

MAINE STATE LEGISLATURE

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Legislative Record

of the

Seventy-Third Legislature

of the

State of Maine.

1907.

HOUSE.

Friday, March 8, 1907.

Prayer by Rev. Mr. Lawton of South Gardiner.

Papers from the Senate disposed of in concurrence.

Majority and minority reports of the committee on legal affairs, on bill relating to Union Water Power Co. came from the Senate, the minority report substituted for the majority in that branch and the minority report ought not to pass, accepted.

On motion of Mr. Stearns of Norway, the House concurred with the Senate in accepting the minority report.

An Act to prohibit the throwing of sawdust and other waste material into Medomac river in Liberty in the county of Waldo, or any of its tributaries, came from the Senate re-committed to the committee on interior waters.

The House reconsidered the vote whereby this bill was passed to be engrossed, and concurred with the Senate in re-committing the bill.

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

Judiciary.

By Mr. Hill of Machias—Petition of the Francis Dighton Williams Chapter, D. A. R., of Bangor for the proper observance of Margueretta day.

By Mr. Davies of Yarmouth—Bill, An Act to amend Section 2 of Chapter 62 of the Revised Statutes, relating to divorce proceedings.

Legal Affairs.

By Mr. True of Portland—Petition of Francis D. Martin and 33 others for the passage of the Portland Ferry bills.

By Mr. Lowe of Turner—Bill, An Act to create a State police force.

By Mr. Dunton of Belfast—Bill, An Act relating to the inspection of meat and meat food products.

By Mr. Weld of Old Town—Bill, An Act to amend Section 54 of Chapter 49 of the Revised Statutes, providing a lien for a mortgagee of any mortgage of personal property upon any policy of insurance on such property.

Appropriations and Financial Affairs.

By Mr. Havey of Sullivan—Resolve in favor of F. H. Parkhurst, chairman

of the committee on State School for Boys.

Mercantile Affairs and Insurance.

By Mr. Danforth of Skowhegan—Bill, An Act amendatory to an act passed in 1907 entitled "An Act additional to Chapter 49 of the Revised Statutes, relating to insurance and insurance companies."

Inland Fisheries and Game.

By Mr. Herrick of Brooklin—Remonstrance of Frank Averill and 131 others of Princeton against any change in fish and game laws upon the west branch of the St. Croix river; of George G. Elsmore and 50 others of Princeton against same.

Sea and Shore Fisheries.

By Mr. Oram of Bristol—Bill, An Act to amend Section 50 of Chapter 41 of the Revised Statutes, relating to the taking of eels in Pemaquid river.

Placed on File.

By Mr. Strickland of Bangor—Resolution of Bangor Grange, P. of H., in favor of University of Maine and B. A. degree.

By Mr. Skidmore of Liberty—Remonstrance of J. P. Sanford and 66 others against the so-called McKinney dog law.

By Mr. Tarbox of Harrison—Petition of G. H. Fiancock and 82 others of Casco for the establishment of a bench mark on Sebago lake; of John S. Clark and 105 others of Naples for same.

By Mr. Clark of Hollis—Resolve of Hollis Grange in favor of removal of State capital to Portland.

By Mr. Copeland of Thomaston—Remonstrance of Frank A. Chute and others of Cushing against removal of State capital.

By Mr. Havey of Sullivan—Remonstrance of A. E. Rolfe and 30 others of Gouldsboro against same.

By Mr. Jacobs of Athens—Remonstrance of 209 members of Madison Grange against same.

Reports of Committees.

Mr. Theriault from the committee on legal affairs reported "ought to pass" on Bill, "An Act to incorporate the United Gas Co."

Mr. Hadlock from same committee on Bill, "An Act to incorporate the Rich-

mond Board of Trade," reported "legislation thereon inexpedient."

Mr. Joy from the committee on appropriations and financial affairs, to which was referred resolve for marking historical sites in Maine, reported that the same be referred to the next Legislature.

Mr. Emory from the committee on railroads and expresses reported "ought not to pass" on Bill, "An Act to amend Section 11 of Chapter 53, Revised Statutes, in relation to electric street railways."

Mr. Milliken from the committee on interior waters reported "ought not to pass" on Bill, "An Act to authorize Austin Hall, George A. Hall and Roy P. Hall to maintain their dam across Orange river in the town of Whiting, and improve said river as far as Orange lake, for driving purposes."

Mr. Strickland from same committee reported "ought not to pass" on Bill, "An Act to incorporate the East Sebois Dam and Improvement Co."

Mr. Waldron from the committee on State lands and State roads, on order of the last Legislature relating to An Act to promote the settlement of wild lands adapted to agricultural purposes, reported "legislation thereon inexpedient."

Mr. Lane from the committee on ways and bridges reported "ought not to pass" on resolve in favor of the town of Guilford.

Mr. Merry from the committee on towns reported "ought not to pass" on Bill, "An Act to annex the island of Metinic in the county of Knox to the town of St. George."

Mr. Reynolds from the joint special committee on salaries and fees reported "ought not to pass" on Bill, "An Act to fix the salary of the assistant county attorney of Cumberland county."

Mr. Jordan from the Portland delegation reported "ought not to pass" on Bill, "An Act to amend Chapter 275 of the Special Laws of 1903," entitled "An Act to confer certain powers on the city of Portland."

Same gentleman from same delegation reported same on Bill, "An Act authorizing the construction of a wharf

into the tide waters of Casco Bay in the city of Portland."

The reports were accepted and sent to the Senate.

Mr. Theriault from the committee on legal affairs on Bill, "An Act making valid the organization and records, and confirming the title of the trustees of the Methodist Episcopal church in Old Town and authorizing their sale of real estate, reported "legislation inexpedient."

The report was accepted. Subsequently, on motion of Mr. Weld of Old Town, the vote whereby the report was accepted was reconsidered and the report was tabled, pending acceptance.

Mr. Joy from the committee on appropriations and financial affairs, which was instructed by an order of the Legislature to inquire into the expediency of requiring supplies purchased by the State for all State institutions, to be purchased on the basis of competitive bids, reported "legislation thereon inexpedient."

On motion of Mr. Milliken of Island Falls, the report was re-committed to the committee on appropriations and financial affairs, and sent to the Senate.

Mr. Weeks from the from the committee on the judiciary reported "ought to pass" in new draft under same title" on Bill, "An Act amendatory of Sections 67 and 68 of Chapter 79 of the Revised Statutes, relating to the reporter of decisions."

Mr. Waldron from same committee reported same on Bill, "An Act to establish the Milo municipal court."

Mr. Johnson from same committee reported "ought to pass" on Bill, "An Act additional to and amendatory of Chapter 29 of the Private and Special Laws of 1887," entitled "An Act to incorporate the Kennebec Light & Heat Co."

Mr. Davies from same committee reported same on Bill, "An Act to incorporate the Vassalboro Electric Light & Power Co."

Same gentleman from same committee reported same on Bill, "An Act amending Chapter 164 of the Public Laws of 1905, relating to location and assessment of damages for property taken for public uses."

Mr. Montgomery from same commit-

tee reported same on Bill, "An Act to amend the charter of the city of Rockland and to legalize wharves in said city."

Same gentleman from same committee reported same on Bill, "An Act to provide a salary for the judge of the municipal court of Dexter."

Mr. Goodwin from same committee reported same on Bill, "An Act to incorporate the Wells Electric Light & Power Co."

Same gentleman from same committee reported same on Bill, "An Act to incorporate the Wells Telephone Co."

Mr. Smith from same committee reported 'ought to pass' on Bill, "An Act to extend the rights, powers and privileges of the Brownville & Williamsburg Water Co."

Same gentleman from same committee reported same on Bill, "An Act to authorize the issue of bonds on the serial payment plan."

Same gentleman from same committee reported same on Bill, "An Act to prevent the unlawful diversion of water."

Same gentleman from same committee reported "ought to pass in new draft" on Bill, "An Act amending an act authorizing the Bodwell Water Power Company to generate, use, transmit and sell electricity," under title of "An Act authorizing the Bodwell Water Power Company to generate, use, transmit and sell electricity."

Same gentleman from same committee reported "ought to pass in new draft under same title" on Bill, "An Act to amend Section 1 of Chapter 143 of the Private and Special Laws of 1905," entitled "An Act to amend Section 1 of Chapter 89 of the Private and Special Laws of 1903," entitled "An Act to authorize the Penobscot Chemical Fiber Company to make, generate, use, transmit and sell electricity."

Mr. Dunton from the committee on legal affairs, on petition of H. R. Goo-gins and 11 others of Bucksport praying that Chapter 366 of the Private and Special Laws of 1903 whereby the property of the town of Bucksport, used by the fire department, was placed in charge of the fire wardens, be repealed, reported bill entitled, "An Act

to repeal Chapter 366 of the Private and Special Laws of 1903, relating to the fire wardens of Bucksport."

Mr. Martin from same committee reported "ought to pass" on Bill, "An Act to enable the town of Danforth to purchase the stock or franchise of the Danforth Water Company, or any part thereof."

Mr. Dyer from same committee reported same on Bill, "An Act to provide for information to the Board of State Assessors relating to the transfer of wild lands."

Same gentleman from same committee reported same on Bill, "An Act authorizing the construction of a wharf into the tide waters of Casco bay in Deer Isle, Hancock county."

Mr. Theriault from same committee on petition of Fort Kent Telephone Company for an act amending its charter, reported Bill entitled, "An Act to amend the charter of the Fort Kent Telephone Company."

Same gentleman from same committee reported "ought to pass" on Bill, "An Act creating the Fort Kent Village Corporation."

Same gentleman from same committee reported same on Bill, "An Act to change the name of the Deaconess' Home Association of Bangor."

Same gentleman from same committee reported same on Bill, "An Act to amend Section 1 of Chapter 75 of the Revised Statutes relating to the ownership of down timber and bark."

Same gentleman from same committee reported same on Bill, "An Act to amend Section 13 of Chapter 4 of the Revised Statutes, relating to the election of road commissioner."

Mr. Hadlock from same committee reported same on Bill, "An Act creating the office of probation officer for the city of Westbrook."

Same gentleman from same committee reported same on Bill, "An Act to make valid the acts of the Lewiston, Greene and Monmouth Telephone Company."

Same gentleman from same committee reported same on Bill, "An Act to authorize the construction and maintenance of a wharf into the tide waters

of Casco bay on Orr's Island in the town of Harpswell."

Same gentleman from same committee reported same on Bill, "An Act to amend Section 9, Chapter 27, Revised Statutes, relating to paupers, their settlement and support."

Same gentleman from same committee reported "ought to pass in new draft under same title" on Bill, "An Act to amend Section 4 of Chapter 315 of the Private and Special Laws of 1903," entitled, "An Act to incorporate the Madunkeunk Dam and Improvement Company."

Mr. Newcomb from the committee on appropriations and financial affairs reported "ought to pass" on resolve in favor of E. J. Crosby, secretary of the committee on agriculture.

Mr. Walker from same committee reported "ought to pass in new draft under same title" on Resolve in favor of Dana L. Theriault to reimburse him for expenses incurred in contested election in Fort Kent class.

Mr. Lord from the committee on education reported "ought to pass" on Bill, "An Act to amend Section 81 of Chapter 15 of the Revised Statutes, relating to State aid for academies."

Same gentleman from same committee reported same on Bill, "An Act to amend Section 78 and Section 80 of Chapter 15 of the Revised Statutes, relating to State aid to academies."

Mr. Gleason from same committee reported "ought to pass in new draft" on Bill, "An Act to amend Chapter 15 of the Revised Statutes, relating to the education of youth," under title of "An Act to amend Sections 41, 42 and 43 of Chapter 15 of the Revised Statutes relating to district superintendents of schools."

Mr. Young from the committee on railroads and expresses reported "ought to pass" on Bill, "An Act relating to coroners' inquests in case of fatal accidents on railroads."

Mr. Johnson from same committee reported same on Bill, "An Act to amend and extend the Milbridge and Cherryfield Street Railway charter."

Mr. Hall from same committee reported same on Bill, "An Act to authorize the Seabasticook and Moose-

head Railroad Company to extend its line to Eliotsville plantation and to Albion."

Mr. Spear from same committee on petition of Vincent M. Theriault and two others praying for an act incorporating the Northern Railway of Maine, reported bill entitled "An Act to incorporate the Northern Railway of Maine."

Mr. Mullen from same committee reported "ought to pass" on Bill, "An Act to authorize the Somerset Railway Company to issue additional stock."

Same gentleman from same committee reported same on Bill, "An Act to extend the charter of the Bluehill and Bucksport Electric Railroad Company."

Mr. Baldwin from the committee on banks and banking reported "ought to pass in new draft" on Bill, "An Act to renew and extend the charter of the Dexter Trust Company for two years," under title of "An Act to amend and extend the charter of the Dexter Trust Company for two years."

Mr. Jacobs from the committee on interior waters reported "ought to pass in new draft under same title" on Bill, "An Act to incorporate the Princeton and Grand Lake Steamboat Company."

Mr. Grinnell from same committee reported same on Bill, "An Act to incorporate the Kingman Developing Company."

Mr. Mayo from same committee reported "ought to pass" on Resolve in aid of navigation on Schoodic Grand Lake.

Same gentleman from same committee reported "ought to pass in new draft under same title" on Resolve in favor of the Norcross Transportation Company, to aid in the erection of buoys as guides to navigation in North Twin lake and thoroughfares.

Mr. Lovejoy from the committee on State lands and State roads reported "ought to pass in new draft under same title" on 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.

Mr. Emerson from same committee reported same on Resolve to provide

for repairs of road leading from Roach river to the Grant farm.

Mr. Lane from the committee on ways and bridges on petition of inhabitants of Connor plantation praying for an appropriation in aid of a bridge over Little Madawaska river, reported Resolve entitled Resolve in aid of bridge across Little Madawaska river in Connor plantation in the county of Aroostook.

Same gentleman from same committee reported "ought to pass in new draft under same title" on Resolve to rebuild the State bridge across Depot stream in Township No. 13, Range 15, in the county of Aroostook.

Same gentleman from same committee reported "ought to pass" on Resolve in favor of the town of Concord.

Same gentleman from same committee reported same on Resolve in favor of inhabitants of Whitneyville.

Same gentleman from same committee reported same on Resolve in favor of the town of Howland for the purpose of repairing bridge across Piscataquis river.

Same gentleman from same committee reported same on Resolve in favor of the towns of Howland and Enfield for the purpose of repairing bridge across Penobscot river.

Same gentleman from same committee reported same on Resolve in favor of the town of Howland for the purpose of repairing bridge across Seboice river.

Same gentleman from same committee reported same on Resolve providing for assistance in rebuilding the East Branch bridge in the town of Oakfield.

Same gentleman from same committee reported same on resolve in favor of building a bridge in the town of Forest City in Washington county.

Same gentleman from same committee reported same on resolve in favor of the town of Trescott.

Same gentleman from same committee reported same on resolve in favor of the city of Gardiner and town of Randolph.

Same gentleman from same committee reported same on resolve in favor of the town of Mariaville.

Same gentleman from same commit-

tee reported same on resolve in favor of the town of Bingham.

Mr. Folsom from the committee on pensions reported "ought to pass" on resolve in favor of Elmira H. Dunbar of Cherryfield.

Same gentleman from same committee reported "ought to pass in new draft under same title" on resolve in favor of Daniel R. Palmer of Buckfield.

Same gentleman from same committee reported "ought to pass in new draft under same title" on resolve in favor of Benjamin F. Brown.

Mr. Joy from the committee on labor reported "ought to pass in new draft under same title" on Bill, "An Act in relation to employment agencies."

Mr. Gleason from same committee reported same on Bill, "An Act to amend Section 44 of Chapter 40 of the Revised Statutes relating to sanitary conditions of factories, workshops, mines and quarries."

Mr. Jordan from the Portland delegation reported "ought to pass in new draft under same title" on Bill, "An Act authorizing the Island Ferry Co. to construct a wharf and ferry slip into the waters of Casco Bay."

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

Passed to Be Engrossed.

An Act to incorporate the trustees of Bridgewater Classical Academy.

An Act to amend Section 9 of Chapter 158 of the Private and Special Laws of 1903, relating to the Brunswick and Topsham Water District.

An Act for the better protection of alewives, shad and sturgeon in various rivers in Maine.

An Act to incorporate the Baker & Spencer Brook Dam and Improvement Company.

An Act to incorporate the Peaks Island Water & Light Co.

An Act to incorporate the Ossipee Valley Power Company.

An Act to repeal Section 11 of Chapter 164 of the Private and Special Laws of 1841, incorporating the Elliot and Kittery Mutual Fire Insurance Co., relating to insurance on property carried by other companies.

Resolve in favor of Louis C. Stearns of Bangor, Maine.

An Act to extend the charter of the Peaks Island Railroad Co.

An Act to amend Section 17 of Chapter 80 of the Revised Statutes relating to the powers of county commissioners to raise temporary loans.

An Act in relation to the Elias Thomas Company.

An Act to prohibit the hunting of foxes by dogs in Swan's island.

An Act to amend Chapter 345 of the Private and Special Laws of 1901, entitled "An Act to authorize the erection and maintenance of dams, side dams, piers and booms in Sandy stream, Gilman pond and Gilman stream in the plantations of Highland and Lexington and the town of New Portland in the county of Somerset and State of Maine, and to make improvements in said stream."

An Act to quiet title to real estate.

An Act to confer additional powers on the Duplex Roller Brushing Company, a corporation organized under the general laws of the State of Maine.

Resolve to amend Section 2 of Article 10 of the constitution of the State of Maine.

An Act to empower Ben Venue Granite Company to erect and maintain docks on the shores of Crotch island and Greenhead in the town of Stonington.

An Act requiring steam plants in school buildings, churches and other public buildings to be in charge of competent persons.

An Act to incorporate the Stonington Water Company.

An Act to amend the charter of the United States Trust Company.

An Act to amend Section 21 of Chapter 6 of the Revised Statutes, relating to the filling of vacancies in the office of ballot clerks.

An Act to incorporate the Oakland Trust Company.

An Act to incorporate the Ashland Trust Company.

Resolve to provide a commission to inquire into the present system of assessing and collecting taxes, and if possible to provide for a better and more complete system of assessment and collection and report to the Governor and Council.

Resolve providing money for the purposes of obtaining information in regard to wild lands for the purpose of taxation.

On motion of Mr. Weld of Old Town, the vote was reconsidered whereby the House accepted the report of the committee on legal affairs reporting legislation inexpedient on bill making valid the organization and records and confirming the title of the trustees of the Methodist Episcopal church of Old Town, and authorizing their sale of real estate, and on further motion by the same gentleman the report was tabled pending acceptance.

Passed to Be Enacted.

An Act to regulate fishing through the ice in South East pond, in Baldwin and Sebago, in the county of Cumberland, and in Barker pond and Middle pond, both situated partly in Sebago, in said county of Cumberland, and partly in Hiram, in the county of Oxford.

An Act to amend the charter of the Mount Desert Trust Company. (Tabled pending passage to be enacted on motion of Mr. Joy of Eden.)

An Act to regulate fishing in Rapid river, in the county of Oxford, also in so much of Lake Umbagog as is situated in the State of Maine.

An Act to authorize the American Thread Company to erect and maintain piers and booms in Sebec river.

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

An Act to extend the powers and rights of the Brunswick Electric Light and Power Company.

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

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 its east and west branches.

An Act to amend Section 3 of Chapter 40 of the Revised Statutes, relating to lime casks. (Tabled pending passage to be enacted on motion of Mr. Skidmore of Liberty.)

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

An Act to provide an additional term

of the supreme judicial court for the county of Oxford.

An Act to prohibit the throwing of mill waste into the tributaries to Lake Webb, also to regulate fishing in Lake Webb and Webb's river, in the county of Franklin.

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.

An Act relating to the building and maintenance of weirs on the Presumpscot river.

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.

On motion of Mr. Tarbox of Harrison, the vote was reconsidered whereby this bill was passed to be engrossed.

Mr. Tarbox then offered amendment "A," amend Section 1, line three by inserting after "Brownfield" the words "and adjacent to the town of Denmark."

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

An Act relating to recorders and clerks of municipal and police courts.

An Act to extend the powers of the Canaan Power Co.

Finally Passed.

Resolve to provide means for examination of claims for State pensions.

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

Resolve in favor of the Farmington State Normal school.

On motion of Mr. Gleason of Mexico, the vote was reconsidered whereby this resolve was passed to be engrossed.

Mr. Gleason then offered amendment "A" by inserting after the word "eight" in line three the words "to be paid to the Farmington State Normal school."

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

Orders of the Day.

Special assignment: Report of the committee on claims reporting "ought not to pass" on resolve in favor of Stockton Springs.

The question being to substitute the resolve for the report of the committee.

Mr. COLCORD of Searsport—Mr. Speaker, the statement of facts and accompanying vouchers attached to the resolve contains about all the information relating to this subject.

They are as follows:

The town treasurer of Stockton paid \$75 for bounty on seals after the law was repealed. He claims that he did not know or understand that the abolishment of said law affected his section. The secretary of State says that it is often three months after adjournment before all the towns get their copy of the legislative work, which would be about the time that the last bounty was paid—July 1, 1905. The committee claims that ignorance or carelessness is no excuse. We admit that in law this treasurer might not be able to recover, but this is not a case for the legal fraternity. Were these services rendered? The vouchers show that they were. Was the destruction of these seals as much benefit to the State after the law was repealed as before? Can anyone doubt it? I have been told by men in the fishing business that one seal would destroy \$10 worth of fish in one season.

By easy computation it can be readily seen that the destruction of these sea animals, with all their future progeny, has benefited the State nearly \$1000. The question for us to decide is: Shall this treasurer, who paid \$75 for services actually rendered to the State, receive this amount which is one and one-half years' salary as town treasurer, or shall the State of Maine refuse to reimburse the same on the ground that he is not entitled to it by law?

Mr. DUNTON of Belfast—Mr. Speaker and gentlemen, I know personally the treasurer of the town of Stockton Springs. I know him to be a very accurate and careful and conscientious business man. He has served that town as treasurer for quite a long time. It appears that after the passage of the Act of 1905 repealing the bounty on seals he paid out \$75 to persons who had killed seals before he learned that this law had been enacted. Now, I don't wonder that he did not discover that the bounty on seals had been repealed, for in looking it up this morning I looked at the index and was confused myself when I found

the Act, as to whether it was the one or not. Now that Act reads as follows, and I wish to read it and ask you if you were a treasurer of a town paying a bounty on seals and no one had especially called your attention to the fact that the bounty had been repealed, whether you would suspect it from this Act:

"Section 1. Section 53 of Chapter 41 of the Revised Statutes is hereby amended by striking out all of said section as far as the word "no" in the ninth line, so that said section as amended shall read as follows:

"Section 53. No person shall during the months of June, July and August destroy seals in the waters of Casco bay by shooting with rifle or other long range weapon, which might endanger human life, under a penalty for any violation of this section, of fifty dollars, to be recovered upon complaint or on indictment, before any court of competent jurisdiction."

I understand that the committee reported adversely upon this claim for the reason that the ignorance of the law did not excuse the treasurer. That is true as a matter of law. It is a rule acted upon by all our courts but it is not acted upon by the Legislature. We have at this session passed an Act by which we paid to the town of Liberty a certain amount under the State roads law because they had failed to comply with the law that they knew all about. They had failed to comply with it and were not in law entitled to any pay from the State. But the Legislature has power to remedy that, and it seemed right undoubtedly to the committee and the Legislature that it should be refunded and they did so. We have passed a law paying to a town its school tax because it had been forfeited by not complying with the law which the officers undoubtedly knew about. It was not a wilful violation of the law but through some inadvertence or neglect it was not complied with. Now if a town or a person has a legal claim against the State they do not have to present it to the Legislature. It is only when through some technicality of the law there is no longer a legal claim that they go to the Legislature. If it is a legal claim, all they have to do is to present it to the Governor and Council or to the proper officers, and it is audited

and paid. So here, there is no question about the fact. The treasurer of the town of Stockton Springs did not know that that law had been repealed. Perhaps he ought to have examined the law more thoroughly. But he did not know it, and before he learned it he had paid out \$75 as a bounty upon seals which the gentleman from Searsport says is his salary for a year and a half as treasurer. Now, he paid that out of the town's funds. The town can make him repay it, but under the circumstances is it not right that this money which was paid in good faith under a law which the State had enacted and before he had any knowledge that it had been repealed—is there any reason why we should not consider this claim favorably and allow him the \$75 to be paid under these circumstances?

It may be said that he could recover it back from the persons to whom he paid it. He might have a legal claim for it, but the men who kill seals for a bounty of one dollar a head are not usually very responsible men, and it would be very difficult if not impossible to recover it back. So it comes to this: Shall the Legislature having undoubted authority to reimburse this town for this \$75 which was paid out of their funds, pay back that amount? It may, of course, refuse to do so and compel the treasurer to forfeit by his ignorance of law, not knowing the law, this \$75, his salary for a year and a half. It seems to me that this Legislature ought under the circumstances to allow this claim and that the resolve ought to be substituted for the report of the committee and receive a passage.

Mr. TUCKER of Wiscasset—Mr. Speaker, as a member of the committee I wish to say that the committee considered it had no right to be influenced by a matter of sympathy. It is an entirely different matter from the one relating to the town of Liberty. The committee on claims thought it was a matter to be adjusted between the treasurer of the town and his town.

The question being on the motion to substitute the resolve for the report of the committee,

The motion was agreed to.

On motion of Mr. Colcord of Searsport the rules were suspended, the resolve re-

ceived its two readings and was passed to be engrossed.

Special Assignment: Resolve relating to reprinting of Maine Reports.

The question being on the motion to indefinitely postpone the resolve.

Mr. MCKINNEY of Bridgton—Mr. Speaker, I permitted this to be laid on the table yesterday out of courtesy to the gentleman from Bangor (Mr. Martin), who presented the bill to this House and who was absent at the time. He has something to say with regard to this matter and I yield the floor to him.

Mr. MARTIN of Bangor—Mr. Speaker, I have had a conference with the gentleman from Bridgton and have prepared an amendment to the bill which I think meets the objections which the gentleman raises to it. I offer amendment "A," to strike out all of section one after the word "published" in the third line.

Mr. MCKINNEY—Mr. Speaker, I will read the resolve as it will read if the amendment is adopted: "Resolved, That Leon F. Higgins be and he is hereby authorized and empowered to reprint and publish all the Maine Reports heretofore published." If there is nothing under that which I cannot see and if it just leaves him the privilege of publishing the reports and selling them, I am perfectly willing to accept that amendment and withdraw my motion. My objection to the bill was that it would cost the State \$25,000 without receiving any return.

Mr. JOHNSON of Waterville—Mr. Speaker, I have the impression that the State owns the copyrights of many of the earlier Maine Reports and that they are valuable, and if we pass this resolve we may also by implication transfer to Mr. Higgins valuable copyrights which belong to the State. For that reason I am not in favor at the present time of the passage of the resolve as it is amended.

Mr. MCKINNEY—I do not propose to give away the copyrights without some consideration. Therefore, I renew my motion that the bill be indefinitely postponed.

Mr. MERRIMAN of East Livermore—Mr. Speaker, it seems to me that this resolve is gotten up for the benefit of one man. I don't think the attorneys in the State desire its passage. I am in

favor of its indefinite postponement.

The question being on the motion to indefinitely postpone the resolve,

The motion was agreed to.

On motion of Mr. Johnson of Waterville, bill to promote public knowledge of the law relating to the solemnization of marriages was taken from the table.

The bill was then read a second time and assigned for tomorrow morning.

On motion of Mr. Johnson, bill relating to the solemnization of marriages was taken from the table, and on further motion by the same gentleman it was recommitted to the committee on judiciary.

On motion of Mr. Milliken of Island Falls the report of the committee on appropriations and financial affairs, reporting "legislation inexpedient" on the order requesting them to investigate the feasibility of requiring supplies furnished the State to be furnished on the basis of competitive bids, was taken from the table, and on further motion by the same gentleman it was recommitted to the committee.

On motion of Mr. Knowlton of Monson, bill relating to the protection of grey squirrels and black squirrels, so called, was taken from the table.

On motion of Mr. Skidmore of Liberty, Wednesday of next week was assigned for its consideration.

On motion of Mr. Dyer of Buckfield, Adjourned.