

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Legislative Record

of the

Seventy-Third Legislature

of the

State of Maine.

1907.

HOUSE.

Friday, Feb. 8, 1907.

Prayer by Rev. Mr. Livingston of Augusta.

Papers from the Senate disposed of in concurrence.

Senate Bills and First Reading.

An Act in relation to the Hancock County Railway Co. and the Mt. Desert Transit Co.

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

Judiciary.

By Mr. Harthorne of Milford—Petition of C. H. Riggs and 26 others of Milford, in favor of the bills presented by the Bodwell Water Power Co. and Penobscot Chemical Fibre Co.

By Mr. Strickland of Bangor—Petition of Parker & Peakes Company and 50 others of Bangor and Brewer asking that additional power be granted the Bodwell Water Power Co.

By Mr. Lane of Brewer—Petition of William C. Davis and 30 others of Brewer for same.

By Mr. Mullen of Bangor—Petition of Charles R. Dunton and 170 others for same.

By Mr. Mullen of Bangor—Petition of Hiram H. Fogg and 40 others of Bangor for same.

By Mr. Lowe of Turner—Petition of J. E. Small and 136 others of Livermore Falls in favor of the Initiative and Referendum.

By Mr. Kelley of Farmingdale—Petition of Frank K. Allen and 51 others of Hallowell, of Granite Quarry workers of Hallowell for same.

By Mr. Lowe of Turner—Petition of Papermakers' Union of Livermore Falls for same.

By Mr. Newbert of Augusta—Petition of Loom Fixers' Union of Augusta for same.

By Mr. Lowe of Turner—Petition of Pulp Sulphite and Paper Mill Workers of Livermore Falls for same.

By Mr. Strickland of Bangor—Petition of George Townsend and 27 others of Bangor; of Longshoremen's Union of Bangor for same.

By Mr. Harvey of Sullivan—Petition of G. A. Stover and 37 others for same.

By Mr. Cobb of Gardiner—Petition of

Frank E. Andrews and 48 others of Gardiner for same.

By Mr. Cyr of Van Buren—Bill, An Act relating to the issue of bonds by Van Buren Water District.

By Mr. Harthorne of Milford—Bill, An Act to regulate the scale of logs on the Penobscot river. (Tabled for printing pending reference on motion of Mr. Strickland of Bangor.)

By Mr. McClutchy of Portland—Bill, An Act to amend Section 5 of Chapter 31 of the Revised Statutes relative to bowlings alleys and billiard rooms.

By Mr. Harriman of Bucksport—Petition of B. K. Cushman and 27 others of Penobscot for Initiative and Referendum.

Legal Affairs.

By Mr. Dyer of Buckfield—Petition of Alfred Cole and 73 others of Buckfield, for State support of insane paupers.

By Mr. Moore of Saco—Bill, An Act to amend the city charter of the city of Saco.

Appropriations and Financial Affairs.

By Mr. Hall of Caribou—Petition of Social Club of Caribou for appropriation for a Maine exhibit at Jamestown exposition and a reproduction of the home of Longfellow as the Maine State building; of Mrs. Howard Dow and four others of Caribou for same.

By Mr. Newton of Webster—Petition of E. O. Hanscomb of Greene and 20 others for resolve in favor of Maine State Sanitorium Association.

By Mr. Gleason of Mexico—Petition of H. J. Binford of Mexico and 15 others for same.

By Mr. Allen of Columbia Falls—Petition of Dr. E. A. White and 12 others for same.

By Mr. Stevens of Portage Lake—Petition of Charles E. Dow of Mapleton and 29 others for same.

Education.

By Mr. Putnam of Danforth—Petition of John L. Polleys and 20 others of Baring for the adequate support of the University of Maine.

By Mr. Milliken of Island Falls for same.

By Mr. Pike of Lubec—Petition of J. E. Buckman and 79 others of Eastport for same.

By Mr. Allan of Dennysville—Peti-

tion of E. B. Sheahan and 34 others of Dennysville and Edmunds for same.

Railroads and Expresses.

By Mr. Hall of Dover—Bill, An Act to amend Section 11 of Chapter 53 of the Revised Statutes in relation to electric street railways.

By Mr. Peacock of Lubec—Bill, An Act to establish the Lubec and Machias Railway Company.

Banks and Bankings.

By Mr. Moore of Saco—Bill, An Act to incorporate the Kennebunk Trust Company; Bill, An Act additional to Chapter 48 of the Revised Statutes relating to savings banks.

By Mr. Dunton of Belfast—Bill, An Act to amend the charter of the Waldo Trust Company.

Interior Waters.

By Mr. McKinney of Bridgton—56 petitions containing 2218 signatures in favor of Bench Mark on Sebago lake.

By Mr. Brawn of Bradley—Petition of H. C. Pinkham and 101 others of Harrison, remonstrating against any legislation affecting existing water powers on Presumpscot river; of J. Bennett Pike and 42 others of Bridgton; of E. J. Haskell and 48 others of Westbrook against same.

By Mr. Leighton of Westbrook—Petition of Clinton S. Eastman and 70 others of Westbrook; of John S. Hunt and 97 others of Westbrook; of S. E. Strout and 87 others of Westbrook; of C. H. Leighton and 103 others of Westbrook; of Andrew C. Cloudman and 104 others of Westbrook; of Edward E. Keedy and 103 others of Westbrook; of S. Lafond and 53 others of Westbrook against same.

By Mr. Hawks of Windham—Petition of William A. Larry and 68 others of Windham; of Walter F. Haskell and 196 others of Westbrook; of Ernest W. Clark and 92 others of Westbrook; of Alexander Speirs and 90 others of Westbrook; of J. B. Lamontagu and 96 others of Westbrook against same.

By Mr. Davies of Yarmouth—Petition of Frederick E. Gore and 55 others; of Carl F. True and 49 others; of William D. Greeley and 38 others;

of George A. Leighton and 17 others, all of Yarmouth against same.

By Mr. Giddings of Gorham—Petition of John Maxfield and 131 others of Naples; of B. S. Skillings and 34 others of Otisfield; of Joseph Pitts and 5 others of Harrison; of Edward Hall of Windham or Standish; of H. H. Harriman and 61 others of Windham or Standish; of William H. Miller and 68 others of Gorham and Windham; of John H. Shaw and 83 others of Gorham and Windham; of Selectmen of Windham and 39 others; of Walter V. Knight and 104 others of Westbrook; of Fufus A. Jordan and 98 others of Westbrook; of William H. Bickford and 102 others of Gorham and Windham; of E. A. Whitney and 96 others of Westbrook; of Selectmen of Gorham; of William M. Taylor and 25 others of Gorham; of Lemuel Lane and 97 others of Westbrook; of Ralph J. Lord and 14 others of Gorham; of John E. Warren and 86 others of Westbrook against same.

State Lands and Sate Roads.

By Mr. Havey of Sullivan—Petition of J. A. Stover and 46 others for State aid for towns for repairing public highways.

By Mr. Harriman of Bucksport—Petition of B. K. Cushman and 28 others of Penobscot for same.

By Mr. Weeks of Fairfield—Petition of J. E. Downes and 25 others of Smithfield; of N. E. True and 29 others of Mercer; of Edwin Bradbury and 59 others of Fairfield for same.

By Mr. Havey of Sullivan—Petition of J. A. Stover and 46 others for the enactment of the so-called Sargent State Road Bill.

By Mr. Sprague of Drew—Petition of Jerome Butterfield and 25 others of Kingman; of Leonard Degrasse and 21 others of Drew; of Alphonzo Young and 19 others of Drew; of Eugene Hale and 21 others of Medway; of C. M. Lombard and 38 others of Springfield for same.

By Mr. Knowlton of Monson—Resolve to provide for repairs of road leading from Roach river to the Grant farm.

By Mr. Michaud of Frenchville—Re-

solve in favor of the town of Frenchville in the county of Aroostook to assist in building a road in said town.

By Mr. Knowlton of Monson—Resolve in aid of repairs of road leading from Northwest Carry on Moosehead Lake to the Pittston farm on the west branch of the Penobscot river.

Ways and Bridges.

By Mr. Peacock of Lubec—Resolve in favor of the town of Trescott.

By Mr. Mayo of Foxcroft—Resolve in favor of the town of Guilford.

By Mr. Lynch of Washington—Resolve in favor of the town of Union.

Inland Fisheries and Game.

By Mr. Barker of Exeter—Petition of E. E. Colbath and 21 others praying the Allen brook and its tributaries in the town of Exeter be closed to fishing for a term of four years beginning May 1, 1907.

By Mr. Smith of Patten—Petition of A. Ryder of Patten and 88 others for the passage of a law prohibiting the hunting or killing at any time of any moose, deer or caribou or any other wild animals of any kind within a radius of 10 miles from the highest point of Mount Katahdin, known as the south monument.

By Mr. Merrill of Monmouth—Petition of Orin A. True and 17 others of Litchfield, praying for the passage of an act closing Jimmie pond situated in Litchfield, and the streams flowing into it and the streams flowing from it, as far down as Buker pond be closed to all fishing for a period of five years; also Buker, Sand, Long or Purgatory and Little Purgatory ponds be closed to all ice fishing for a period of five years; of Charles L. Rice and 32 others of Litchfield for same.

By Mr. Langley of Acton—Remonstrance of Nathaniel Hobbs and 11 others against opening for fishing the tributaries of Bonneg Beg pond in York county.

Shore Fisheries.

By Mr. Havey of Sullivan—Petition of John Hammond and 102 others for the repeal of Chapter 191 of the Special Laws of 1903, relating to the taking of codfish in Frenchmen's bay.

By Mr. Hadlock of Cranberry Isles—Petitions of Leslie R. Bunker and 1086 others for a close time on lobsters in Hancock county; also Bill, An Act to prohibit the taking of lobsters in Hancock county. (Bill tabled for printing pending reference on motion of Mr. Hadlock.)

Towns.

By Mr. Perry of Fort Fairfield—Bill, An Act to amend Section 1 of Chapter 166 of the Private and Special Laws of 1887, entitled "An Act creating the Fort Fairfield Village Corporation," as amended by Chapter 303 of the Private and Special Laws of 1905, with accompanying statement of facts.

Indian Affairs.

By Mr. Gleason of Mexico—Resolve in favor of Nicholas Sobasin, representative of the Penobscot tribe of Indians; also resolve in favor of Joseph Neptune, representative of the Passamaquoddy tribe of Indians.

Claims.

By Mr. Clark of Hollis—Resolve in favor of the town of Buxton.

Pensions.

By Mr. Cobb of Gardiner—Resolve in favor of Benjamin F. Brown.

By Mr. Skidmore of Liberty—Resolve in favor of Benjamin Wentworth of Morrill, late private of Captain George F. Lippin's 5th Co., Mounted Artillery.

Library.

By Mr. Safford of Kittery—Resolve in favor of the Maine State library.

Temperance.

By Mr. Decker of Weld—Remonstrance of Rev. H. S. Rider and 126 others of Wilton against resubmission; of A. P. Adams and 30 others of Jay against same.

By Mr. Herrick of Brooklyn—Remonstrance of Hadley P. Burrill and 22 others of Dedham against same.

By Mr. Allen of Columbia Falls—Remonstrance of Samuel M. Thompson of Forest City and others against same.

By Mr. Martin of Rumford—Remonstrance of James J. G. Tarr and 45 others against same; of W. C. Stover and 12 others against same.

By Mr. Irving of Presque Isle—Re-

monstrance of George A. Stuart and 47 others of Bancroft; of Edwin W. Smart and 77 others of Weston against same.

By Mr. Danforth of Skowhegan—Remonstrance of selectmen of Moscow and 31 others against same.

By Mr. Emery of Jay—Remonstrance of J. K. Remick and 41 others; of Rev. H. S. Fish and 37 others against same.

By Mr. Merrill of Monmouth—Remonstrance of Fairfield Quarterly meeting of Friends against same.

By Mr. Flaherty of Portland—Bill, An Act to amend Sections 36, 37 and 49 of Chapter 29 of the Revised Statutes, relating to the manufacture and sale of intoxicating liquors and particularly the manufacture and sale of cider.

Taxation.

By Mr. Havey of Sullivan—Petition of J. A. Stober and 42 others for enactment of a law increasing the school tax fund by one mill.

By Mr. Harriman of Bucksport—Petition of B. H. Cushman and 27 others of Penobscot for same.

Placed on File.

By Mr. Donigan of Bingham—Petition of selectmen and 28 others of Andover in favor of the act to provide for the ownership and maintenance of highway bridges by the State; of C. M. Hilton and 25 others of Madison; of B. F. Yeaton and 34 others of Starks; of L. T. Butters and 41 others of Starks for same.

By Mr. Harriman of Bucksport—Petition of G. W. Brewster and 11 others of Dedham; of E. O. Lugden and 37 others of Orland for same.

Orders.

On motion of Mr. Pike of Eastport, Ordered, That the justices of the supreme judicial court are hereby respectfully requested to give to this House, according to the provisions of the constitution of this State in this behalf, their opinion of the following questions:

First: Is an excise tax prohibiting the apportionment and assessment of all other taxes upon railroads, their property or stock according to their just value, constitutional?

Second: Can a tax be lawfully levied upon the franchise of a railroad and

also a separate tax upon the roadbed, rolling stock and fixtures at their cash value?

Third: Is the present law whereby railroads operating in this State are taxed upon a percentage of their gross receipts repugnant to the provisions of the constitution of this State relative to taxation?

Reports of the Committee.

Mr. Hall from the committee on legal affairs on Bill "An Act to compensate the county attorney of Aroostook county for clerk hire," reported that the same be referred to the committee on salaries.

Mr. Oram from the committee on shore fisheries on petition of Willard R. Bailey of Wiscasset, and 78 others, praying that he may have the privilege to catch smelts by use of nets or weirs in the tide waters of Sheepscot river on his shore property, reported that the petitioner have leave to withdraw.

Mr. Hill from the Aroostook County delegation on Bill "An Act relating to the office of register of probate of Aroostook county," reported that the same be referred to the committee on salaries.

The reports were accepted and sent to the Senate.

Mr. Newcomb from the committee on appropriations and financial affairs reported "ought to pass" on resolve relating to Canadian Pacific Railway Company.

Mr. Loring from the committee on agriculture reported "ought to pass in new draft under same title" on Bill, "An Act to provide for the protection of trees and shrubs from the introduction and ravages of dangerous insects and diseases."

Mr. Lovejoy from the committee on State lands and State roads reported "ought to pass" on Resolve providing for the repair of a roadway in Townships 5 and 6 in the 9th Range, north of the Waldo Patent, in Piscataquis county.

Mr. Dow from the committee on temperance reported "ought to pass" on 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."

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

First Reading of Printed Bills and Resolves.

An Act granting to Arthur S. Mc-Avey the right to establish and maintain a ferry in the harbor of Stockton Springs.

An Act to incorporate the Northern Maine General hospital of Eagle Lake.

An Act to amend Chapter 107 of the Private and Special Laws of 1905, entitled "An Act to incorporate the Stockton Springs Water Company."

An Act to provide for the ownership and maintenance of highway bridges by the State in the several counties. (Tabled pending first reading on motion of Mr. Weld of Old Town.)

An Act relating to domestic animals. (Tabled pending second reading on motion of Mr. Perkins of Alfred.)

An Act to amend Section 60 of Chapter 4 of the Revised Statutes, relating to dangerous dogs.

An Act to regulate fishing in Big Lyford pond, in the county of Piscataquis.

An Act to amend Section 50, Chapter 93 of the Revised Statutes of the State of Maine. (Tabled pending second reading on motion of Mr. Weeks of Fairfield.)

An Act to prohibit the throwing of sawdust and other waste material into Cold river, in Stow, in the county of Oxford, or any of its tributaries.

An Act to regulate fishing in Sunday river and tributaries in the county of Oxford.

An Act to amend Section 77 of Chapter 10 of the Revised Statutes relating to the sales of lands for taxes in incorporated places.

An Act to extend the charter of Sanford Trust Company.

An Act to amend the charter of the Stockton Springs Trust Company.

An Act to amend Section 7 of Chapter 85 of the Private and Special Laws of the State of Maine for the year 1903, entitled "An Act to incorporate the Kineo Trust Company."

An Act to incorporate the Rockport Trust Company.

An Act to authorize the Somerset Railroad Company to extend its railroad from Northwest Carry in the town of Seboomook, westerly and northerly to the Canadian line by one or more routes, and to authorize other railroad companies to purchase its franchise and property.

Resolve in favor of S. T. Kimball, secretary of the special joint committee on free transportation appointed by the 72d Legislature.

Resolve in favor of the Maine Industrial School for Girls.

Resolve in favor of the Maine General hospital.

Resolve in favor of a building for the tubercular insane.

Resolve to provide for the expenses of the Maine Industrial School for Girls.

Resolve in favor of Knox County General hospital.

Passed to Be Engrossed.

An Act to authorize the building of a bridge across Robbins' Bar, so called, between Deer Isle and Stinson's Neck, in the county of Hancock.

An Act to amend Section 25 of Chapter 9 of the Revised Statutes, relating to taxation of property of manufacturing, mining and smelting corporations.

Resolve in favor of J. W. Allen, secretary of the committee on State prison.

Resolve in favor of Lettie Whittier of Mt. Vernon.

Resolve in favor of the Waldo County General hospital.

Resolve in favor of Kingman and Drew plantation.

Resolve in favor of the Maine Eye and Ear Infirmary.

An Act to amend Chapter 222 of the Private and Special Laws of 1903 entitled "An Act to authorize extensions of the Bangor & Aroostook Railroad in Aroostook, Piscataquis and Penobscot counties.

Resolve in aid of navigation on Moosehead Lake.

Resolve for buoys and lights on the Rangeley Lakes.

An Act to extend the charter of the

Houlton and Danforth Electric Railroad Company.

Resolve in favor of the Bath Military and Naval Orphan Asylum.

An Act to make plain the provisions of Section 9, Chapter 139 of the Revised Statutes relating to extradition. (Tabled pending third reading on motion of Mr. Hall of Caribou).

An Act to extend the charter of the Houlton and Woodstock Electric Railroad Company.

An Act to grant certain powers to the Mount Desert Transit Company.

An Act to amend Section 33 of Chapter 39 of the Revised Statutes and Section 7 of Chapter 68 of the Public Laws of 1905 relating to the regulation of the sale of commercial fertilizers.

Passed to Be Enacted.

An Act to amend Section 96 of Chapter 49 of the Revised Statutes relating to insurance agents and brokers.

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."

An Act to authorize the city of Lewiston to issue its bonds to the amount of \$174,000 to pay its bonds now outstanding and maturing in the year 1907.

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

An Act to authorize the building of a bridge in the town of Edgecomb.

An Act to amend Section 5 of Chapter 203 of the Private and Special Laws of 1883 entitled "An Act to incorporate the Portland Trust Company."

An Act to amend Section 45 of Chapter 4 of the Revised Statutes relating to the registration and licensing of dogs.

Finally Passed.

Resolve for State pensions.

Resolve in relation to extra pay of Maine volunteers in the war with Spain.

Resolve in favor of Lydia A. Cummings of Rockland in the county of Knox.

Resolve providing for the preservation of regimental rolls in the adjutant general's office.

Orders of the Day.

The House order directing the committee on salaries and fees to investigate the expenditures of the various State departments, came back from the Senate amended by Senate amendment A.

On motion of Mr. Johnson of Waterville the order and amendment were tabled for printing.

On motion of Mr. Weid of Old Town the bill, An Act relating to the exemption of soldiers and sailors from poll tax, was taken from the table.

Mr. Weid offered an amendment by adding the following: "Provided, however, that any such said sailor or soldier who may desire to pay said tax, may, on or before the first day of April in each year, notify in writing the assessors of the city, town or plantation in which he may reside, of his desire to pay such tax, whereupon said assessors shall assess said tax against said soldier or sailor, and said soldier or sailor shall be legally holden to pay said tax."

The amendment was adopted, the bill was read the third time and was passed to be engrossed as amended.

On motion of Mr. Newbert of Augusta the bill relating to locations of street railroads was taken from the table and referred to the committee on railroads and expresses.

On motion of Mr. Milliken of Island Falls the following bills were taken from the table: An Act to amend Section 44 of Chapter 66 of the Revised Statutes of 1903, An Act to amend Section 7 of Chapter 70 of the Revised Statutes of 1903, An Act to amend Section 11 of Chapter 39 of the Revised Statutes of 1903, and An Act to repeal Section 40 of Chapter 65 of the Revised Statutes of 1903.

Mr. Safford of Kittery offered the following amendments to the titles of the foregoing bills: By adding to the title of the first the words, "relating to the docketing and records of warrants and appraisals of executors and administrators by registers of probate;" to the title of the second the words "relating to the filing and recording of the warrants and inventories by the register of probate returned by trustees of estates;" to the title of the third the words "relating to docketing of returns of warrants and record of appraisals of guardians by registers of probate;" and to the title of the fourth the words "relating to fees of registers of probate on estates of non-residents."

The amendments were adopted, and the bills as amended were then referred to the committee on judiciary.

On motion of Mr. Wardell of Rockland.

Adjourned until Monday, Feb. 11, at 4:30 o'clock P. M.