

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Second Legislature

OF THE

STATE OF MAINE.

1905.

SENATE.

Tuesday, February 14, 1905.

Senate called to order by the President.

Prayer by the Rev. Mr. Hayden of Augusta.

Journal of yesterday read and approved.

Papers from the House disposed of in concurrence.

House Bills Read and Assigned.

An act granting additional powers, rights and privileges to the Bodwell Water Power Company of Oldtown, Maine.

The President announced that the "Order to investigate the office of State liquor commissioner," had been returned by the House, with committee joined on the part of the House.

The following bills, petitions and resolves were presented and referred:

Judiciary.

By Mr. Allen of York: Bill, an act to incorporate the Saco River Electric Power Company.

Also, Bill, an act to amend section 35 of chapter 65 of the Revised Statutes relating to costs of contested cases.

Also, Bill, an act to authorize the building of a wharf at Cape Porpoise.

Also, Bill, an act to incorporate the Cape Porpoise Water Company.

By Mr. Simpson of York: Bill, an act to confirm the charter and enlarge the powers of the old York Historical Improvement Society.

Also, Bill, an act to authorize the Sanford Light and Power Company to increase its capital stock.

Also, Bill, an act to authorize the Sanford Light and Power Company to increase its capital stock and to acquire and purchase the rights of the Atlantic Shore Line Railway to furnish light, heat and power in the town of Sanford.

An act to incorporate the Alfred Light and Power Company.

By Mr. Clark of Hancock: Resolve authorizing Frank Spaulding and others to build a wharf into the tide waters of the town of Cranberry Isle.

Also, Bill, an act relating to a speedway of Kennebec River.

By Mr. Stetson of Penobscot: Bill,

an act to amend chapter 557 of the private and special laws of 1893 entitled, an act to incorporate a home for aged men of Bangor.

Also, Bill, an act to amend chapter 415 of the private and special laws of 1868 entitled, an act to authorize Drew Plantation to raise money for certain purposes.

By Mr. Potter of Cumberland: Petition of F. D. Ford and others for an investigation of Shiloh.

Legal Affairs.

By Mr. Bailey of Somerset: Bill, an act to incorporate the trustees of Harmony Grange No. 184.

By Mr. Tartre of York: Bill, an act to impose an excise tax on the business of selling, giving or delivering trading stamps, checks, coupons or similar devices in connection with sale of articles.

By Mr. Brown of Kennebec: Petition for administration to be granted on estate of John A. Holmes, more than twenty years having elapsed since his death and no administration having been made on his estate.

Appropriations and Financial Affairs.

By Mr. Stetson of Penobscot: Resolve in favor of Fred J. Allen of Sanford.

By Mr. Allen of York: Resolve in favor of Isaiah K. Stetson, with bill annexed.

Telegraphs and Telephones.

By Mr. Gardner of Penobscot: Bill, an act to extend the charter of the Pat-ten Telegraph and Telephone Company.

Mercantile Affairs and Insurance.

By Mr. Shaw of Sagadahoc: Petition of H. D. Hammond and 34 others, officers and policy holders of the Oxford Co. People's Mutual Fire Insurance Co. of South Paris against any change in the Maine Standard Policy.

Also, petition of M. J. Dow and 16 others of Plymouth, against same.

Also, petition of M. S. Littlefield and 14 others, against same.

Also, petition of Joseph White and 2 others of West Bath against same.

Also, petition of A. D. Ramsey, M. D. and four others of Montville, against same.

Also, petition of E. H. Gerald and 25 others of Clinton, against same.

Banks and Banking.

By Mr. Stetson of Penobscot: Bill, an act to extend the charter of the Tyler-Fogg Trust Company.

By Mr. Gardner of Penobscot: An act to extend and amend the charter of the Patten Trust Company.

Agriculture.

By Mr. Simpson of York: Petition of H. H. Clark and 34 others asking for assistance to help destroy the brown-tail moth.

Interior Waters.

By Mr. Owen of Piscataquis: Petition of A. S. Drinkwater and 70 others in aid of bill, an act authorizing use of boats on Sebec river between Milo and the rips in said river for the purpose of transporting passengers and freight.

Inland Fisheries and Game.

By Mr. Bailey of Somerset: Petition of citizens of Hartland, Harmony, Palmyra and Athens for a close time on muskrats in those towns for a term of years to prevent their extinction.

Shore Fisheries.

By Mr. Clark of Hancock: Petition of F. E. Sherman and 50 others to prevent the use of purse and drag seines.

By Mr. Shackford of Washington: Remonstrance of Freedom Ramsdill and 37 others of Harrington against any change in the law for fishing for smelts in Harrington river.

Also, Protest of John E. Stewart and 35 others of Columbia against any change in the present law as to taking fish of all kinds in harbors and rivers except as by the present law provided, and that purse and drag seines be forbidden.

Also, protest of J. W. Allen and 24 others of Addison, against any change in smelt law in Pleasant river.

Also, Protest of J. S. Crandon and 72 others of Columbia Falls against any change in the smelt law in Pleasant river.

By Mr. Mills of Hancock: Petition of R. E. Dority and 35 others of Sedgwick relative to the use of purse and drag seines.

Temperance.

By Mr. Furbish of Franklin: Petition of Anson M. Oliver and 48 others of Georgetown and Phippsburg against resubmitting the 5th amendment to the constitution of Maine to a veto of the people.

Also, Petition of F. L. Porter and 57 others of Eustis and Coplin plantation against same.

Also, Petition of Willis Richardson and 18 others of Brooks, against same.

Salaries.

Mr. STETSON of Penobscot: Mr. President: I present an act making the salary of the Governor \$3000 per year, after January 1, 1907.

I wish to state that the chief executive has not been consulted in this matter. I have put it in by request of the committee on salaries, and I move its reference to that committee.

The motion prevailed.

Also, resolve in favor of R. D. Leavitt of Auburn, Maine, with bill accompanying.

Orders.

Mr. STETSON of Penobscot: Mr. President, I wish to say that I was requested to present an order which carries out the provisions of an order that was put in here some weeks ago by Senator Allen of York County, limiting the time for special legislation. I put this in at his request, but I wish to reserve my right to oppose the passage of the order.

The PRESIDENT: I will read the order for the benefit of the Senate: Ordered, the House concurring, that the time for the reception of bills and of petitions for private and special legislation be and hereby is extended to and including Tuesday, February 21, 1905.

Mr. ALLEN of York: Mr. President: I desire to state, at this time, that I am opposed to the passage of this order. The people of Maine interested in private legislation have had two years notice of the time this legislature would be in session. The first week of this session I introduced an order fixing today as the time limit for introducing private matters. I think the people have had ample opportunity

to prepare and present to this Legislature any matters which they may be interested in. My order was introduced at the time with the view of completing our duties here, as promptly and faithfully as possible, with a view to early adjournment; and if this order does not receive a passage and we attend to our duties here promptly, as we should, there is no reason why we cannot adjourn by the 10th or 15th of March, and return to our homes, no doubt much to the gratification and pleasure of our constituents; and have the Legislature adjourned, and out of the way.

The question being put the resolve was refused a passage.

Mr. Knowlton of Penobscot, presented the following order:

“Ordered, that the officers of the Senate be allowed the same compensation as at the last session of the Legislature.” On motion by the same senator, the order was referred to the committee on appropriations and financial affairs.

On motion by Mr. Shackford of Washington, it was:

Ordered, that the committee on sea and shore fisheries have the use of the Senate chamber, this afternoon and evening, for a hearing.

On motion by Mr. Staples of Knox, it was:

Ordered, the House concurring that the committee on State lands and State roads be requested to inquire whether the appropriation of \$40,000 for State roads reported by the financial committee is sufficient for the needs of the State, and report by bill or otherwise.

On motion by Mr. Sturgis of Cumberland, the vote whereby bill, An Act to incorporate the Peakes Island Railroad Company was referred to the committee on railroads and expresses, was reconsidered. On further motion by the same senator, the bill was tabled.

Reports of Committees.

Mr. Simpson for the Committee on Sea and Shore Fisheries, on bill, an act to amend section 60 of chapter 41 of the Revised Statutes relating to Sea and Shore Fisheries, reported same ought not to pass. Report accepted.

Passed to be Engrossed.

An act to incorporate the Foreside Water Company.

Resolve in favor of the Eastern Maine General Hospital.

An act to amend section 44 of chapter 41 of the Revised Statutes relating to the taking of smelts.

Resolve in favor of the Bangor Children's Home.

Resolve in favor of A. H. Small, Portland, Maine.

Resolve in favor of Fred W. Lee, Augusta, Maine.

An act to amend chapter 11 of the private and special laws of 1903 relating to Dover and Foxcroft Water District, for the purpose of correcting errors therein and 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 authorize F. C. Robinson and sons to build and maintain piers, booms and buoys in Portage Lake in the county of Aroostook.

An act to amend and 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 a temporary home for women and children in Portland.

Resolve in favor of the Maine Eye and Ear Infirmary.

Passed to be Enacted.

An Act to amend Section 24 of Chapter 144 of the Revised Statutes relating to insane persons.

An Act to amend Section 6 of Chapter 65 of the Revised Statutes relating to probate courts.

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

An Act to authorize the town of Winthrop to maintain a wharf at Lake Maranzcook, in the county of Kennebec.

An Act granting Jesse King and the children of John J. Cameron the right to establish and maintain a ferry between Sullivan and Hancock.

An Act relating to Rumford Falls and

Rangeley Lakes Railroad Co.

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

An Act to amend the Limerock Railroad Co.

An Act to extend the charter of the Lincoln County Street Railway.

An act to extend the charter of the Waldo Street Railway Company.

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

An act authorizing the Orono Water Company to take water from Chemo lake and Chemo stream in the town of Bradley.

An Act to extend the charter of the Columbia Falls Water and Electric Light Company.

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

An Act to authorize the Houlton Water Company to generate, sell and distribute electricity.

An Act to authorize the Great Northern Paper Company to hold stock of the West Branch Driving and Reservoir Dam 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 amend the charter of the Security Trust Company.

An Act to incorporate the Stockton Springs Trust Company.

An Act to incorporate the Houlton Trust Company.

An Act to incorporate the State Trust Company.

An Act to increase the salary of the judge of the municipal court for the city of Lewiston.

Finally Passed.

Resolve in favor of Maine State Sanitarium Association.

Resolve in favor of Women's Christian Temperance Union, department of Homes for Homeless Children.

Orders of the Day.

On motion by Mr. Staples of Knox: Resolve in favor of Maine General hos-

pital was taken from the table. On further motion by the same senator the same took its first reading and was assigned.

On motion by Mr. Tupper of Lincoln: Bill, "An Act repealing Chapter 443 of the Public Laws of 1901, relating to annual town meeting of Boothbay Harbor," was taken from the table. House report accepted in concurrence. The same senator offered Senate amendment A namely: Amend by striking out all of Section 2 and inserting the following: Section 2. At the annual town meeting to be held in January A. D. 1906, the legal voters of the town of Boothbay Harbor shall be called upon to give their vote upon the acceptance of this act. The vote shall be taken upon a written or printed ballot and shall be in answer to the following question: Shall the Act passed at the Legislature of nineteen hundred and five, entitled "An Act repealing Chapter 443 of the Public Laws of nineteen hundred and one, relating to the annual town meeting of Boothbay Harbor" be accepted? Those in favor of the acceptance shall vote "Yes" and those opposed "No." So much of this act as authorizes the submission of the question of its acceptance to the legal voters of the town of Boothbay Harbor, shall take effect upon its passage, but it shall not take further effect unless accepted by the legal voters of said town by a majority vote given upon the acceptance as herein provided." On motion of the same senator, Thursday of this week, was assigned for consideration of the acceptance of the amendment.

On motion by Mr. Gardner of Penobscot, the vote whereby bill, "An Act to authorize the Northern Telegraph Company to extend its lines along the Northern Maine Seaport Railroad and to increase its capital stock" was passed to be enacted, was reconsidered. On further motion by the same senator the bill was tabled.

On motion by Mr. Allen of York, bill, An Act to provide for the appointment of receivers of corporations," was taken from the table. On further motion by the same senator, the bill was referred to the committee on judiciary.

On motion by Mr. Furbish of Frank-

lin, the vote whereby bill, "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 1899 relating to taxation of certain plantations" was passed to be engrossed, was reconsidered. On further motion by the same senator Senate amendment A was adopted, namely: "Amend House Document 69 by prefixing the following: An Act to amend Section 1 of Chapter 26 of the Private and Special Laws of 1887, relating to taxation of certain plantations.

The President: The Chair will state to the Senate that the title of the original bill was not put in. The printers put it in the printed bill; and the proposed amendment offered by the Senator from Franklin is simply to give the bill a title.

The bill as amended was passed to be engrossed.

On motion by Mr. Irving of Aroostook, House Document 58, bill "An Act to amend Section 80 of Chapter 48 of the Revised Statutes relating to the cash reserve in Trust and Banking Companies" was taken from the table. On further motion by the same senator House amendment A was adopted in concurrence.

The bill was thereupon read and assigned.

The following Joint Resolution from the State of Arizona was read by the Secretary:

"House Concurrent Resolution No. 10.
Resolved by the House of Representatives of the 23d legislative assembly of the Territory of Arizona, the Council concurring:

That we appeal to the justness and fairness of the members of the various state legislatures now in session, and call upon them to request and urge their respective representatives in the Senate of the United States to give careful and just consideration to the protest and objections advanced by the citizens of the territory of Arizona against the passage of the measure now pending before the Senate of the United States, designed and seeking to make one state of the territories of Arizona and new Mexico.

Resolved that the Speaker of the House and the President of the Council be instructed and they are hereby directed to send a copy of this resolution to the various state legislatures that are now in session.

Passed House by unanimous vote.
Passed Council by unanimous vote.

WILFRED T. WEBB,
Speaker of the House.

GEORGE W. P. HUNT,
President of the Council.

J. P. DILLON,
Chief Clerk of the House.

R. S. MACLAY,
Chief Clerk of the Council."

On motion of Mr. Shackford of Washington, the Senate adjourned to meet on Wednesday, February 15, 1905 at ten o'clock in the forenoon.