

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Second Legislature

OF THE

STATE OF MAINE.

1905.

HOUSE.

Friday, February 17, 1905.

Prayer by Rev. Mr. Josselyn of Gardiner.

Journal of yesterday read and approved.

Papers from the Senate disposed of in concurrence.

Senate Bills on First Reading.

An act in relation to the original plans of the towns in Kennebec county. Resolve in favor of Bates College.

On motion of Mr. Holmes of Caribou, Ordered, the Senate concurring, that when the Senate and House adjourn, it be to meet on Monday, February 20, at 4.30 o'clock P. M.

This order subsequently came from the Senate concurred in by that branch.

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

Judiciary.

By Mr. Smith of Madison: Endorsement of Federal Labor Union 11643, Madison, for the initiative and referendum.

By Mr. Kimball of Rockland: Endorsement of the Vinalhaven branch Granite Cutters' National Union for same; petition of F. J. Lyons and 80 others for same.

By Mr. Stearns of Millinocket: Petition of J. W. McFarland and 200 others of Millinocket for same.

By Mr. Smith of Madison: Petition of Charles Dunton and 75 others of Madison for same.

By Mr. Littlefield of Rockland: Bill, an act regulating the moving of families within the State.

By Mr. Scribner of Charleston: Bill, an act for the better protection of life and property against injury or damage, resulting from the operation of steam engines and boilers by incompetent engineers and others; to create a board of State examiners therefor, and prescribe the powers and duties of such board. (Tabled for printing pending reference on motion of Mr. Wither- spoon of North Haven.)

Legal Affairs.

By Mr. Purinton of Bowdoin: Peti-

tion of Nathan McKenney and 21 others in favor of amendment to State Constitution relating to taxes in unincorporated townships.

By Mr. Josselyn of Portland: Petition of A. L. Lord and 14 others in favor of Legislation to prevent sales of merchandise in bulk in fraud of creditors.

By Mr. Kimball of Rockland: Petition of Robinson Blake Co. and 17 others in favor of law regulating the use of trading stamps; petition of C. H. Wyman and 60 others for same.

Appropriations and Financial Affairs.

By Mr. Baxter of Portland: Bill, an act to establish a board for the improvement of the condition of the adult blind in Maine.

Education.

By Mr. Leonard of Milo: Bill, an act relative to the employment of superintendents of schools by cities and towns.

Railroads and Expresses.

By Mr. Johnson of Calais: Petition of Robert A. Davis and 39 others in relation to mileage on Washington county railway.

By Mr. Hanson of Machiasport: Petition of F. W. Thurlow and 44 others of Cutler for same.

Inland Fisheries and Game.

By Mr. Vittum of Concord: Petition of Henry Sands of Bingham and 24 others for change of law relating to the killing of beaver; bill an act providing for a bounty on bears in Somerset county.

Shore Fisheries.

By Mr. Hanson of Machiasport: Petition of F. S. Stevens and 30 others of Cutler asking for a close time on lobsters from July 5 to October 1st of each year.

Taxation.

against resubmission. test of C. S. Norton and 53 others

By Mr. Josselyn of Portland: Pro-

Temperance.

By Mr. Sparrow of Freedom: Petition of L. H. Mosher and 90 others of Unity, Waldo county, in relation to the tax-

ing of wild lands in unincorporated places.

By Mr. Stearns of Millinocket: Petition of L. B. Rogers and 40 others of Patten for the repeal of section 25 of chapter 9 of the Revised Statutes relating to the buildings, lands and other property of manufacturing, mining and smelting corporations.

By Mr. Grant of Freeport: Petition of L. W. Bailey and 39 others of Freeport for repeal of law taxing mortgages of real estate.

By Mr. Philbrook of Lisbon: Petition of R. E. Gould and 36 others for the increase of school tax by one mill.

By Mr. Page of Appleton: Petition of V. O. Keller and 44 others of Appleton for same.

By Mr. Hanson of Machiasport: Petition of M. W. Ackley and 17 others of Cutler in favor of the Merrill bill for equalization of taxation; petition of L. M. Cole and 13 others of Machiasport for same.

By Mr. Allan of Dennysville: Petition of I. H. Allan and 18 others of Edmunds for same.

Salaries.

By M. Page of Appleton: Petition of V. O. Keller and 41 others of Appleton for the adoption of the report of the committee on the abolition of the fee system.

By Mr. Philbrook of Lisbon: Petition of R. E. Gould and 33 others for same.

By Mr. Philbrook of Lisbon: Petition of R. E. Gould and 33 others for the repeal of chapter 9, section 25 of the Revised Statutes of 1903. (Tabled on motion of Mr. Higgins of Limerick.)

Reports of Committees.

Mr. Irving from the committee on taxation, on petitions praying that the constitution be amended so that taxes on wild lands may be assessed at the average rate of municipal taxation, reported that the petition be referred to the committee on legal affairs as the pending bill is before that committee.

Mr. Kinsman from the committee on inland fisheries and game, on petition praying that Carmel, Etna and Parker ponds be closed to ice fishing for a period of five years from April 1, 1905, reported that the petition be referred

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

Mr. Kinsman from same committee, on petition praying to prohibit fishing in Norwood brook in Union for a term of four years, and petition praying that fishing be prohibited in the Calderwood brook in Washington for a term of four years, reported that the petitions be referred to the commissioners of inland fisheries and game as the subject matter of the petitions properly comes under their jurisdiction by the general law.

Mr. Kinsman from same committee, on petition praying for close time on Oak Hill lake in the town of Swanville, reported that the same be referred to the commissioners of inland fisheries and game as the subject matter of the petition properly comes under their jurisdiction by the general law.

Mr. Kinsman from same committee, on petition to establish a fishway in the mill dam in Columbia Falls, Pleasant river, reported that the same be referred to the commissioners of inland fisheries and game as the subject matter of the petition properly comes under their jurisdiction by the general law.

Mr. Kinsman from same committee, on petition praying that fishing be prohibited in Blake brook and its tributaries in the town of Sebago, reported that the same be referred to the commissioners of inland fisheries and game as the subject matter of the petition properly comes under their jurisdiction by the general law.

Mr. Kinsman from same committee, on remonstrance against legislation prohibiting the taking of smelts in Harrington river, reported that the same be referred to the committee on shore fisheries as the matter is properly under the jurisdiction of that committee.

Mr. Kinsman from same committee, on bill, an act to close Marsh river and its tributaries in the county of Waldo, reported that the same be referred to the commissioners of inland fisheries and game as the subject matter of the

act properly comes under their jurisdiction by the general law.

Mr. Kinsman from same committee on petition praying for a better enforcement of the inland fish and game laws and to change the date of open time on deer in Hancock county from October 1st to December 1st instead of December 15, reported that the petition be referred to the Hancock county delegation.

Mr. Weatherbee from the committee on legal affairs, reported ought not to pass on bill, An Act to repeal Section 51 of Chapter 40 of the Revised Statutes relating to the forfeiture of wages.

Mr. Tupper from the committee on appropriations and financial affairs reported ought not to pass on resolve in favor of Moosehead Lake Sanitarium.

Mr. Smith from committee on interior waters reported ought not to pass on bill, An Act to incorporate the Bemis Log Hauling Company.

Mr. Smith from same committee, reported ought to pass on bill, An Act to authorize James Crawford and his associates to erect and maintain piers and booms in the St. John river in the town of Grand Isle.

Mr. Tupper from the committee on appropriations and financial affairs, on resolve in favor of the town of Greenbush, reported that the same be reported to the committee on claims.

Mr. Percy from the committee on interior waters, on petition praying for a close time on Sokokis lake, so-called, and its tributaries in Limerick, York county, reported that the same be referred to the committee on inland fisheries and game.

Mr. Lanigan from the same committee, on bill, An Act to prohibit the throwing of sawdust, shavings, waste or refuse into Heath brook or its tributaries in the town of Acton, York county, reported that the same be reported to the committee on inland fisheries and game.

Mr. Tapley from the committee on shore fisheries, on bill, An Act prohibiting the use of motor boats in hunting sea birds on the waters of Casco bay on the coast of Maine, reported that the same be referred to the committee on legal affairs.

Mr. Shaw from the Kennebec county

delegation, reported ought not to pass on bill, An Act to abolish the superior court in Kennebec county.

Mr. Littlefield from the committee on judiciary, reported in a new draft bill, An Act to amend Chapter 86 of the Private and Special Laws of 1903, entitled "An Act to authorize the Orono Pulp and Paper Company to generate and sell electricity," and that it ought to pass.

Mr. Gray from the committee on legal affairs on petition reported a bill, An Act to amend Chapter 108 of the Revised Statutes in relation to the selection of service of jurors and that it ought to pass.

Mr. Baxter from same committee reported ought to pass on bill, An Act to incorporate the Stockton Springs Water Company.

Mr. Baxter from same committee reported ought to pass on bill, An Act relating to Pine Grove cemetery of Falmouth, Maine.

Mr. Weatherbee from same committee reported ought to pass on bill, An Act additional to Chapter 49 of the Revised Statutes defining fraternal beneficiary associations doing business in 1889.

Mr. Poor from the committee on appropriations and financial affairs reported ought to pass on resolve in favor of Peter F. Neptune.

Mr. Purinton from the committee on agriculture, reported ought to pass on resolve providing for preventing contagious diseases among cattle and horses.

Mr. Purinton from same committee reported in a new draft bill, An Act to provide for the protection of trees and shrubs from the infection and ravages of dangerous insects and diseases and that it ought to pass.

Mr. Purinton from same committee reported in a new draft resolve in favor of Maine State Poultry and Pet Stock Association and that it ought to pass.

Mr. Purinton from same committee, reported in a new draft resolve to amend Chapter 194 of the Resolves of 1893, relating to industrial exhibits and that it ought to pass.

Mr. Miller from the committee on Indian affairs reported in a new draft

resolve making appropriations for the Penobscot tribe of Indians, and that it ought to pass.

Mr. Miller from same committee reported in a new draft resolve making appropriations for the Passamaquoddy tribe of Indians and that it ought to pass.

Mr. Miller from same committee reported in a new draft resolve making appropriations for the Passamaquoddy tribe of Indians and that it ought to pass.

Mr. Kinsman from the committee on inland fisheries and game, on petition, reported bill, An Act to regulate fishing in Shadow pond, so-called, in Squaw Mountain township, county of Piscataquis.

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

First Reading of Printed Bills.

An Act to amend Section 9 of Chapter 81 of the Revised Statutes relating to the appointment of deputy clerk of courts.

An Act to authorize Skowhegan Hall Association to issue preferred stock.

An Act to authorize the town of Skowhegan to subscribe to the capital stock of Skowhegan Hall Association.

An Act to amend Section 10 of Chapter 98 of the Revised Statutes relating to replevin bond.

An Act to increase the capital stock of Skowhegan Hall Association.

An Act to extend the rights, powers and privileges of the Brownville and Williamsburg Water Co.

An Act to prevent throwing refuse and garbage into the Aroostook river within the limits of Fort Fairfield village Corporation.

An Act to incorporate the Trinitarian Congregational Parish of Castine, and to legalize the doings of said parish as heretofore known under the name of the Trinitarian Society of Castine, Maine.

An Act to amend Section 4 of Chapter 88 of the Revised Statutes, relating to service upon co-partners in trustee process.

An Act authorizing the Crosby Mercantile Co. and the Crosby Lumber Co. to consolidate.

An Act to enable the Clinton Electric Light and Power Co. to issue bonds.

An Act in addition to Chapter 10 of the Revised Statutes relating to the sale of land for taxes.

An Act amending Section 76 of Chapter 9 of the Revised Statutes relating to the apportionment of taxes.

An Act additional to the amenddaory of Chapter 137 of the Private and Special Laws of 1903, entitled "An Act to amend the charter of the city of Auburn and to provide for a Board of Public Works."

An Act to incorporate the Peaks Island Gas Co.

An Act to amend Section 97 of Chapter 15 of the Revised Statutes of 1903. (Tabled pending third reading on motion of Mr. Higgins of Limerick.)

An Act to amend the charter of the Waldo Trust Co.

An Act to incorporate the Deering Banking and Trust Co.

An Act to amend Chapter 279 of the Private and Special Laws of 1901, entitled "An Act to incorporate the Matagamon Manufacturing Co."

An Act to incorporate the Winter Harbor Trust Co.

An Act to incorporate the Merchants' Trust Co.

Resolve in favor of the Maine Home for Friendless Boys.

Resolve in favor of the Farmington State Normal School.

Resolve to provide for deficiencies in appropriations for the schooling of children in unorganized townships.

Passed to be Engrossed.

Resolve in favor of the Maine General Hospital.

Passed to Be Enacted.

An Act to incorporate the Guilford Trust Co.

An Act relating to the Lincoln Electric Railway.

An Act to amend the charter of the Kennebec Valley Railroad Co.

An Act to extend the time of Construction of the Boothbay Railroad.

An Act relating to the Houlton Electric Light and Power Co.

An Act to divide the town of Fremont and incorporate the the town of Southwest Harbor.

An Act to extend the charter of the Auburn, Mechanic Falls and Norway street railway.

An Act to repeal Section 26 of Chapter 60 of the Revised Statutes relating to Agricultural Societies.

An Act to protect cod and other ground fish in waters off the coast of Lincoln and Sagadahoc counties.

An Act granting additional powers, rights and privileges to the Bodwell Water Power Co. of Old Town, Maine.

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

An Act to amend Chapter 51 of the Private and Special Laws of 1903 entitled "An Act to incorporate the Pittsfield Trust Company."

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.

Finally Passed.

Resolve for State pensions.

Resolve in favor of John D. Bubier.

Resolve in favor of the town of Boothbay.

Orders of the Day.

On motion of Mr. Holmes of Caribou, bill An Act to establish the Caribou municipal court, 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. Hall of Dover, the House suspended the joint order on its part, and Mr. Hall introduced bill, An Act relating to the Sebec Power Company, and to extend its corporate purposes. (Referred to the committee on the judiciary.)

On motion of Mr. Baxter of Portland, resolve relating to the documentary history of Maine, was taken from the table, and further motion by the same gentleman, it was referred to the committee on library.

On motion of Mr. Peacock of Lubec, the House suspended the joint order on its part, and Mr. Peacock introduced resolve in favor of the town of Tres-

cott. (Referred to the committee on ways and bridges.)

On motion of Mr. Powers of Houlton, bill, An Act to extend the charter of the Union River Water Storage Company, and bill, An Act to permit the Bar Harbor and Union River Power Company to increase its issue of bonds, were taken from the table. (Referred to the committee on the judiciary.)

On further motion of Mr. Powers' bill, an act to extend the charter of the Hancock county railway company, and bill, an act to extend the charter of the Ellsworth Street Railway Co., were taken from the table. (Referred to the committee on railroads and expresses.)

In reply to a question from Mr. Higgins of Limerick, Mr. Reed of Portland stated that he would take from the table bill, an act to amend Section 1 of Chapter 81 of the Revised Statutes in relation to the appointment of clerks of the judicial courts, on Tuesday of next week, and that if he (Mr Reed) was not present on that day, the gentleman from Limerick (Mr. Higgins) was authorized to take the bill from the table.

On motion of Mr. Reed of Portland the majority and minority reports of the committee on bill, an act providing penalties for non-feasance of duty by sheriffs, deputy sheriffs and county attorneys, were taken from the table.

Mr. Oakes of Auburn then moved that the majority report, reporting ought to pass, be accepted.

The motion prevailed.

The bill was then read twice and assigned for Monday afternoon for its third reading.

On motion of Mr. Sewall of Bath, resolve in favor of a bridge across the Sebasticook river was taken from the table.

The resolve was then read a second time and was passed to be engrossed.

On motion of Mr Sewall, adjourned.