

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventieth Legislature

OF THE

STATE OF MAINE.

1901.

county attorney or sheriff who negligently fails to perform his duty under the act. As I said before, the act as drawn is very stringent in its provisions,—full of teeth; and it may be that it is too strong; and that is the reason why I ask the close attention of the Senate to it, in order that when it comes to its final draft it may be such as to accomplish the end aimed at.

Mr. STAPLES of Knox—Will the senator allow it to be printed pending its reference?

Mr. VIRGIN—I have no objection.

On motion by Mr. Staples of Knox, the vote whereby bill, An act to prevent the shooting of human beings by persons in pursuit of game and game birds, was referred to the committee on judiciary was reconsidered, and on the further motion of that senator the bill was tabled to be printed pending its reference to the committee.

The president announced that the order relating to adjournment had been returned from the House, passed in concurrence.

On motion by Mr. Whitehouse of Sagadahoc, the Senate

Adjourned.

HOUSE.

Friday, Jan. 25.

Prayer by Rev. Mr. Wight of Hallowell.

Papers from the Senate disposed of in concurrence.

The Speaker joined, on the part of the House, Messrs. Pettengill of Rumford, Webb of Portland, Irving of Caribou, Gilmore of Turner, Simes of Mt. Desert, McNamara of Thomaston and Gardner of Patten.

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

JUDICIARY.

By Mr. Pattangall of Machias—Petitions of citizens of Roque Bluffs for change in relation to the April term of the S. J. court in Washington; of citizens of Machias, of citizens of Whitneyville, of citizens of Jonesboro, all for same.

By Mr. Stevens of Bluehill—Bill an act to amend Section 3, Chapter 100, Public Laws of 1891, relating to forest fires.

By Mr. Webb of Portland—An act to amend the act entitled an act to regulate the practice of medicine and surgery.

By Mr. Hyde of Bath—Bill, an act to ratify the purchase by the Sagadahoc Light and Power Co. of the property rights and franchises of the Bath Electric Light and Power Co., the Bath Gas and Electric Co., and the Bath Gas Light Co., and to give further rights to the Sagadahoc Light and Power Co.

LEGAL AFFAIRS.

By Mr. Scammon of Franklin—An act to amend Section 9 of Chapter 106 of the Revised Statutes relating to the draft of jurors.

By Mr. Pratt of Veazie—An act to amend paragraph 8 of Section 6 of Chapter 6 of the Revised Statutes as amended by the Public Laws of 1895, relating to poll taxes.

By Mr. Lawrence of Gardiner—Bill, an act to increase the powers of the judge of probate in the county of Kennebec for a certain purpose.

By Mr. Gammon of Jay—An act in relation to political caucuses in towns.

By Mr. Sutherland of Biddeford—An act to amend Chapter 635 of the Private and Special Laws of 1893, relating to the police board in the city of Biddeford.

FINANCIAL AFFAIRS.

By Mr. Pattangall of Machias—Petition of N. P. Albee and 31 others, citizens of Machias, asking for an appropriation for the Temporary Home for Women and Children in Portland.

By Mr. Fuller of Auburn—Resolve in favor of Young Women's Home in Lewiston.

By Mr. Porter of Bangor—Resolve entitled topographic survey commission.

EDUCATION.

By Mr. Gooding of Yarmouth—Resolve in favor of North Yarmouth Academy with statement of facts.

By Mr. Clark of Gray—Resolve in favor of Pennell Institute.

By Mr. Little of Monmouth—Resolve in favor of Litchfield Academy with statement of facts.

RAILROADS, TELEGRAPHS AND EXPRESSES.

By Mr. Thornton of Ashland—Petition of R. A. Stimson and 17 others for legislation to prevent telegraph companies charging for a short distance more than for a long distance for messages.

MERCANTILE AFFAIRS AND INSURANCE.

By Mr. Hill of Exeter—Petition of John Rogers and 26 others of Stetson to repeal the compulsory fire insurance law.

MILITARY AFFAIRS.

By Mr. Sutherland of Biddeford—Petition of N. B. Walker and others asking for amendment of militia law.

WAYS AND BRIDGES.

By Mr. Thornton of Ashland—Petition of George W. Heselton of Gardiner and 94 others in favor of the State maintaining large bridges; of R. A. Stimson and 23 others; of Wilber Grant of Kingman, and 121 others; of W. S. Townsend of Newport, and 60 others; of E. C. Gray of Baring, and 18 others, all for same.

By Mr. Farnsworth of Beddington—Petition of E. W. Wallace and 194 oth-

ers in favor of the State giving aid to the town of Milbridge for repairs on great bridges.

By Mr. Thornton of Ashland—Petitions of Wilber Grant and 64 others for legislation that it may be optional with towns to assess highway taxes as a labor tax or a money tax; of R. A. Stimson and 25 others for same.

By Mr. Farnsworth of Beddington—Resolve in favor of the town of Milbridge.

By Mr. Cushman of Sherman—Resolve in favor of the town of Oakfield.

INLAND FISHERIES AND GAME.

By Mr. Sturgis of Standish—Petition of C. S. Phinney and 26 others to prohibit fishing through the ice in Great Watchic pond and its tributaries.

By Mr. Carleton of Winthrop—Petition of F. W. Sanborn and 42 others of Norway, Oxford county, praying for laws to regulate fishing in lake Pennessewassee and tributaries, situated in said Norway.

By Mr. Pattangall of Machias—Petition of Cornelius Sullivan and 15 others, citizens of Washington county, asking for a repeal of the September game laws.

By Mr. Burrill of Ellsworth—Petitions of William O. Emery and 16 others of Sullivan, to prohibit the sale of trout in the county of Hancock; of E. S. Kingman and 6 others of Ellsworth, for same.

By Mr. Foster of Oakland—Petition of H. W. Greeley and 100 others of Oakland, for amendment to the law relative to fishing in McGrath, Ellis, and Snow ponds in the county of Kennebec.

By Mr. Spofford of Deer Isle—Petition of C. E. Sprague and 38 others in favor of an act prohibiting the killing of deer in the town of Swan's Island for a period of five years.

By Mr. Clark of Gray—An act to prevent ice fishing in Little Sebago pond, situated in the towns of Gray and Windham.

By Mr. Sturgis of Standish—An act to prevent the taking of fish from Great Watchic pond.

By Mr. Foster of Oakland—An act to prevent the throwing of sawdust, slabs, edgings and other refuse into the

McGrath, Ellis, East, North, Long and Snow ponds.

By Mr. Spofford of Deer Isle—An act to prohibit the killing of deer in the town of Swan's Island for a period of five years.

SHORE FISHERIES.

By Mr. Spofford of Deer Isle—Petition of Otis W. Albee and 33 others in favor of an act prohibiting the use of seines and torches within one mile of fish wiers.

By Mr. Scammon of Franklin—An act to amend Section 7 of Chapter 292, Public Laws of 1889, relating to the marking of lobster traps.

CLAIMS.

By Mr. Lawrence of Gardiner—Resolve in favor of O. B. Clason.

PENSIONS.

By Mr. Clark of Gray—Resolve in favor of Nancy Mayberry.

TAXATION.

By Mr. Farnsworth of Pembroke—Petitions of L. E. Herrick and 64 others of Poland, in favor of an increase of tax on the corporations of the State; of L. Keene and 38 others of Hebron; of J. H. True and 130 others of Fayette; of Howard Pierce and 78 others of Blaine; of John H. Chick and 26 others of Poland; of W. H. Meguire and 26 others of Glenburn; of L. N. Crocker and 38 others of Detroit; of Geo. W. Patten and 26 others of Pittsfield; of F. E. Drummond and 60 others of Winslow; of I. Crowell and 74 others of Canaan; of J. B. Ripley and 225 others of Pittston; of Charles M. Benson and 36 others of Durham; of Charles S. Somes and 64 others of Edgcomb and Newcastle; of A. Baker and 71 others of Bingham; of W. Libby and 30 others of Minot, all for same.

By Mr. Trickey of Cumberland—Petition of Charles E. Herrick and 51 others, citizens of Cumberland, respectfully represent and pray that a bill to increase the tax on railroads, telegraphs, telephone and express companies and other corporations and wild lands, be enacted into the laws of our State.

By Mr. Cook of Vassalboro—An act relating to the taxation of certain de-

posits in savings banks and trust companies.

By Mr. Farnsworth of Pembroke—Bill, an act in relation to domestic and foreign corporations, and to provide a revenue therefrom.

ORDERS.

On motion of Mr. Pratt of Veazie, Ordered, That the State treasurer be required to furnish the committee on ways and bridges the total amount of money expended on ways and bridges for the years 1899 and 1900.

By Mr. Powers of Fort Fairfield, Ordered, The Senate concurring, that the judiciary committee be instructed to inquire into the advisability of the State assuming control of the publication of the Maine Reports, and report by bill or otherwise.

On motion of Mr. Powers of Fort Fairfield, the vote was reconsidered whereby the House passed the order in relation to the Maine Reports, and on further motion by the same gentleman the order was then laid on the table.

The following Senate order received a passage in concurrence:

Ordered, The House concurring, that when the Senate and House adjourn, they adjourn to meet at 10.30 o'clock A. M., on Tuesday, Jan. 29, 1901.

Mr. Haskell of Windham, asked unanimous consent to introduce a bill out of order—Bill, an act to incorporate the Bonny Eagle Power Co. of Standish, and moved its reference to the committee on legal affairs.

The motion was agreed to.

REPORTS OF COMMITTEES.

Messrs. Dunn, Wetherbee, Putnam, Walker, White, Haskell and Littlehale, from the committee on elections, to which was referred the remonstrance of Harvey D. Eaton praying that he may be admitted to the seat now held by Cyrus W. Davis as the representative for the city of Waterville, reported that said Eaton and said Davis each received 871 votes and that no person received a plurality of votes for the office of representative to the 70th Legislature of Maine from the city of Waterville. Messrs. Dunn, Weatherbee, Putnam, Walker, White, Haskell and

Littlehale from the committee further reported the following resolve: Resolved, that it is the judgment of the House that Cyrus W. Davis of Waterville, the sitting member from the city of Waterville, was not elected and shall no longer act as the representative from said city in the 70th Legislature of Maine.

The report of the committee was accepted and the order received a passage.

Subsequently, on motion by Mr. Carleton of Winthrop, the votes were reconsidered whereby the House accepted the report of the committee and by which the resolve received a passage, and on further motion by the same gentleman the matter was laid on the table and Tuesday next, was assigned for its consideration.

Mr. Fellows of Bucksport, from the committee on legal affairs, on bill, an act in relation to supplying the municipal court of the city of Saco with dockets and blanks, reported that the same be referred to the York county delegation.

Mr. Pattagall, from the committee on legal affairs, reported ought not to pass on bill, an act to incorporate the Pembroke Water Company.

Mr. Spofford, from the committee on the judiciary, on bill, an act to authorize the building of a bridge at Bar Harbor, reported in a new draft and ought to pass bill, an act to build a bridge across the bar between Mt. Desert island and Bar island in the county of Hancock. Printed under joint rule.

Mr. Harris, from same committee, reported ought to pass on bill, an act to amend Section 47, Chapter 77 of the Revised Statutes, in relation to the time of holding the terms of the supreme judicial court in the county of Oxford. Printed under joint rule.

Mr. Beal, from the committee on financial affairs, reported ought to pass on resolve appropriating the sum of \$36,000 for the purpose of redeeming outstanding pledges in favor of the Eastern Maine Insane Hospital. Printed under joint rule.

Mr. Mead, from the committee on education, reported ought not to pass on resolve for amendment to the constitution relating to education.

Mr. Cushman, from the committee on inland fisheries and game, reported ought to pass on bill, an act to regulate winter fishing and to close the tributaries of certain lakes and ponds in Piscataquis county. Printed under joint rule.

Mr. Wilson, from same committee, reported ought to pass on bill, an act to prohibit fishing in Androscoggin pond situated partly or wholly in Kennebec county. Printed under joint rule.

Mr. Hill, from the committee on commerce, reported ought to pass on bill, an act to authorize the construction of a wharf into the tide waters of Piscataqua river at Kittery. Printed under joint rule.

Mr. Hill, from same committee, reported ought to pass on bill, an act authorizing the construction of a wharf into the tide waters of Penobscot river in Verona, Maine. Printed under joint rule.

Mr. Hill, from same committee, reported ought to pass on bill, an act to authorize the construction of a wharf into the tide waters of the Penobscot river in Bucksport. Printed under joint rule.

Mr. Jackson, from the committee on inland fisheries and game, on petition of C. E. Littlefield and 32 others and A. S. Littlefield and 62 others, praying that certain brooks and streams situated in Thomaston and Rockland be closed to all fishing, reported a bill entitled an act to regulate fishing in Branch and Meadow brooks in Thomaston and Rockland and that it ought to pass. Printed under joint rule.

Mr. Jackson, from same committee, on petition of J. F. Sprague and 101 others praying for open season for fishing in Wilson river, Piscataquis county, above Toby falls, reported a bill entitled an act to regulate fishing in Wilson river, Piscataquis county, and that it ought to pass. Printed under joint rule.

READ AND ASSIGNED.

An act to incorporate the trustees of Leavitt institute in the town of Turner.

An act in relation to the charter of the Wiscasset & Quebec Railroad.

An act to extend the charter of the Franklin, Somerset & Kennebec Railway Company.

An act to change in part the town line between the towns of Mexico and Rumford in the county of Oxford.

An act to extend the charter of the Waterville & Wiscasset Railroad Company.

An act to amend the charter of the Lewiston Trust and Safe Deposit Company.

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

Resolve in favor of the town of Verona.

An act to extend the charter of the Waldo Street Railway Company.

An act to incorporate the Wiscasset, Waterville & Farmington Railway Company.

PASSED TO BE ENGROSSED.

An act to amend an act entitled an act to provide for printing and distribution ballots at the public expense and to regulate voting in State and city elections.

An act to amend and extend the charter of the Agamenticus Water Company.

An act to amend Section 104 of Chapter 11 of the Revised Statutes.

Mr. Gilmore of Turner, moved to amend the title of this bill by adding, "relating to the duties of the State superintendent of schools."

The motion was agreed to and the bill was then passed to be engrossed as amended.

Resolve in favor of the town of Bethel.

PASSED TO BE ENACTED.

An act to revive the organization of the trustees of the Parsonage Fund of Bucksport.

An act to amend the charter of the Livermore Falls Light and Power Company.

ORDERS OF THE DAY.

On motion by Mr. Carleton of Winthrop, the vote was reconsidered whereby Tuesday was assigned for the consideration of the Waterville contested election case, and on further motion by the same gentleman it was assigned for Wednesday of next week at 11 o'clock.

On motion by Mr. Loud of Plymouth, Adjourned.