

MAINE STATE LEGISLATURE

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Legislative Record

of the

Seventy-Third Legislature

of the

State of Maine.

1907.

Orders of the Day.

On motion by Mr. Hastings of Oxford Senate Document, No. 105, "An Act to incorporate the Central Maine Insurance Company" was taken from the table and on further motion by the same senator the same was referred to the committee on mercantile affairs and insurance, in concurrence.

On motion by Mr. Houston of Piscataquis Senate Document No. 140 "An Act to authorize and empower Fleetwood Pride, his associates and assigns, to erect, construct and maintain piers and booms in Pleasant river and in the east and west branches," was taken from the table and on further motion by the same senator was passed to be engrossed.

On motion by Mr. Irving of Aroostook, House Document No. 264, "Resolve in favor of St. Francis plantation to repair River road across Reuben Bran's homestead farm which was washed out by freshet," was taken from the table. The same senator filed statement of facts relating to said resolve and on his further motion the resolve took its second reading and was passed to be engrossed.

On motion by Mr. Libby of Waldo the Senate adjourned to meet on Tuesday, March 5, at 4.30 P. M.

HOUSE,

Friday, March 1, 1907.

Prayer by Rev. Mr. McKinney of Bridgton.

Papers from the Senate disposed of in concurrence.

Senate Bills of First Reading.

Resolve for an appropriation for carrying on the work of the State Survey Commission.

An Act to amend Chapter 94 of the Private and Special Laws of 1903 entitled 'An Act to prevent the pollution of the waters of Sebago lake.'

An Act to regulate fishing in Branch stream and Hersey brook, in the town of Washington in county of Knox.

An Act in relation to the Frontier Steamboat Company.

An Act to regulate fishing in the two West Richardson ponds, the two East Richardson ponds and the two Beaver ponds in the county of Oxford.

An Act to prohibit the throwing of sawdust and other mill waste into Bear river, or any of its tributaries, lying within the towns of Newry and Grafton, in the county of Oxford. (Senate amendments "A" and "B" adopted.)

An Act to permit ice fishing for pickerel in Bear pond in the town of Turner, in the county of Androscoggin, and in the town of Hartford, in the county of Oxford. (Senate amendment "A" adopted.)

An Act to permit ice fishing for pickerel only in North pond, situated in the towns of Buckfield and Sumner, in the county of Oxford. (Senate amendment "A" adopted.)

An Act to provide for the taxation of trust companies.

This bill was referred in the House to the committee on banks and banking. It came from the Senate, that branch non-concurring with the House in its reference and referring the bill to the committee on taxation.

On motion of Mr. Weld of Old Town, the House receded and concurred with the Senate in its reference.

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

Judiciary.

By Mr. Spear of South Portland—Pe-

tition of George H. Weeks, Harry Wood and 97 others praying for the incorporation of the Portland Water District.

Petitions in favor of the Initiative and Referendum were presented as follows:

By Mr. Jordan of Portland—Of Central Labor Union of Portland.

By Mr. Montgomery of Camden—Of James A. Gilchrist and 11 others of St. George; of G. W. Batchelder and 39 others of St. George; of A. T. Clifford and 21 others of Scuth Thomaston.

By Mr. Titcomb of Farmington—Of E. H. Luce and 52 others of New Vineyard; of Dana Sweet and seven others of Strong; of N. K. Whittemore and 20 others of Wilton; of Phineas Whittier and 72 others of Chesterville; of H. E. Hodgkins and 51 others of Chesterville.

By Mr. Lovejoy of Milo—Of Lincoln Dow and 39 others of East Dover; of George B. Dow and 18 others of East Dover; of F. E. Packard and 30 others of Sebec; of John P. Dow and 13 others of Atkinson; of Mr. Daggett and 14 others of Foxcroft; of K. P. Knowlton and 13 others of Sangerville.

By Mr. Grinnell of Bath—Of W. P. Kimball and eight others of Bath; of George D. Weston and seven others of Sagadahoc county; of F. B. Meserve and 28 others of Bowdoinham; of J. F. Upton and 12 others of Phippsburg.

By Mr. Stearns of Norway—Of Frank P. Towne and 19 others of Norway; of Henry R. Burgess and 13 others of Peru; of J. K. Forham and 10 others of Canton; of E. C. Staples and 28 others of Peru; of K. K. Brackett and 37 others of Dixfield; of John B. Danforth and 38 others of Brownfield; of D. W. Abbott and seven others of Andover; of H. O. Bacon and seven others of Woodstock; of L. A. Brackett and 13 others of Paris; of H. H. Richards and 13 others of Byron; of Jesse C. Howe and 13 others of Paris; of E. L. Torrey and 19 others of Dixfield; of Wyman Cotton and 39 others of Porter and Hiram; of L. J. Saunders and 15 others of Waterford; of C. L. Newell and 42 others of Sumner; of H. T. Kimball and 12 others of Rangeley; of Charles F. Decker and 11 others of North Baldwin.

By Mr. Gallagher of Waldoboro—Of Cecil R. N. Newbert and 43 others of

Waldoboro; of C. B. Woodward and 11 others of Bristol; of C. M. Leavitt and 30 others of Wiscasset; of Ralph B. Hall and 38 others of Newcastle; of Abial G. Greenleaf and 40 others of Wiscasset.

By Mr. Smith of Patten—Of W. M. Oakman and 28 others of Kenduskeag; of H. E. Chapman and eight others of Corinth; of Willis P. Crawford and 22 others of Hudson; of F. G. Bishop and 28 others of Bangor; of John F. Towle and four others of Veazie; of F. G. Strout and eight others of Bradford; of M. J. Dow and 35 others of Plymouth; of Charles A. Crawford and 32 others of Newport; of Oscar Day and 23 others of Medford; of W. F. Harding and 23 others of Hermon; of G. H. Chapman and 14 others of Orrington; of H. W. Brackett and 35 others of Newport; of John Daisy and 27 others of Medway; of Frank W. Price and 26 others of Argyle.

By Mr. Hill of Machias—Of T. M. Knight and 38 others of Jonesboro; of E. L. Smart and nine others of Sebois; of E. Varney and seven others of Jonesboro; of Frank S. Libby and 19 others of Gouldsboro.

By Mr. Stevens of Portage Lake—Of E. G. Tilley and 20 others of Ashland; of P. M. Porter and 18 others of Castle Hill; of W. Butters and 17 others of Drew and Reed plantations.

By Mr. Labrie of Cambridge—Of Lester Holway and 13 others of Fairfield; of S. A. Greenlaw and 22 others; of N. E. True and 32 others of Mercer; of John F. Nutter and 35 others; of L. W. Sheehan and 52 others of Canaan; of G. W. Badger and four others of Solon; of B. F. Clark and 28 others; of S. W. Jones and 54 others of New Portland; of W. A. Rand and nine others; of J. F. Corson and 32 others of Athens; of John A. Holmes and nine others; of Perry H. Ricker and others of Fairfield; of E. E. McFarland and 23 others; of Hadley T. Burrill and 17 others of Dedham; of H. L. Goodrich and six others of Palmyra; of L. T. Merrill and 19 others; of Otis M. Hilton and 61 others of Anson; of E. Lee Fuller and 41 others of Hartland; of E. J. Tracy and 28 others of St. Albans; of George L. Lowell and nine others of Alna; of P.

W. Libby and 17 others of St. George.

By Mr. Hawkes of Windon—Of Luc. P. Libby and 30 others of Windham; of L. L. Smith and 38 others of Brighton; of W. S. Allen and 12 others of Gray; of N. H. Titcomb and 28 others of New Gloucester; of W. H. Bennett and 15 others of New Gloucester; of Edwin Bowker and eight others of Freeport; of Ernest E. Smith and 27 others of Freeport; of Alfred S. Dunning and 40 others of Harpswell; of Carl B. Wright and 10 others of Jay.

Mr. Newbert of Augusta—Of M. W. Dennis and 43 others of Augusta; of E. C. Hayford and 36 others of Monmouth; of S. L. Taylor and 20 others of Albion; of C. D. Northy and 10 others of Cooper's Mills; of J. M. Moulton and 21 others of Wayne; of Walter L. Davis and 12 others of China.

By Mr. Preston of Cherryfield—Of Robert A. Davis and 18 others of Steuben; of S. K. Cushman and 34 others of Steuben.

By Mr. Higgins of Ellsworth—Of Hoyt E. Austin and 20 others of Ellsworth.

By Mr. Haskell of Deer Isle—Of Charles J. Lowell and 10 others of Bucksport.

By Mr. Johnson of Calais—Of I. S. Tarbox and 50 others of Red Beach.

By Mr. Johnson of Waterville—Bill, An Act to amend Chapter 52, Section 7, R. S., relating to fraudulent evasions of payment of fares on steam railroads, street railroads, steamboats and ferries.

Legal Affairs.

By Mr. Dyer of Buckfield—Bill, An Act to amend Chapter 81, R. S., relating to attorneys at law.

By Mr. Allen of Richmond—Bill, An Act additional to Chapter 27, R. S., relating to paupers; Bill, An Act amending Section 24 of Chapter 144, R. S., relating to the insane hospitals.

Appropriations and Financial Affairs.

By Mr. Jordan of Portland—Petition of George M. Seiders and 44 others in favor of a State board of charities and corrections; of Sidney W. Noyes and 26 others for same.

Mercantile Affairs and Insurance.

Remonstrances against any change in

the existing laws relating to fire insurance were presented as follows:

By Mr. Skidmore of Liberty—Of W. S. Littlefield and eight others of Winterport; of R. E. Page and 25 others of Brooks; of M. T. Woodman and 29 others of Monroe; of B. W. Rackliffe and 12 others of Industry; of C. W. Cate and A. B. Haggert of Edgecomb; of I. M. Smith and 47 others of Dixmont; of W. K. Nelson and 14 others of Palermo; of E. W. Burrill and 10 others of Dedham; of Elisha Meriam and eight others of Morrill; of B. F. Foster and 19 others of Freedom; of E. G. Moore and 15 others of Palermo.

By Mr. Emerson of Stow—Of S. B. Miller and 32 others; of Halcyon Grange, 132 members of Bluehill; of Daniel E. Allen and nine others; of G. S. Googins and five others; of E. S. Stewart and 17 others of Harrington; of J. H. Lane and 41 others of Dexter; of J. S. Warren and 37 others of Benton; of Otis Meader and 33 others of Albion; of S. J. Ridlon and 12 others of Stetson; of G. E. Stinchfield and 17 others of Phillips; of R. G. Tibbetts and 11 others of Brownville; of A. W. Gilman and 18 others of Foxcroft; of E. W. Davis and four others of Guilford; of Rockland and Rockport Lime Co. and 35 others.

By Mr. McClutchy of Portland—Of A. T. Laughlin and 76 others of Portland; of Willard Lamb and 10 others of North Windham; of A. M. Littlefield and 10 others; of D. P. Browne and 29 others of Biddeford; of G. T. Cook and nine others of Casco; of V. P. Waterhouse and 19 others of Poland; of W. W. Hamlin and nine others of Otisfield; of Mellen Tyron and 11 others of Poland.

By Mr. Cram of Bristol—Of A. C. Fassett and 10 others of Bristol; of Samuel T. Jackson of Jefferson; of F. H. Cate and 18 others of Dresden; of George W. Tobie and 21 others of Jefferson; of W. E. Chapman and 37 others of Waldoboro; of selectmen and six others of Boothbay; of Edward Jones and 86 others of Wiscasset; of L. J. Hill and 17 others of Warren; of W. S. Washburn and 32 others of Exeter.

By Mr. Walker of Biddeford—Of G. G. Calderwood and Son and 51 others of Biddeford.

By Mr. Preston of Cherryfield—Of L. C. Haycock and four others of Cherryfield; of Albert Truworgy and 23 others of Surry.

By Mr. Hibbard of Perry—Of W. J. Johnson and 13 others of Perry.

Agriculture.

By Mr. Hawkes of Windham—Request of Joseph L. Robinson and two others to reconsider the law which makes it obligatory on agricultural fairs paying over \$1000 in premiums to have pure bred cattle scored by the judge; of Herbert M. Tucker; of John F. Buker and four others for same.

Inland Fisheries and Game.

By Mr. Peacock of Lubec—Petition of John Calkins and 33 others of Trescott in favor of An Act to amend Section 3 of Chapter 22 in regard to shooting gulls.

By Mr. Minahane of South Berwick—Petition of L. R. Wiley and 39 others favoring an extension of open season on duck; of W. H. Brown and 16 others; of Robert L. Whiting and 34 others; of W. P. Mackintosh and 38 others; of L. A. Barker and 12 others for same.

Shore Fisheries.

By Mr. Johnson of Calais—Petition of George M. Hanson and 43 others of Calais to amend the law in relation to taking smelts on the St. Croix river.

Taxation.

By Mr. Johnson of Calais—Petition of J. E. McDonald and 54 others of Red Beach for school mill tax bill.

Placed on File.

By Mr. Dondero of Chelsea—Petition of J. H. Wellman and 12 others in favor of exempting young live stock from taxation.

Reports of Committee.

Mr. Stearns from the committee on legal affairs reported "ought not to pass" on Bill, "An Act to amend Section 36 of Chapter 75 of the Revised Statutes, relating to conveyances by deed."

Mr. Hall from same committee reported same on Bill, "An Act to repeal Chapter 22 of the Private and Special Laws of 1903, establishing a street and sewer commission for the city of Bath."

Mr. Joy from the committee on appropriations and financial affairs on

Bill, "An Act to regulate the abuse of medical charity," reported that the same be referred to the next Legislature."

Mr. Hall from the Committee on Railroads and expresses on Bill, "An Act relating to locations of street railroads," reported bill in new draft under same title and that it be printed and recommitted.

Mr. Crosby from the committee on agriculture reported "ought not to pass" on Resolve in favor of the Maine State Poultry and Pet Stock Association.

Mr. Mayo from the committee on interior waters reported "ought not to pass" on Bill, "An Act to provide for damage by flowage."

Mr. Sprague from the committee on ways and bridges reported "ought not to pass" on Resolve to aid in building a steel bridge across the Penobscot river between the towns of Lincoln and Chester.

Same gentleman from same committee, on Bill, "An Act to prevent the hauling of heavy teams on the highways of Brooklin from the 15th of March to the 10th of May," reported that the same be referred to the committee on State lands and State roads.

Mr. Hibbard from the committee on towns, on Bill, "An Act to legalize the acts of Pleasant Ridge plantation, in the county of Somerset," reported that the same be referred to the committee on legal affairs.

Mr. Newbert from the committee on temperance reported "ought not to pass" on Bill, "An Act to amend Sections 56, 27 and 40 of Chapter 29 of the Revised Statutes, relating to the manufacture and sale of intoxicating liquors and particularly the manufacture and sale of cider."

The reports were accepted and sent to the Senate.

Mr. Smith from the committee on judiciary on Bills, "An Act to amend Section 7 of Chapter 30 of the Revised Statutes relating to registration of apothecaries," and "An Act to amend Chapter 30 of the Revised Statutes relating to apothecaries and the sale of poison," reported bill in new draft under title of "An Act to amend Chapter

30 of the Revised Statutes, relating to apothecaries and the sale of poisons," and that it "ought to pass."

Mr. Weeks from the same committee reported "ought to pass in new draft under same title" on Bill, "An Act relating to the Rumford Falls and Rangeley Lakes Railroad Company."

Mr. Johnson from same committee reported same on Bill, "An Act to amend Section 10 of Chapter 90 of the Revised Statutes relating to costs of petition for partition of real estate."

Mr. Hadlock from the committee on legal affairs reported "ought to pass" on Bill, "An Act to revise the charter of the city of Westbrook."

Mr. Stearns from same committee reported "ought to pass" on Bill, "An Act to incorporate the Strong Lighting and Improvement Company."

Same gentleman from same committee reported same on Bill "An Act to amend Section 8 of Chapter 20 of the Revised Statutes, relating to burying grounds."

Mr. Hall from same committee reported same on Bill "An Act to authorize the removal of the bodies of deceased persons from Hawkes' cemetery in the town of Windham."

Same gentleman from same committee reported same on Bill "An Act to incorporate the West Bowdoin Cemetery Association."

Mr. Dyer from same committee reported same on Bill "An Act authorizing towns to maintain private burial grounds."

Same gentleman from same committee reported same on Bill "An Act to amend an act passed at the present session of the Legislature," entitled "An Act to make valid certain doings of the town of Danforth in the county of Washington."

Same gentleman from same committee reported "ought to pass in new draft under same title" on Bill "An Act to incorporate the Penobscot Electric Power and Telephone Company."

Same gentleman from same committee reported same on Bill "An Act relating to the perfecting of the record of titles to real estate."

Mr. Dunton from same committee reported "ought to pass" on Bill "An Act to incorporate the West Farmington Water District."

Same gentleman from same committee reported same on Bill "An Act to extend the charter of the Eastport Street Railway."

Same gentleman from same committee reported "ought to pass in new draft under same title" on Bill "An Act to amend the city charter of the city of Saco."

Same gentleman from same committee reported same on Bill "An Act to amend Chapter 339 of the Private and Special Laws of 1901, as amended by Chapter 5 of the Private and Special Laws of 1903, relating to the Winthrop Water and Drainage Company."

Same gentleman from same committee reported same on Bill "An Act to amend Chapter 180 of the Private and Special Laws of 1879, as amended by Chapter 428 of the Private and Special Laws of 1885 and by Chapter 123 of the Private and Special Laws of 1899, relating to the police court of the city of Belfast."

Mr. Milliken from the committee on education reported "ought to pass" on Resolve in favor of Aroostook State Normal School.

Mr. Hall from the committee on railroads and expresses reported "ought to pass in new draft under same title" on Bill "An Act to make valid the organization of the Wiscasset, Waterville and Farmington Railway Company and to extend its charter."

Mr. Crosby from the committee on agriculture reported "ought to pass" on Bill "An Act for the protection of shippers and butchers."

Mr. Mayo from the committee on interior waters reported "ought to pass" on Bill "An Act to amend Section 1 of Chapter 262 of the Private and Special Laws of the State of Maine for the year 1903," entitled "An Act to authorize the Boston Excelsior Company to erect piers and booms in Sebec river."

Mr. Putnam from same committee reported same on Bill "An Act to prohibit the throwing of sawdust and other waste material into Wadomac river in Liberty in the county of Waldo or any of its tributaries."

Mr. Mayo from same committee reported "ought to pass in new draft under same title" on Bill "An Act relating to improvements on Stratton brook in the township of Wyman, in the county of Franklin."

Mr. Smith from the committee on State lands and State roads reported "ought to pass" on Resolve in favor of town of Topsfield in Washington county.

Mr. Sprague from the committee on ways and bridges reported "ought to pass" on Bill "An Act to authorize the building of piers each side of the draw in the Rutherford's island bridge in the town of Bristol."

Mr. Haskell from the committee on towns reported "ought to pass" on 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."

Mr. Allen from the committee on State prison reported "ought to pass" on Resolve in favor of the Maine State prison.

Same gentleman from same committee reported same on Bill "An Act to amend Section 1 of Chapter 116 of the Revised Statutes, as amended by Chapter 140 of the Public Laws of 1905, relating to the salary of public officers and compensation of members of the government."

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

First Reading of Printed Bills.

An Act to enlarge the powers of the Auburn, Mechanic Falls and Norway Street Railway and to change its name to the Lewiston, Augusta and Waterville Street Railway.

An Act authorizing the construction of a wharf into the tide waters of Casco bay in the town of Falmouth.

An Act relating to the issue of bonds by Van Buren Water District.

An Act to extend the charter of the Mount Desert Trust Company.

An Act to exempt blind persons from the payment of poll tax.

An Act to set off the real estate of Mary E. Warren from the town of Brownfield and annex it to the town of Denmark.

Passed to Be Engrossed.

An Act relating to the records of instruments affecting or conveying title to real estate in the county of Waldo and now recorded in other counties.

Resolve requesting delegation in Congress to oppose the consolidation of pension agencies.

Resolve in favor of the assessors of Moro plantation.

Resolve in favor of Margaret Jane Tibbetts of Hermon.

Resolve in favor of the town of Liberty for money paid out on account of State roads.

Resolve in favor of the town of Waldoboro.

Resolve in favor of the Northern Maine General hospital of Eagle Lake.

Passed to Be Enacted.

An Act to amend the third paragraph of Section 51 of Chapter 79 of the Revised Statutes, relating to supreme judicial court.

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

An Act to prevent the pollution of the waters of Lake Nokomis.

An Act to incorporate the Myles Standish Rifle Club of Portland.

An Act to abolish the January term of the supreme judicial court for the county of Hancock.

An Act to amend Section 44 of Chapter 41 of the Revised Statutes, relating to the taking of smelts.

An Act to make valid the organization of the Middle Intervale Telephone Company and to legalize its acts and doings.

An Act to extend the charter of the Waterville and Winslow Bridge Company.

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

An Act to change the time of holding the January session of the court of county commissioners for Hancock county.

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

An Act to authorize the town of Brooks to retire its bonded indebtedness and to issue new bonds.

An Act to amend Chapter 143 of the Revised Statutes, relating to the Maine Industrial School for Girls.

An Act to amend Chapter 310 of the Private and Special Laws of 1905, incorporating the State Loan Company.

An Act to incorporate the Sagadahoc Trust Company.

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

An Act to incorporate the Penobscot Bay Electric Company.

An Act relating to the Waldo and Penobscot Agricultural Society.

An Act relating to the Bar Harbor and Union River Power Company.

An Act to extend the charter of the Lincoln Electric Railway Company.

An Act to establish the Lubec and Machias Railway Company.

An Act to incorporate Cambolasse Telephone Company.

An Act to further define State printing.

Finally Passed.

Resolve to encourage the utilization of tidal and sea power in the State of Maine.

Resolve for payment of premiums on bonds of clerks in State treasurer's office.

Resolve in favor of the Maine Woman's Christian Temperance Union.

Resolve in favor of Benjamin Wentworth of Morrill, late private of Captain George F. Leppen's Fifth Company, Mounted Artillery.

Resolve in favor of John S. Stokes of Sanford, Maine.

Resolve in favor of the town of Hodgdon.

Resolve in favor of Barrett Potter.

Resolve in favor of the town of Baring for \$108.52 to be paid to the town of Baring on account of State road constructed in the year 1906.

Orders of the Day.

On motion of Mr. Seates of Westbrook, bill, to create office of State comptroller, was taken from the table and referred to the committee on judiciary.

On motion of Mr. Dunton of Belfast, the vote was reconsidered whereby the House accepted the report of the committee on legal affairs reporting ought not to pass on bill to abolish the office of State binder, and on further motion by the same gentleman the bill was re-committed to the committee on legal affairs.

On motion of Mr. Milliken of Island Falls, bill, An Act to amend Chapter 97 of the Public Laws of 1903, was taken from the table. Mr. Milliken offered an amendment to the title by adding the words "relating to the sums allowed to officers in Naval Reserves of National Guard, State of Maine."

The amendment was adopted, and on further motion by Mr. Milliken the bill

was referred to the committee on military affairs.

On motion of Mr. Stearns of Norway, bill to grant certain powers to North East Harbor Water Company, was taken from the table.

Mr. Stearns offered amendment "A," by striking out the clause relating to assessment of damages in lines 13, 14 and 15 and inserting after the word "mark" in the 13th line the words "Damages for such flowage shall be determined in the same manner as prescribed by Chapter 164 of the Public Laws of 1905."

The amendment was adopted and the bill as amended was then passed to be engrossed.

On motion of Mr. Milliken of Island Falls, bill, to authorize Portland and Rumford Falls Railway Company to maintain dam on Androscoggin river was taken from the table and referred to the committee on railroads and expresses in concurrence.

On motion of Mr. Irving of Preque Isle, bill, relating to tax of express companies, was taken from the table and referred to the committee on taxation.

On motion of Mr. Irving, bill, relating to tax of corporate franchises was taken from the table and referred to the committee on taxation.

On further motion by Mr. Irving, bill, relating to tax of railroad companies, was taken from the table and referred to the committee on taxation.

On motion of Mr. Colcord of Searsport, Adjourned to Tuesday next at 4.30 P. M.