By Mr. Dudley of Castle Hill: Bill, an act authorizing the Ashland Company to erect dams and make improvements on the tributaries of the Upper Aroostook river in the county of Aroostook.

#### Legal Affairs.

By Mr. Hill of Buxton: Petition of C. M. Hobson and 51 others of Buxton for the passage of the optical bill.

#### Appropriations and Financial Affairs.

By Mr. Staples of Eliot: Petition of W. T. Spinney and 33 others of Kittery for an appropriation in aid of the Maine State Sanitarium Association. (Placed on file.)

By Mr. Trickey of Cumberland: Petition of J. A. Beals and 21 others of Brunswick for an appropriation of \$1500 per year in aid of the Home of Friendless Boys; also Resolve to reimburse the town of Falmouth the sum of \$58.66 for its loss of State school funds.

#### Education.

By Mr. Hastings of Bethel: Petition of J. B. Packard and 65 others for repeal of the law relating to the election of school superintendents by supervising school committees.

#### Railroads and Expresses.

By Mr. Johnson of Calais: Petition of C. H. Mansfield and 30 others of Jonesport asking for two-cent mileage on Washington Co. R. R.; of D. J. Sawyer and 31 others for same; of John S. Calkins and 35 others for same; of V. S. Coffin and 33 others of Harrington for same; of C. B. Donnell and 145 others for same; of Geo. W. Lord and 127 others for same; of M. Dyer Higgins and 25 others of Dennysville for same.

By Mr. Peacock of Lubec: Petition of J. H. Gray and 70 others for same; of Chauncey B. Morgan and 43 others for same.

By Mr. Johnson of Calais: Petition of J. S. Farrar and 56 others of Princeton for same; of Bradford J. Estey and 7 others for same; of G. E. Parsons and 32 others for same; of E. H. Sprague & Son of Pembroke and 30 others for same; of Lester Strout and 87 others for same; of C. W. Adams and 32 others of Washington Co. for same; of E. P. Patten and 60 others for same.

#### Telegraphs and Telephones.

By Mr. Davis of Milford: Bill, an act to amend chapter 391 of the private and special laws of 1903 amending and extending the charter of the Farmers' Telephone Company.

#### Banks and Banking.

By Mr. Walker of Lovell: Bill, an act to incorporate the Oxford Trust Company.

By Mr. Baldwin of Boothbay Harbor: Bill, an act to renew and extend the charter of the Boothbay Harbor Banking Company.

By Mr. Weatherbee of Lincoln: Bill, an act to incorporate the Lincoln Trust Company.

#### Agriculture.

By Mr. Johnson of Calais: Petition of Percy L. Lord and 32 others for appropriation for St. Croix Poultry Association.

By Mr. Barrows of Newport: Petition of R. R. Goodell and 113 others of Hampden praying for the passage of the proposed law for bounty on crows.

By Mr. Purinton of Bowdoin: Bill, an act regulating the duties of the commissioner of agriculture relating to the manufacture and sale of dairy products and their imitations; also bill, an act to regulate the sale of milk and cream; also bill, an act to regulate the sale of imitation dairy products.

#### Ways and Bridges.

By Mr. Hill of Buxton: Bill, an act to amend chapter 24, section 16, of the laws of 1903.

By Mr. Allan of Dennysville: Resolve in favor of town of Edmunds in the county of Washington in aid of building a bridge across tide waters in said town on road leading through the town of Edmunds to Whiting, accom-

panied by petition and statement of facts.

#### In and Fisheries and Game.

By Mr. Pendleton of Islesboro: Petition of L. D. Holmes and 27 others for close time on Oak Hill Lake in town of Swanville.

By Mr. Scribner of Charleston: Petition of H. R. Howes and 25 others asking for a law to permit ice fishing in Fourth Buttermilk and Little Benson ponds in Penobscot county.

By Mr. Merrill of Dixfield: Remonstrance of John S. Harlow and 41 others of Dixfield against the repeal of the law protecting deer and moose in towns and organized plantations.

By Mr. Hastings of Bethel: Bill, an act to amend section 13 of chapter 32 of the Revised Statutes relative to the manner of hunting wild hare or rabbits.

#### Shore Fisheries.

By Mr. Hagerthy of Sedgwick: Petition of W. A. Hooper and 45 others for changing the law relative to taking alewives from the Bagaduce river.

By Mr. Hanson of Machiasport: Petition of E. W. Henderson and 9 others of Cutler for a law that will do away with the present discrimination now existing as to the use of purse and drag seines in waters east of the Penobscot river.

By Mr. Johnson of Calais: Petition of H. D. Eaton and 129 others for same.

By Mr. Nash of Damariscotta: Petition of George Watts and 100 others asking for the re-enactment of section 54, 55 and 56 of Chapter 41 of the Revised Statutes relating to alewives in the Pemaquid river.

By Mr. Tracy of Winter Harbor: Bill, an act to amend section 44 of chapter 41 of the Revised Statutes relating to close time for smelts.

#### Towns.

By Mr. Hanson of Machiasport: Remonstrance of Francis Kidder Peabody and Thornton E. Lothrop, trustees under the will of Col. Oliver W. Peabody, against the taking of Mark Island and Balast Island from the town of Jonesport and adding same to the town of Roque Bluffs.

By Mr. Hill of Buxton: Bill, an act to amend chapter 4, section 12 of the

Laws of 1903 relating to the election of selectmen.

#### Claims.

By Mr. Newbegin of Gray: Resolve in favor of the town of Gray for reimbursement for money paid on account of Riley plantation, with statement of facts.

By Mr. Morey of Lewiston: Resolve in favor of Alexander Therriault.

#### Pensions.

By Mr. Johnson of Calais: Resolve in favor of Harry B. Conway.

#### Temperance.

By Mr. Milliken of Island Falls: Remonstrance of John W. Caldwell and 17 others of Sherman against resubmission.

By Mr. Nash of Damariscotta: Remonstrance of J. H. Hanna and 40 others of Pemaquid and New Harbor against same.

By Mr. Staples of Eliot: Remonstrance of J. Newton Brown and 33 others of Eliot against same.

#### Taxation.

By Mr. Bunker of Anson: Petition of O. W. Savage and 5 others of Anson in favor of the Merrill bill; of M. L. French and 23 others of Anson for same; of John D. Benjamin and 8 others of Anson for same.

#### Sagadahoc County Delegation.

By Mr. Sewall of Bath: Petition of E. W. Hyde and 56 other citizens of Bath for extension of close time on moose and deer in the county of Sagadahoc.

#### Reports of Committees.

Mr. Hagerthy from the committee on appropriations and financial affairs reported in a new draft Resolve in favor of Knox County General Hospital, and that it ought to pass.

Mr. Swett from same committee reported ought to pass on Resolve in favor of the St. Elizabeth Roman Catholic Orphan Asylum of Portland.

Mr. Purinton from the committee on agriculture reported in a new draft bill, an act to regulate the practice of veterinary surgery, medicine and dentistry, and that it ought to pass.

Same gentleman from same committee reported ought to pass on bill,

an act to amend chapter 39 of the Revised Statutes in regard to the regulation of the sale of commercial fertilizers.

Mr. Laliberte from the committee on State lands and State roads reported in a new draft Resolve in favor of roads in the Indian township, Washington county, and that it ought to pass.

Mr. Davis from the committee on ways and bridges reported ought to pass on Resolve in favor of aid in building highway bridge across the Sebasticook river in the town of Benton.

Mr. Berry from the committee on inland fisheries and game reported ought to pass on bill, an act to amend paragraph 5 of section 1 of chapter 407 of the private and special laws of 1903 relating to fish in Pease pond, Franklin county, with petition for the same.

Mr. Berry from same committee reported ought to pass on bill, an act to protest fish in Great Brook and its tributaries in Lovell and Stoneham and to repeal the law relating to taking fish in Cold Brook in Lovell and Stoneham, Oxford county, with accompanying petition for changes in law in regard to fishing on Great and Cold Brooks in Lovell and Stoneham.

Mr. Berry reported in a new draft bill, an act to regulate fishing in Baskahegan lake and stream in Hot Brook, a tributary to said stream, and in Schoodic Grand lake, North lake, Brackett lake and Longfellow lake and their tributaries and the waters between Schoodic Grand lake and Chenticook lake, situated in the counties of Washington and Aroostook, and that it ought to pass.

Mr. Berry from same committee reported ought to pass on bill, an act to regulate fishing in West Carry pond in Somerset county.

Mr. Berry from same committee, on petitions praying for the repeal of the law forbidding the use of launches for hunting duck on Lower Kezar pond in Fryeburg, also remonstrance against the same, reported that the petitioners have leave to withdraw.

Mr. Berry from same committee, on petition praying that the tributaries of South pond, Warren, be closed to all fishing, reported that the same be re-

ferred to the commissioners of inland fisheries and game as the subject matter of the petition comes under their jurisdiction by the general law.

Mr. Berry from same committee on petition asking for a law permitting the taking of salmon in Mt. Blue pond, Franklin county, reported that the same be referred to the commissioners on inland fisheries and game as the subject matter of the petition properly comes under their jurisdiction by the general law.

Mr. Sawyer from the committee on shore fisheries on petition that section 33 of chapter 41 of the Revised Statutes, relating to the use of torches in herring fishery, be repealed or that the waters adjoining the towns of the petitioners be exempt from the operation of the law, reported leave to withdraw.

Mr. Hastings from the committee on claims reported ought to pass on resolve in favor of the town of Belfast.

Mr. Bean from same committee reported ought to pass on resolve in favor of Moose river plantation.

Mr. Newbegin from same committee reported ought to pass on resolve in favor of Jackman plantation.

Mr. Gannett from the committee on inland fisheries and game reported ought to pass on bill, an act to prohibit the hunting of duck on that part of Upper Kezar pond situated in Stowe and Lovell, Oxford county, with accompanying petition.

#### First Reading of Printed Bills.

An act to amend section one of chapter 81 of the Revised Statutes in relation to the appointment of clerks of the judicial courts.

#### Passed to be Engrossed.

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 for Women and Children at Portland.

Resolve in favor of the Maine Eye and Ear Infirmary.

An Act to change the name of the Sanford Light and Water Company and 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 Railroad Company.

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

An Act relating to the Rumford and Rangeley Lakes Railroad Company.

An Act to extend 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.

Resolve in favor of the W. C. T. U. department of Home for Friendless Boys.

On motion of Mr. Higgins of Limerick, 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 11, was taken from the table.

Mr. Johnson of Waterville, moved to amend the bill by inserting, after the figures "1903" in the title, the words "relating to the Dover and Foxcroft Water District;" also by inserting, after the figures "1903" in the second line of Section 1 of the bill, the words "relating to the Dover and Foxcroft Water District."

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

#### Passed to be Enacted.

An Act to amend Chapter 407 of the Private and Special Laws of 1903 relating to fishing in Long pond, Hancock county.

An Act to incorporate the Island Falls Water Company.

#### Finally Passed.

Resolve for the purpose of operating the fish hatcheries and feeding stations for fish and for the protection of fish.

Resolve in favor of the president and trustees of Bowdoin College.

The SPEAKER: The Chair wishes to inform the House that the time for the reception of petitions and bills of a private nature was limited to Tuesday next by joint order. The Chair will rule that any petitions or bills placed in the box on Tuesday will be within the rule.

#### Orders of the Day.

On motion of Mr. Baxter of Portland, the vote was reconsidered whereby the House referred to the committee on railroads and expresses Bill, An Act to incorporate the Peaks Island Railway Company, and on further motion by the same gentleman the bill was laid on the table.

The following were received under suspension of the rules:

By Mr. Baxter of Portland: Bill, An Act to repeal Chapter 231 of the Private and Special Laws of 1903 entitled "An Act authorizing the county commissioners of Cumberland county to erect a court building in Portland." (Referred to the Cumberland county delegation).

Also Resolve providing for an amendment to the Constitution of the State relating to the taxation of lands in unincorporated townships and wild lands, so called, in the plantations. (Tabled for printing pending reference on motion of Mr. Baxter).

Also petition of Edmund Woodman and 49 others in favor of a Constitutional amendment providing for the taxation of wild lands. (Referred to the committee on legal affairs).

Also Bill, An Act relating to the appointment of an inspector of milk and vinegar in the city of Portland. (Referred to the committee on legal affairs).

By Mr. Sargent of Brewer: Petition of Pulp, Sulphite and Paper Mill Workers' Lodge 36 at South Brewer, Maine, for the submission of an amendment to the State Constitution so as to provide a system of initiative and referendum in State and city affairs. (Referred to the committee on the judiciary).

Also petition of Sawmill Employees' Union No. 10,089 at South Brewer, for same. (Referred to the committee on the judiciary).

By Mr. Hale of Portland: Petition of the W. C. T. U. of New Gloucester, in favor of creating a commission for the enforcement of the prohibitory law; also petition in favor of the investigation by a special committee of the manner of the enforcement of the prohibitory law in Cumberland county.

Also petition of W. C. T. U. of Cumberland county for same.

Also petition of W. C. T. U. of Freeport for same.

Also petition of W. C. T. U. of Brunswick for same. (Referred to the committee on temperance).

By Mr. Wilder of Pembroke: Petition of E. L. Pattangall and 7 others of Pembroke, against the use of purse and drag seines in fishing in the waters of shore towns of Washington county.

By Mr. Vittum of Concord: Petition of Alphonzo Davis and 8 others in favor of the optical bill; of J. M. Howes and 47 others for same. (Referred to the committee on legal affairs).

By Mr. Hathaway of Wales: Petition of D. S. Thompson and 46 others in favor of the optical bill. (Referred to the committee on legal affairs).

Mr. Higgins from the committee on the judiciary, on petition of W. O. Fuller and 100 others of Rockland, for passage of the optical bill recommended by the Maine Association of Opticians, reported that the petition be referred to the committee on legal affairs.

By Mr. Nash of Damariscotta: Petition against re-enactment of the law in relation to the alewife fishery in the Pemaquid river. (Referred to the committee on shore fisheries).

On motion of Mr. Howes of Palmyra, Bill, An Act to permit registered apothecaries to sell alcoholic liquors for medicinal and mechanical purposes only, was taken from the table, and on further motion by the same gentleman it was referred to the committee on temperance.

On motion of Mr. Libbey of South Berwick,

Adjourned.