

MAINE STATE LEGISLATURE

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Legislative Record

of the

Seventy-Third Legislature

of the

State of Maine.

1907.

the occasion or the propriety of reference as have been made in the present case, and I wish to keep open for the Senate that power which we have given to us and to put no limitation on it by any act of mine that can possibly be misconstrued.

The question being put upon the motion of the senator from Hancock that the consideration of the order be indefinitely postponed, the yeas and nays were called for and ordered and the vote being had resulted as follows: Those voting yea were Messrs. Ayer, Bailey, Barrows, Brown, Clarke, Deasy, Eaton, Hastings, Houston, Irving, Libby, Mills, Page, Parkhurst, Putnam, Heselton, Rice, Sewall, Simpson, Stearns, Tartre, Theriault and Wyman—23. Those voting nay were Messrs. Curtis, Foss, Garcelon, Merrill, Philoon, Proctor, Staples—7. So the motion prevailed and the consideration of the order was indefinitely postponed.

On motion by Mr. Stearns of Penobscot it was

Ordered, That, the House concurring, the committee on finance be, and is hereby requested to examine into the question of the advisability of requiring all clerks in the State treasurer's office, who duties are to receive or pay out money, to give bond of some reliable surety or guaranty company in place of a bond signed by individuals, and that the premium of said bond or bonds be paid by the State, and that the said finance committee be requested to report by bill or otherwise.

On motion by Mr. Staples of Knox the report of the committee on railroads and expresses, ought to pass, on Bill an act to amend the P. & S. Laws of 1903 relating to extension of Bangor & Aroostook Railroad, was taken from the table and on further motion by the same senator the report was accepted and the bill accompanying said reported was tabled for printing under the joint rules.

On motion of Mr. Wyman of Washington the Senate adjourned.

HOUSE.

Thursday, January 31, 1907.

Prayer by Rev. Mr. Quimby of Gardiner.

(Mr. Davies of Yarmouth in the chair.)

Papers from the Senate disposed of in concurrence.

Senate Bills on First Reading.

An Act to incorporate the Maine Insurance Company.

The following Petitions, Bills, etc., were presented and referred:

Judiciary.

By Mr. McClutchey of Portland—Bill, "An Act to extend the charter of the Peaks Island Water and Light Company."

By Mr. Cyr of Van Buren—Bill, "An Act to authorize the town of Van Buren to issue bonds."

By Mr. Gallagher of Waldoboro—Bill, "An Act to incorporate the Waldoboro Water Company."

By Mr. Cyr of Van Buren—Bill, "An Act to incorporate the Van Buren Light and Power Company."

By Mr. Tucker of Wiscasset—Bill, "An Act to amend Chapter 154 of the Private and Special Laws of 1895 as amended by Chapter 20 of the Private and Special Laws of 1905 relating to the Wiscasset Water Company."

Legal Affairs.

By Mr. Stover of Brunswick—Petition of George S. Thompson and 32 others to amend Chapter 277 of the Private and Special Laws of 1903 fixing the salary of the recorder of the municipal court of the town of Brunswick; also Bill, "An Act to amend Chapter 277 of the Private and Special Laws of 1903 amending An Act to establish a municipal court in the town of Brunswick."

By Mr. Wardwell of Rockland—Bill, "An Act to amend Section 3 of Chapter 40 of the Revised Statutes relating to Lime Casks."

By Mr. Martin of Bangor—Bill, "An Act to amend Section 1 of Chapter 75 of the Revised Statutes in relation to the Ownership of Down Timber and Bark."

By Mr. Dyer of Buckfield—Bill, "An

Act to preserve the purity of the source of water supply for the village of Buckfield and to protect the 'public health.'

By Mr. Martin of Bangor—Bill, "An Act to amend Chapter 64 of the Private and Special Laws of 1899 as amended by Chapter 472 of the Private and Special Laws of 1901 and by Chapter 48 of the Private and Special Laws of 1903 and by Chapter 205 of the Private and Special Laws of 1905, relating to the Wilson Stream Dam Company.

Appropriations and Financial Affairs.

By Mr. Moore of Saco—Petition of E. A. Goodale and others for Resolve in favor of Temporary Home for Women and Children at Portland; also Petition of D. W. J. Maybury of Saco and 10 others for Resolve in favor of Maine State Sanatorium Association.

By Mr. Stover of Brunswick—Petition of Dr. Alfred Mitchell of Brunswick and 36 others for same.

By Mr. Johnson of Waterville—Petition of F. C. Thayer of Waterville and 33 others for same.

By Mr. Lovejoy of Milo—Petition of D. W. Hayes of Brownville Junction and others for same.

Education.

By Mr. Merrill of Monmouth—Petition of H. E. Foster and 102 others of Winthrop for the adequate support of the University of Maine.

By Mr. Murphy of Portland—Petition of Nathan Clifford and 34 others of Portland for same.

Railroads and Expresses.

By Mr. Libby of Amity—Petition of A. B. Prouty and 24 others for two-cent mileage on the Bangor and Aroostook Railroad.

By Mr. McClutchey of Portland—Bill, "An Act to extend the charter of the Peaks Island Railroad."

By Mr. Tucker of Wiscasset—Bill, "An Act to extend the charter of the Waterville and Winslow Bridge Company."

By Mr. Reynolds of Winslow—Bill, "An Act to make valid the organization of the Wiscasset, Waterville and Farmington Railway Co., and to extend its charter."

Telegraphs and Telephones.

By Mr. Lord of Parsonsfield—Bill, "An Act to amend the charter of Ossipee Valley Telegraph and Telephone Company."

By Mr. Emery of Jay—Bill, "An Act to incorporate the Bean's Corner and Dryden Telephone Company in the towns of Jay, Wilton and Chesterville in the county of Franklin."

Mercantile Affairs and Insurance.

By Mr. Goodwin of Sanford—Bill, "An Act additional to Chapter 49 of the Revised Statutes relating to Insurance and Insurance Companies."

By Mr. Moore of Saco—Bill, "An Act to amend and extend the charter of the Pepperill Trust Company."

Banks and Banking.

By Mr. Johnson of Waterville—Resolve to amend Chapter 126 of the Resolutions of 1905 relating to the Central Maine Fair Association.

Agriculture.

By Mr. Tucker of Wiscasset—Bill, "An Act to extend the charter of the Maine Water and Electric Power Company."

By Mr. Jacobs of Athens—Bill, "An Act to authorize the erection and maintenance of piers and booms in the Kennebec River at Caratunk Falls by the Unbagog Paper Company."

Ways and Bridges.

By Mr. Donigan of Bingham—Petition of John Chandler and 9 others in favor of the Act to provide for the ownership and maintenance of Highway Bridges by the State; of A. L. Flander and 9 others for same; of H. E. Bumpus and 11 others; of F. M. Eastman and 52 others; of E. V. Morse and 59 others; of J. C. Clark and 30 others—for same.

By Mr. Cyr of Van Buren—Petition of inhabitants of Connor Plantation for appropriation in aid of bridge over Little Madawaska River.

By Mr. Pike of Eastport—Petition of the mayor of Eastport and 130 others to enact into law the State Bridge Bill.

By Mr. Thomas of Harpswell—Petition of Wm. H. Mishoe and 29 others for same.

By Mr. Brawn of Bradley—Petition of Arthur P. Brawn and 8 others for

same; also petition of F. C. Barton and 12 others for same.

By Mr. Lane of Brewer—Petition of Freeland L. Harlow and 57 others for same; also petition of Charles C. Hoyt and 61 others for same; also petition of H. C. Clapp and 40 others for same.

By Mr. Mayo of Foxcroft—Petition of Willis E. Parsons and 63 others of Foxcroft for same.

Inland Fisheries and Game.

By Mr. Merrill of Monmouth—Petition of F. C. Torsey and 37 others of Monmouth asking that a law be passed to prevent the carrying of firearms into the unincorporated townships of the State during close time on game; also to provide for the feeding of fish at our hatcheries for a longer time before they are liberated.

By Mr. Jordan of Portland—Petition of Silas B. Adams and 49 others praying that the close time on duck be extended one month, and that wood duck and buffle head duck, commonly called dipper, be protected for five years.

By Mr. Herrick of Brooklin—Petition of A. W. Walker and 52 others of Castine praying for "An Act to prevent the snaring of wild hares or rabbits in the town of Castine;" also Bill, "An Act to prohibit the snaring of wild hares or rabbits in Hancock county."

By Mr. Lord of Parsonsfield—Bill, An Act to amend Chapter 329 of the Private and Special Laws of 1905 relating to protection of fish in certain waters of Limerick, Parsonsfield and Cornish.

Claims.

By Mr. Witham of Raymond—Resolve in favor of the town of Gray; also Resolve in favor of the town of Gray; also Resolve in favor of the town of Gray.

By Mr. Putnam of Danforth—Resolve in favor of town of Baring on account of State road constructed in the year 1906.

Insane Hospitals.

By Mr. Libby of Amity—Petition of A. B. Prouty and 24 others for passage of the act providing for the support of the pauper insane and feeble-minded by the State.

Temperance.

By Mr. Libby of Amity—Petition of A. B. Prouty and 24 others for the passage of the act providing for proper labeling of medicines containing poisons and narcotic drugs and to prevent the manufacture and sale of adulterated drugs.

By Mr. Merriman of East Livermore—Remonstrance of Lester L. Fogg and 61 others of Greene, Solon Chase and 53 others, D. R. Briggs and 44 others and W. H. Clark and 59 others of Turner, against resubmission.

By Mr. Davies of Yarmouth—Remonstrance of S. N. Adams and about 40 others of Freeport against same; of Harry H. Carrell and about 25 others; of A. H. Jordan and 82 others; of Arthur S. Freeman of Cumberland county and about 60 others; of M. C. Merrill and about 100 others; against resubmission.

By Mr. Farrar of Corinth—Remonstrance of A. G. Ray and 44 others; of J. H. Mamilton and 34 others; of Mrs. Elizabeth Beale of Orono and 33 others; of C. W. Lovell and 32 others of Corinth; of E. A. Harvey and 32 others of Kenduskeag; of Norman LaMarch and 52 others of Orono; of George U. Smith and 18 others of Corinth; against same.

By Mr. Putnam of Danforth—Remonstrance of James A. Wood and 76 others of Danforth against same.

By Mr. Havey of Sullivan—Remonstrance of G. M. Farnsworth and 65 others of Sullivan; of Theodore Bragdon and 54 others of Franklin; against same.

By Mr. Colcord of Searsport—Remonstrance of D. W. Dodge and 68 others of Freedom against same.

By Mr. Goodwin of Sanford—Remonstrance of Rev. J. B. Ranger and 30 others of Springvale against same.

By Mr. Libby of Amity—Remonstrance of F. E. Libby and 100 others of Houlton against same.

By Mr. Herrick of Brooklin—Remonstrance of C. C. Koch and 36 others of Sedgwick against same.

By Mr. Dow of Brooks—Remonstrance of S. D. Brown and 25 others; of E. C. Basford and 81 others of Livermore Falls; of Silas B. Skillings

and 36 others of Turner and Auburn; against same.

By Mr. Herrick of Brooklin—Remonstrance of Gideon Mayo and 70 other voters of Winter Harbor against same.

By Mr. Folsom of Norridgewock—Remonstrance of W. J. Richmond and 40 others of Bingham; of C. F. Pratt and 31 others of Hartland; against same.

By Mr. Dyer of Buckfield—Remonstrance of C. A. Anderson and 61 others of Andover; of Mrs. K. M. Dresser and 63 others of Andover; against same.

By Mr. Dyer of Brooks—Remonstrance of A. E. Winchenpaw and 77 others of Friendship; of Clarence Emery and 16 others of St. George; of E. M. Bonney and 26 others of Hartford; of Samuel Dixon and 16 others of South Eliot; of Rev. E. E. Morse and 53 others of Morrill; against same.

By Mr. Stubbs of Strong—Remonstrance of F. H. McLain of Eustis and 18 others; of E. S. Parker and 41 others of Farmington; of J. E. Hiscock of North Chesterville and 53 others; against same.

By Mr. Goodwin of Sanford—Remonstrance of W. H. Folsom and 16 others of Springvale against same.

By Mr. Perkins of Alfred—Remonstrance of B. C. Jordan and 18 others of Alfred against same.

By Mr. Herrick of Brooklin—Remonstrance of Albert F. Richardson and 27 other voters of Castine against same.

By Mr. Brackett of Sebago—Remonstrance of John S. White and 26 others of Naples; of H. L. McCame and 27 others of Gray against same.

By Mr. Allen of Columbia Falls—Remonstrance of Charles H. Beal and 148 others against same.

By Mr. Dow of Brooks—Bill, An Act to amend Chapter 588 of the Private and Special Laws of 1871 entitled An Act to incorporate the Grand Lodge of the Independent Order of Good Templars of Maine.

Labor.

By Mr. Hall of Caribou—Petition of Mrs. W. E. Hall and three others relating to employment of minors in manufacturing and mechanical establishments.

By Mr. Irving of Presque Isle—Petition of Pierian Club of Presque Isle for same.

Reports of Committees.

Mr. Milliken from the Committee on Interior Waters reported ought not to pass on Bill, An Act to incorporate the Enchanted Stream Dam and Improvement Company.

Mr. Merrill from the Committee on Inland Fisheries and Game reported ought not to pass on bill relating to ice fishing in Matthews pond in the towns of Oxford and Hebron in Oxford county.

Mr. Charles from the Committee on Banks and Banking reported ought not to pass on Bill, An Act to incorporate the Northern Trust Company.

Mr. Weeks from the Committee on Judiciary reported ought not to pass on Bill, An Act to reimburse Ray P. Eaton, register of deeds of the county of Cumberland.

Mr. Michaud from the Aroostook county delegation reported ought not to pass on bill relating to change of office of the register of deeds from Madawaska to Van Buren.

Mr. Davies from the Committee on Judiciary, on Resolve in favor of the town of Monson, reported that the same be referred to the Committee on Claims.

Mr. Davies from same committee reported ought to pass on Bill, An Act creating certain islands in the town of Harpswell in the county of Cumberland and State of Maine into a voting district.

Mr. Davies from same committee reported ought to pass on Bill, An Act to authorize the city of Lewiston to issue its bonds.

Mr. Johnson from same committee reported ought to pass on Bill, An Act to ratify, confirm and make valid the organization of the Dixfield Light and Water Company.

Mr. Smith from same committee reported ought to pass on Bill, An Act to extend the charter of the Kittery Water and Light Company.

Mr. Montgomery from same committee reported ought to pass on Bill, An Act to authorize a bridge in the town of Edgcomb.

Mr. Goodwin from some committee reported ought to pass on Bill, An Act additional to Chapter 127 of the Revised Statutes.

Mr. Johnson from same committee reported ought to pass on Bill, An Act to extend the provisions of Chapter 241 of the Private and Special Laws of 1903 entitled An Act to supply the town of Lisbon with pure water.

Mr. Goodwin from same committee reported ought to pass on Bill, An Act to amend chapter 242 of the Private and Special Laws of 1895 entitled An Act to incorporate the city of South Portland as amended by Chapter 138 of the Private and Special Laws of 1905.

Mr. Johnson from same committee reported ought to pass on Bill, An Act to repeal Chapter 403 of the Private and Special Laws of 1903 entitled An Enabling Act for the annexation of the city of South Portland to Portland.

Mr. Weeks from same committee reported ought to pass in a new draft, Bill, An Act to authorize the Portland Wharf and Land Company to erect and maintain a wharf into the tide waters of Casco Bay in the city of South Portland.

Mr. Hall from the Committee on Legal Affairs reported ought to pass on Bill, An Act to authorize the South West Harbor Company to generate and sell electricity.

Mr. Dyer from the same committee reported ought to pass on Bill, An Act creating a lien on horses, oxen, mules and other animals in certain cases.

Mr. Dunton from same committee reported ought to pass on Bill, An Act relating to the fees of jurors.

Mr. Dyer from same committee reported ought not to pass on Bill, An Act to amend Chapter 34 of the Public Laws of Maine concerning holidays.

Mr. Copeland from the Committee on Banks and Banking reported ought to pass on Bill, An Act to extend the charter of the Belfast Trust Company.

Mr. Charles from same committee reported ought to pass on Bill, An Act to amend Section 6 of Chapter 65 of the Private and Special Laws of 1899 entitled An Act to incorporate the Bath Trust Company.

Mr. Martin from the Committee on

Telegraphs and Telephones reported ought to pass on Bill, An Act to amend the charter of the Swan's Island Telegraph and Telephone Company.

Mr. Newton from same committee reported ought to pass on Bill, An Act additional to Chapter 420 of the Private and Special Laws of 1889 entitled An Act to incorporate the New Portland and Eustis Telegraph and Telephone Company.

Mr. Merrill from the Committee on Inland Fisheries and Game reported ought to pass on Bill, An Act to regulate fishing in Indian pond in Lowelltown in the county of Androscoggin.

Mr. Merrill from same committee reported ought to pass on Bill, An Act to regulate fishing in Songo and Crooked rivers, tributaries to Sebago lake in the county of Cumberland.

Mr. Allen from the Committee on Banks and Banking reported in a new draft, Bill, An Act to incorporate the Buckfield Trust Company, and that it ought to pass.

Mr. Colcord from same committee reported in a new draft, Bill, An Act to incorporate the Dixfield Trust Company, and that it ought to pass.

Mr. Colcord from same Committee reported ought to pass on Bill, "An Act to extend the charter of the Searsport Trust Company."

Mr. Mayo from the Committee on Interior Waters, on Bill "An Act to amend Chapter 30 of the Private and Special Laws of 1866 entitled An Act to incorporate the Sebec Dam Company, reported that the same be referred to the Committee on Salaries and Fees."

Mr. Strickland from same Committee reported in a new draft, Bill, "An Act to authorize the erection and maintenance of piers and booms in the Mattawankeag River at the mouth of Molunkus Stream, and that it ought to pass."

Mr. Oram from the Committee on Shore Fisheries reported in a new draft, Bill, "An Act for the Protection of Lobsters at Monhegan, and that it ought to pass."

Mr. Copeland from the Committee on Banks and Banking reported in a new draft, Bill, "An Act to amend and ex-

end the charter of the Winter Harbor Trust Company, and that it ought to pass."

Mr. Merrill from the Committee on Inland Fisheries and Game reported in a new draft, Resolve to appropriate \$250 to screen Sabattus Pond in Androscoggin county and that it ought to pass.

Mr. Smith from the Committee on State Lands and State Roads reported ought to pass on Resolve authorizing the land agent to sell certain lands in the town of Crystal.

Mr. Lovejoy from same Committee reported ought to pass on Resolve in favor of repairing the road between Patten and Grand Lake.

The reports were accepted and Bills and Resolves favorably reported ordered printed under joint rule.

First Reading of Printed Bills.

An Act to extend the charter of the Matagamon Manufacturing Company.

An Act to amend Section 99 of Chapter 49 of the Revised Statutes, relating to Insurance Agents and Brokers.

An Act to amend Section 45 of Chapter 4 of Revised Statutes, relating to Registration and Licensing of Dogs.

Passed to Be Engrossed.

An Act to incorporate the American Trust Company.

An Act to incorporate the American Trust Company.

An Act to renew and extend the charter of the Hamilton Trust Company.

An Act to regulate the use of certain roads in the town of Mt. Desert.

An Act to amend the charter of the Caribou Sewer Company.

An Act to incorporate the Ellsworth City Trust Company.

An Act to provide in part for the expenditures of government for the year 1907.

(Speaker Powers in the chair.)

Passed to Be Enacted.

An Act to extend the charter of the Deering Trust Company.

An Act to legalize and make valid certain doings of the town of Danforth in the county of Washington.

An Act additional to and amendatory of Chapter 213 of the Special Laws of 1891 entitled An Act to incorporate the York Heat and Light Company.

An Act to amend Section 23 of Chapter 114 of the Revised Statutes and to repeal Chapter 131 and 134 of the Public Laws of 1905 relating to Relief of Poor Debtors.

An Act to extend the charter of the South Portland Trust Company.

An Act to amend Chapter 193 of the Private and Special Laws of 1887 as amended by Chapter 464 of the Private and Special Laws of 1897 relating to the Fryeburg Horse Railroad Company.

An Act to incorporate the Maine Power Company.

Finally Passed.

Resolve in favor of Lottie A. Robinson.

Resolve in favor of John D. Bubier.

Resolve for the purpose of operating the fish hatcheries and feeding stations for fish and for the protection of fish, with statement of facts.

Orders of the Day.

Mr. NEWBERT of Augusta: Mr. Speaker, I move to take from the table House Document 23, relating to the liquor agency system.

The motion was agreed to.

Mr. NEWBERT: It is not my purpose to take the time of the House this morning, but for the information of the many members who were absent last Friday in jails and prisons (laughter) I wish to state that this order was introduced by me on January 23rd, and was very properly tabled by the gentleman from Patten (Mr. Smith) for printing. Last Friday when the matter came up, friends of Mr. Leavitt advised me that that gentleman was ill and that it might entail a hardship to be called before the committee to testify as a witness, and I very willingly had the order tabled. Since that time Mr. Leavitt has recovered from his illness, as I am informed, and is present at the capital this morning and I presume he is entirely ready and willing to be called before any committee of this Legislature to answer such questions as may be put to him. I ask the House this morning to give this order a passage at the present time.

Mr. DAVIES of Yarmouth: Mr.

Speaker, my mind does not resist the impression that this spirit of investigation is carrying us rather too far; and I ask that this matter be postponed until February 15th.

The question being on the passage of the order,

The order received a passage.

On motion of Mr. Chase of Waldoboro,

Adjourned.

SENATE.

Friday, February 1, 1907.

Senate called to order by the President.

Prayer by Rev. Mr. Clifford of Gardiner.

Journal of the previous session read and approved.

On motion by Mr. Stearns of Penobscot the Order relating to the State Liquor Agency which came from the House read and passed in that branch, was laid on the table.

On motion by Mr. Mills of Hancock the Senate non-concurred with the House, in referring to the Committee on Legal Affairs, Bill, "An Act to amend Chapter 64 of the Private and Special Laws of 1899 as further amended," relating to the Wilson Stream Dam Company; and on further motion by the same senator the Bill was referred to the Committee on Interior Waters.

Papers from the House disposed of in concurrence.

On motion by Mr. Putnam of Aroostook it was Ordered, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday the fifth day of February, 1907, at eleven o'clock, A. M.

The foregoing order was subsequently returned from the House concurred in by that branch.

Bill, "An Act to incorporate the Enchanted Stream, Dam and Improvement Company which came from the House on report of the Committee on Interior Waters was, on motion by Mr. Stearns of Penobscot, tabled pending the acceptance of the report.

Read and Assigned.

An Act to incorporate the American Trust Company.

An Act to renew and extend the charter of the Hamilton Trust Company.

The following Bills, Petitions and Resolves were presented and referred:

Judiciary.

By Mr. Eaton of Washington: Resolve proposing an amendment to Section 12, Article 5, Part first, of the Constitution of the State of Maine relating to the power of the Governor to