

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Second Legislature

OF THE

STATE OF MAINE.

1905.

SENATE.

Monday, March 13th, 1905.

Senate called to order by the President.

Prayer by Rev. Mr. Hope of Augusta. Journal of the last session read and approved.

Papers from the House disposed of in concurrence.

House Bills Read and Assigned.

An Act to amend and enlarge the corporate powers and purposes of the Greenville Light and Power Company.

An Act to amend Section 11 of Chapter 23 of the Revised Statutes relating to relocation of highways.

An Act to amend Section 95 of Chapter 49 of the Revised Statutes relating to notice of injury to casualty insurance companies.

An Act additional to Chapter 49 of the Revised Statutes relating to insurance.

An Act to incorporate the Stonington Trust Company, to be located at Stonington, Maine.

An Act to incorporate the United States Trust Company of Portland.

An Act to incorporate the Oldtown Trust Company of Oldtown, Me.

An Act additional to Chapter 19 of the Revised Statutes relating to contagious diseases among cattle. (House amendments "A" and "B" adopted in concurrence.)

An Act to improve the channel of Crooked river.

An Act to authorize the improvement of Chandler's river for log driving purposes.

An Act to incorporate the Roach River Dam Company.

An Act to assist in building a free bridge across Sheepscot river between the towns of Wiscasset and Edgecomb.

An Act establishing a close time for fishing on Thompson pond, from September 1 to January 1 of the following year.

An Act changing the close time for fishing in Long pond in Cumberland county.

An Act to prohibit the hunting of ducks and other waterfowl in Merry-meeting bay, Eastern river, and the Kennebec river below Gardiner and

Randolph bridge by the use of steam, naphtha or gasoline boats.

An Act regulating the close time for fishing in Sandy and Half Moon streams, and their tributaries, and the tributaries to Unity pond, in Waldo county.

An Act to permit ice fishing in Fourth, Buttermilk and Little Benson ponds in Piscataquis county during the month of February.

An Act to amend Chapter 321 of the Private and Special Laws of 1903, relating to the taking of smelts from tributaries of Upper Kezar pond in Lovell, Oxford county.

An Act to regulate fishing in Moxie pond in the county of Somerset.

An Act to amend that portion of Section 3 of Chapter 407 of the Private and Special Laws of 1903, relating to the time and number of fish that can be taken in the streams lying wholly or partly in the towns of Freeman and Salem.

An Act to prohibit fishing at all times in the tributaries to Squa Pan lake in Aroostook county.

An Act to prohibit ice fishing in Brewer pond, sometimes called Hynes pond, in the towns of Orrington and Bucksport in Penobscot county.

Mr. GARDNER of Penobscot: Mr. President, pending the first reading of the foregoing bill I wish to offer an amendment. I will say that this amendment is to correct a clerical and technical error.

Senate amendment A to House document No. 392, "Amend by striking out the title and substituting therefor the following: An Act to prohibit ice fishing in Brewer pond, sometimes called Hynes pond, situated in the towns of Orrington and Holden, Penobscot county, and Bucksport, Hancock county; and by striking out Section 1, and substituting therefor the following: Section 1—It shall be unlawful to fish for, take, catch or kill any kind of fish at any time on or through the ice in Brewer pond, sometimes called Hynes pond, situated in the towns of Orrington and Holden, Penobscot county, and Bucksport, Hancock county"—was adopted.

The bill as amended took its first

reading, and on further motion by the same senator the bill took its second reading under suspension of the rules and was passed to be engrossed.

An Act for the protection of ducks.

Resolve in favor of the town of Gray, to reimburse it for money paid on account of Riley plantation.

On motion by Mr. Tupper of Lincoln, the vote whereby the Senate passed to be engrossed bill "An Act authorizing the codification of the sea and shore fishery laws," was reconsidered.

On further motion by the same senator House amendment "A" was adopted in concurrence, and the bill as amended was passed to be engrossed.

The following petitions were presented:

By Mr. Gardner of Penobscot—Petition of Rev. W. F. Bridgham and others of Patten in favor of the Milliken bill, which was placed on file.

By Mr. Mills of Hancock—Petition of Rev. James E. Whittemore and 18 others, in favor of the proper labelling of proprietary medicines, which was placed on file.

By Mr. Shackford of Washington—Petition of Rev. J. W. Pierce and 24 others in favor of an act for the proper labelling of proprietary medicines, which was placed on file.

On motion by Mr. Knowlton of Penobscot, the Senate reconsidered its vote whereby it passed to be engrossed House document No. 337, "An Act to incorporate the Fidelity Trust Company of Portland, Maine."

Mr. KNOWLTON: The purpose of the amendment is to strike out the words "authorizing the company to do a general surety business."

The committee on banks and banking has for several sessions adopted a policy of refusing to grant this right to new trust companies.

Senate amendment "A" to House document 337 was adopted, and the bill as amended was passed to be engrossed.

Read and Assigned.

An Act to amend Paragraph 20 of

Section 1 of Chapter 116 of the Revised Statutes relating to the salary of the commissioner of sea and shore fisheries.

An Act to extend and amend the Charter of the Patten Trust Company.

An Act to regulate fishing in the Rangeley chain of lakes, so called, in the counties of Franklin and Oxford.

An Act relating to the York Light and Heat Company.

An Act to amend Chapter 130 of the Private Laws of 1866, entitled An Act to incorporate the Sebec Dam Company, as amended by Section 6 of Chapter 26 of the Private and Special Laws of 1899, and further amended by Chapter 141 of the Private and Special Laws of 1903.

An Act relating to the compensation of clerks of courts.

An Act relating to the compensation of county commissioners.

An Act relating to the compensation of county treasurers.

An Act relating to the compensation of registers of probate.

An Act relating to the compensation of judges of probate.

An Act relating to the compensation of registers of deeds.

An Act relating to the compensation of county attorneys.

An Act relating to the duties of county attorneys.

An Act to amend Section 1 of Chapter 116 of the Revised Statutes relating to the salaries of public officers and compensation of members of the government.

An Act to amend Chapter 223 of the Private and Special Laws of 1903, in relation to the establishment of a normal school at Presque Isle in Aroostook county.

An Act to amend Section 4 of Chapter 141 of the Revised Statutes relating to State prison.

An Act recognizing Pepperil Manufacturing Company as a corporation legally organized, and granting to it additional powers.

An Act to amend Section 31 of Chapter 93 of the Revised Statutes relating to liens.

An Act to amend the city charter and city ordinances of the city of Gardiner,

in relation to the election of the city marshal and street commissioner.

An Act relating to the compensation of sheriffs.

An Act to amend Section 88 of Chapter 84 of the Revised Statutes relating to the challenging of jurors.

Resolve to provide for the completion of the residence of the principal of the Western State Normal school at Gorham.

Resolve authorizing Frank Spurling, et als., and build a wharf into tide waters in the town of Cranberry Isles.

Resolve in favor of William H. Reid, State binder.

Resolve in favor of the city of Portland for reimbursement for amount spent for the relief of soldiers' families during the war with Spain.

Reports of Committees.

Mr. Potter for the committee on judiciary, on bill "An Act to amend Section 35 of Chapter 65 of the Revised Statutes, in relation to costs in contested cases," reported same in new draft under same title, and that it "ought to pass." On motion of Mr. Sapiens of Knox, the bill and accompanying report were tabled.

Mr. Potter for the committee on judiciary, on bill "An Act to amend Chapter 235 of the Public Laws of 1895, relating to Bath municipal court," reported same "ought to pass." Report accepted.

Mr. Putnam for the committee on appropriations and financial affairs, on resolve in favor of George E. Morrison, reported same in new draft under same title, and that it "ought to pass."

Mr. Morse of Waldo, for the committee on military affairs, on Resolve in favor of extra pay of Maine volunteers in the war with Spain, reported same in new draft and that it "ought to pass." Report accepted.

Passed to be Engrossed.

Resolve in favor of Maine School for the Deaf.

An Act to amend section 3 of chapter 41 of the Revised Statutes relating to sea and shore fisheries. On motion by Mr. Tupper of Lincoln, the bill was tabled pending its second reading.

Passed to be Enacted.

An Act to amend section 26 of chapter 3 of the Revised Statutes, in relation to the printing of the different departments.

An Act relating to the compensation of examining boards.

An Act to incorporate the Bangor and Northern Maine railroad company.

Finally Passed.

Resolve in aid of navigation on Schoodic Grand Lake.

Resolve in aid of navigation on Moosehead Lake.

Resolve to provide for repair of the roadway in townships 5 and 6 in Piscataquis county.

Resolve in favor of W. S. Cotton.

Resolve in favor of Miss Fannie L. Jenkins for State aid.

Orders of the Day.

On motion by Mr. Stetson of Penobscot Senate document 191, being bill relating to moving buildings through the streets, was taken from the table. On further motion by the same Senator the report of the committee was accepted, and the bill was read and assigned.

On motion by the same Senator document 27, bill entitled to extend the close time on caribou, was taken from the table, and on his further motion the report of the committee "ought to pass" was accepted.

On motion by Mr. Gardner of Penobscot the bill was tabled pending its first reading, and Thursday of this week assigned for special consideration.

On motion by Mr. Clark of Hancock Senate document 179, bill An Act to prevent the unlawful diversion of electricity was taken from the table. The same Senator offered Senate amendment "A" by inserting after the word "or" at the end of the 4th line the word "gas," and after the word "water" in the 7th line the words "or gas" and after the word "water" in the 8th line the words "or gas." The amendment was adopted, and as amended the bill was read and assigned.

On motion by Mr. Clark of Hancock House document 287, "An Act to amend section 93 of chapter 4 of the Revised Statutes, relating to town and city by-

laws and ordinances, was taken from the table, and on further motion by the same Senator the bill was passed to be engrossed.

On further motion by the same Senator the report of the committee on Legal Affairs, submitting a bill to amend the Revised Statutes, relating to the selection of jurors, was taken from the table. On motion by Mr. Pierce of Aroostook the report of the Committee "ought to pass" was accepted.

The bill was read and assigned.

On motion of Mr. Staples of Knox Senate document No. 4, report of Committee on Labor "ought not to pass," on bill to amend section 57, chapter 84, of the Revised Statutes of Maine, was taken from the table. On further motion by the same Senator the report was accepted.

On motion by Mr. Gardner of Penobscot bill "An Act to authorize the Farmington Village Corporation to take water for municipal purposes from Varnum's Pond," was taken from the table, and on further motion by the same Senator the same was passed to be engrossed.

On motion of Mr. Staples of Knox the Senate adjourned to meet on Tuesday, March 14, 1905, at 10 o'clock in the forenoon.

HOUSE.

Monday, March 13, 1905.

Prayer by Rev. Mr. Spencer of Augusta.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

An act relating to artificial cultivation of fish by riparian proprietors, came from the Senate amended by Senate amendment A. The House reconsidered the vote whereby this bill was passed to be engrossed, Senate amendment A was adopted and the bill was then passed to be engrossed as amended.

An Act enlarging the duties and fixing the compensation of the attorney general, came from the Senate amended by Senate amendment A. (Tabled pending the adoption of the amendment on motion of Mr. Briggs of Auburn.)

An Act relating to the compensation of certain State officers, came from the Senate that branch non-concurring in the adoption of House amendment A. (Tabled on motion of Mr. Oakes of Auburn.)

An Act relating to the compensation of the commissioners of inland fisheries and game came from the Senate amended by Senate amendment A.

The House reconsidered the vote whereby this bill was passed to be engrossed. Senate amendment A was adopted and the bill was then passed to be engrossed as amended.

An Act to incorporate Prout's Neck Village Corporation, the House having accepted the report of the committee referring it to the next Legislature came from the Senate recommitted to the judiciary committee in non-concurrence.

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

Petition of D. L. Pettengill and 55 others in relation to the abolition of the fee system from the Senate placed on file by that branch in non-concurrence.

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

The House order directing the committee on legal affairs to inquire into the present mode of assessing and describing wild lands and as to giving additional and amended deeds to DeForest Keyes and Herbert Kimball came from the Senate referred to the committee on legal affairs in non-concurrence. (Tabled on motion of Mr. Merrill of Skowhegan.)

From the Senate: Majority and minority reports of the committee on taxation on bill in relation to taxation of mortgages on real estate. (Reports tabled pending acceptance of either motion of Mr. Littlefield of Rockland.)

Senate Bills on First Reading.

An Act to provide for the appointment of receivers of corporations.

An Act to authorize the Sanford Light and Power Company to increase its capital stock, and to acquire and purchase rights of the Atlantic Shore Line to furnish light, heat and power in the town of Sanford.

An Act to extend the charter of the Union River Water storage company.