

MAINE STATE LEGISLATURE

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Legislative Record

of the

Seventy-Third Legislature

of the

State of Maine.

1907.

HOUSE.

Thursday, January 17, 1907.

Prayer by Rev. Mr. Clifford of Gardiner.

Papers from the Senate disposed of in concurrence.

Bill, An Act to encourage the cultivation of wood lots, comes down from the Senate, taken from the files in the branch and referred to the committee on taxation. (Tabled on motion of Mr. Perkins of Alfred.)

Bill, An Act to amend Specification 10, Section 16, Chapter 9 of the Revised Statutes, relating to exemption from taxation of lands set apart for forest cultivation, comes down from the Senate that branch non-concurring with the House in its reference of the bill to the committee on agriculture, and referring it to the committee on taxation. (Tabled on motion of Mr. Perkins of Alfred.)

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

Judiciary.

By Mr. Davies of Yarmouth—Bill, An Act to amend Section 10 of Chapter 90 of the Revised Statutes relating to costs of petition for petition of real estate; also Bill, An Act to amend Chapter 134 of the Revised Statutes relating to recognizances in criminal cases.

Legal Affairs.

By Mr. Mullen of Bangor—Bill, An Act to extend the charter of the Matagonon Manufacturing Co.

By Mr. Hadlock of Cranberry Isle—Bill, An Act to authorize the South West Harbor Water Co. to buy, generate, sell and distribute electricity, also Bill, An Act to authorize the town of Swan Island to assist in laying a telephone cable.

By Mr. Horrigan of Biddeford—Bill, An Act relating to police and city marshal in the city of Biddeford.

Appropriations and Financial Affairs.

By Mr. Scates of Westbrook—Petition of the mayor of Westbrook and 13 others in favor of the Home for Friendless Boys.

By Mr. Dunton of Belfast—Petition

of Arthur Ritchie and 201 others for an appropriation in aid of the Waldo County General Hospital, with statement of facts.

By Mr. Weld of Old Town—Bill, An Act to amend Section 23 of Chapter 18 of the Revised Statutes relating to the State laboratory of Hygiene, also Resolve in favor of the Old Town Hospital Co. of Old Town.

By Mr. Newbert of Augusta—Resolve in favor of the Augusta City Hospital.

Education.

By Mr. Kendall of Bowdoinham—Resolve in favor of the town of Bowdoinham.

Roads and Expresses.

By Mr. Baldwin of Boothbay Harbor—Bill, An Act to extend the charter of the Lincoln County Street Railway.

By Mr. Duncan of Rockland—Bill, An Act to authorize the Penobscot River R. R. Co. to locate across Lake Megunticook and other waters.

Mercantile Affairs and Insurance.

By Mr. Danforth of Skowhegan—Bill, An Act to amend Section 96 of Chapter 49 of the Revised Statutes, relating to insurance agents and brokers.

Telegraphs and Telephones.

By Mr. Hadlock of Cranberry Isle—Bill, An Act to amend the charter of the Swans Island Tel. & Tel. Co.

Banks and Banking.

By Mr. Perry of Fort Fairfield—Bill, An Acts to incorporate the Northern Trust Company.

Interior Waters.

By Mr. Danforth of Skowhegan—Bill, An Act relating to improvement on Stratton Brook in the township of Wyman in the county of Franklin.

Ways and Bridges.

By Mr. Thomas of Howland—Petition of F. M. Weymouth and 93 others for an appropriation of \$2500 for the repair of three bridges in the towns of Howland and Enfield; also Resolve in favor of the towns of Howland and Enfield for the purpose of repairing bridge across Penobscot river; also Resolve in favor of the town of Howland for the purpose of repairing bridge across Se-

boice river; also Resolve in favor of the town of Howland for the purpose of repairing bridge across the Piscataquis river.

Inland Fisheries and Game.

By Mr. Skidmore of Liberty—Petition of Eben Cobb and 28 other citizens of Searsmont for an act to prohibit fishing in the brooks and streams flowing into George's river between the outlet of Quantabacook pond in Searsmont and the dam across said George's river at North Appleton, and in the tributaries to said brooks and streams, prior to April 1, 1909; also Bill, An Act to prohibit fishing in the brooks and streams flowing into George's river between the outlet of Quantabacook pond in Searsmont and the dam across said George's river at North Appleton, and in the tributaries to said brooks and streams, prior to April 1, 1909.

Shore Fisheries.

By Mr. Tucker of Wiscasset—Petition of Willard R. Bailey of Wiscasset and 78 others for the privilege of catching smelts by use of nets or weirs in the tide waters of Sheepscot river on his shore property.

Towns.

By Mr. Dyer of Buckfield—Bill, An Act to amend Section 2 of Chapter 58 of the Private and Special Laws of 1887, as amended by Chapter 67 of the Private and Special Laws of 1891, relating to the Buckfield Village Corporation.

Insane Hospitals.

By Mr. Weld of Old Town—Petition of Charles G. Davis and 43 others of Old Town in favor of the State supporting the insane.

Indian Affairs.

By Mr. Putnam of Danforth—Bill, An Act authorizing the agent of the Passamaquoddy tribe of Indians to remove any of the distressed poor of that tribe to either reservation within his agency limits.

Temperance.

By Mr. Hawkes of Windham—Remonstrance of H. W. Murch of Gorham and 13 others against the passage of a resolution to resubmit the fifth amendment to the constitution of Maine to a

vote of the people; also remonstrance of Andrew Hawes of Portland, Stroudwater District, and 102 others against same.

Lincoln County Delegation.

By Mr. Baldwin of Boothbay Harbor—Bill, An Act to amend Section 1 of Chapter 151 of the Public Laws of 1905 relating to compensation of registers of probate.

Placed on File.

Credentials of Joseph Neptune, of the Passamaquoddy Tribe.

Mr. SAFFORD of Kittery: Mr. Speaker, I move to reconsider the vote by which the bill relating to the police and city marshal of Biddeford was referred to the committee on legal affairs, and that it lie on the table pending reference to a committee.

Mr. HORIGAN of Biddeford: Mr. Speaker, This is the first instance, so far as I have been able to observe during this session of the House, when any representative other than the one introducing a bill has sought to divert it from the committee to which he asked that reference be made. It may be that the gentleman from Kittery (Mr. Safford) has not sufficient confidence in the committee on legal affairs, in their fairness, good judgment and ability, to properly consider this bill. The representatives from Biddeford have confidence in that committee. They have confidence that the Speaker of the House has appointed gentlemen of legal ability, legal knowledge, fairness, and everything that goes to make up a good committee.

We do not come here in any spirit of partisanship. I come here neither as a Democrat nor as a Republican, but as one elected by the votes of both these parties, as many of one as of the other, and the best elements of both of those parties in the city of Biddeford. I come here as a representative of twenty thousand people there asking fair treatment at your hands. We feel if this bill is given proper consideration, is referred to this committee, that there should be no question but what we shall get what we ask for. We do not ask anything for ourselves that we are not

perfectly willing that every other member of this House should have. We ask nothing but what we would willingly concede to every other member here. We ask nothing but what you all enjoy. But the people of that western section of Maine, one of the most prosperous cities of the State, have been singled out and saddled with a police commission, have been deprived of the right to manage our own local affairs. We think it is an outrage. My colleague and myself were elected here on the express platform of making an effort to have this bill repealed. We come here in all fairness, introducing a bill and asking for the repeal of that police commission and that we be put back on the same level of every other city of the State. It is a proposition that appeals to us as one that is eminently fair; and I certainly hope the gentlemen of this House will have the courtesy to allow that bill to go to the committee to which we ask it to be referred, and that they insist upon their former vote of reference to the legal affairs committee.

Mr. SAFFORD of Kittery: Mr. Speaker, I do not propose to enter upon the merits of this question. I have no objection to the reference of this bill to any committee. I was requested to make this motion with the understanding that there would be a conference with representatives about its reference, whether it be to the committee on legal affairs or any other committee; and it is made solely for the purpose of coming to an agreement upon a reference to some committee. That is the sole purpose with which I make the motion that it lie on the table.

I am not particularly acquainted with the merits of this question, I am not biased in any way in regard to it; and I think no harm will come if it lie on the table until tomorrow or some subsequent time when we can agree upon its reference.

Mr. WALKER of Biddeford: Mr. Speaker, I do not propose to enter upon a discussion of the merits of this question, but this is the first instance to my knowledge where the party presenting a bill has not had the right of referring it to such a committee as he

desires. There has been no reason given why this should not go to the legal affairs committee. The gentleman from Kittery suggests that it is possible that there may be a conference whereby some committee may be agreed on; but so long as the gentleman has selected his committee and asks for no conference, I see no reason why this House should recede from the reference they have made unless there are better reasons than have already been given.

Mr. SAFFORD: I move that the bill lie on the table to be printed.

The SPEAKER: The question is on reconsidering the vote whereby the bill was referred to the committee on legal affairs.

The motion was lost.

Reports of Committees.

Mr. Montgomery from the committee on the judiciary, on Bill, An Act in addition to Chapter 144 of the Revised Statutes relating to the commitment of the insane, reported that the same be printed and recommitted.

Mr. Newbert from the committee on Maine State Year Book, to which was referred the order of the Legislature relating thereto, reported, a Resolve in favor of the purchase of the Maine State Year Book and Legislative Manual for the years 1907 and 1908. (Report accepted and Resolve tabled for printing under joint rule.)

Orders of the Day.

On motion of Mr. Stearns of Norway, Bill, An Act creating a lien on horses, oxen, mules and other animals in certain cases, 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. Newbert of Augusta, Resolve for an amendment to the constitution by abrogating and annulling Amendment 5 adopted on the 5th day of September A. D. 1884, relating to the sale and manufacture of intoxicating liquors, 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. Noyes of Augusta, Bill, An Act to repeal Chapter 92 of the Laws of 1905, entitled An Act to pro-

vide for the better enforcement of the laws against the sale and manufacture of intoxicating liquors, 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. Waldron of Dexter, Bill, An Act to provide a way to free toll bridges, was taken from the table, and on further motion by the same gentleman it was referred to the committee on ways and bridges.

Mr. Morneau of Lewiston asked permission to recall from the Senate the order relating to publication of Legislative notices in the *Le Messager*.

On motion of Mr. Morneau,
Adjourned.

SENATE.

Friday, January 18, 1907.

Senate called to order by the President.

Prayer by Rev. Mr. Colby of Augusta. Journal of the previous session read and approved.

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

Appropriations and Financial Affairs

By Mr. Hastings of Oxford: Resolve in favor of H. H. Hastings, Chairman of Committee on Senatorial Elections, in payment of witnesses', magistrates' and officers' fees and disbursements made by him in the election contest of senators in Kennebec County for Seventh Senatorial District.

By Mr. Simpson of York: Bill "An Act to provide in part for the expenditure of Government in the year of 1907.

By Mr. Eaton of Washington: Petition of M. N. McKusick and 16 others of Calais in favor of Temporary Home for Women and Children in Portland."

Taxation.

By Mr. Clarke of Lincoln: Bill, An Act in relation to the taxation of mortgages on real estate."

Temperance.

By Mr. Irving of Aroostook: Remonstrance of Frank P. Grant and 114 others of Fort Fairfield against Resubmission.

Orders.

On motion of Mr. Putnam of Aroostook it was

Ordered, the House concurring, that when the Senate and House adjourned, that they adjourn to meet on Tuesday January 22, 1907, at 11.00 o'clock in the forenoon.

This order was later returned from the House concurred in by that branch. On motion by Mr. Clark of Lincoln,

WHEREAS Wednesday, the 27th day of February, 1907, is the centennial anniversary of the birth of one of the most illustrious sons of Maine, Henry Wadsworth Longfellow, a name held in affectionate memory by millions of old and young, both in this and other lands universally recognized as one of the greatest poets of any age or nation,