

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventieth Legislature

OF THE

STATE OF MAINE.

1901.

HOUSE.

Thursday, Jan. 31.

Prayer by Rev. Mr. Farnsworth of the House.

Papers from the Senate disposed of in concurrence.

Petitions of L. R. Hall of Andover and 33 others for a bounty on bears; of R. S. Taylor of Mexico and 53 others for same; and of J. O. Goodwin of Upton and 32 others for same, came from the Senate, referred to the Committee on Agriculture in non-concurrence.

Mr. THOMPSON of China: Mr. Speaker, I move that the House recede and concur with the Senate in referring these petitions to the Committee on Agriculture.

Mr. CARLETON of Winthrop: I hope that the matter will not be pressed this morning, there is a small attendance and I hope it will go over until there is a full attendance. I will ask the gentleman from China if he will not consent to let the matter lay over.

Mr. THOMPSON of China: I hope my motion will prevail. It seems to me that this is pre-eminently an agricultural question. It is not a question relating to bears but to sheep, and these petitions come from the farmers of the State asking for the better protection of sheep. We have a fair representation here this morning and I hope the motion will prevail.

Mr. CHASE of Portland: I move that the entire matter lie on the table until tomorrow morning.

Mr. SWETT of Kittery: I hope the motion to delay this matter will not prevail for this reason—although I am not very much interested in raising sheep, the farmers of the State are—

Mr. CHASE: I rise to a point of order. I made a motion that this matter lie on the table. A motion to lay on the table is not debatable.

The SPEAKER: The motion is not debatable.

The question being on the motion to lay on the table, a division was had and the motion was agreed to by a vote of 41 to 38.

Three other petitions of a like nature, of D. W. Smith and 9 others, of

James Morrison and 24 others, and of G. S. Kempton and 49 others, came from the Senate referred to the Committee on Agriculture, and on motion by Mr. Chase of Portland, they were laid on the table till tomorrow morning.

The following Senate bills were read and assigned:

An act relating to the Compressed Air Company of Massachusetts.

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

An act to authorize the Bangor and Aroostook Railroad Company to purchase the Bangor and Katahdin Iron Works Railroad.

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

JUDICIARY.

By Mr. Haskell of Windham—Petition of Etta Mitchell and 50 others of Lewiston praying for right of full and equal suffrage for women.

By Mr. White of East Machias—Petition of M. E. Church of Jacksonville for protection of Sabbath.

By Mr. Lawrence of Gardiner—Petition of A. L. Struthers and 32 others of Gardiner in relation to Sunday excursion rates on railroads.

By Mr. Smith of Waterboro—Petition of Charles G. Moulton and 5 others of Limerick in favor of the negotiable instruments act.

By Mr. Brackett of Phillips—Petition of W. L. Daggett and 18 others of Strong, Franklin county, against annexing any part of Franklin county to the county of Oxford, and against extending the jurisdiction of the Rumford Falls municipal court to Franklin.

By Mr. White of East Machias—Petition of citizens of Edmunds for change in relation to the April term of the S. J. C. in Washington county.

By Mr. Farnsworth of Pembroke—Petition of citizens of Pembroke for same.

By Mr. Knowlton of Farmington—Remonstrances of H. H. Allen and 60 others, citizens of Franklin county, against extending the jurisdiction of the Rumford Falls municipal court of the town of Rumford over any part of Franklin county; of V. White, A. C. Macomber and A. D. Brown, selectmen

of Jay, and 96 others, citizens of Franklin county, against the setting off from the county of Franklin to the county of Oxford any territory; of J. S. Houghton and 27 others, citizens of Franklin county, against extending the jurisdiction of the Rumford Falls municipal court of the town of Rumford over any territory of Franklin county; of D. W. Berry, I. M. Green and Geo. D. Clark, county commissioners of Franklin county, and other county officers and citizens, against same.

By Mr. Somes of Mt. Desert—Bill, an act relating to and amendatory of chapter 88 of the Special Laws of 1895, entitled An act to allow the Bar Harbor Electric Light Company to issue bonds, preferred stock, and purchase property.

By Mr. Powers of Ft. Fairfield—Bill, an act to amend section 2 of chapter 60 of the Revised Statutes, as amended by chapter 79 of the Public Laws of 1899, relating to divorce.

By Mr. Dudley of Augusta—Bill, an act to amend the charter of the Augusta Water Company.

LEGAL AFFAIRS.

By Mr. Walls of Vinahaven—Petition of Thomas F. Jones and others, trustees, for an amendment to the Northport Wesleyan Grove Campmeeting Association charter.

By Mr. Greene of Madison—Petition of J. Frank Withee and 38 others to amend charter of Madison village corporation.

By Mr. Kelly of Lewiston—Bill, an act to amend chapter 197 of the Public Laws of 1893 relating to burying grounds.

By Mr. Cain of Clinton—Bill, an act to authorize the judge of probate for Kennebec county to grant administration on the estate of James Lamb.

By Mr. Skidmore of Liberty—Bill, an act to incorporate the Smith Cemetary Association of Palermo, Waldo county, Maine.

By Mr. Putnam of Houlton—Bill, an act to provide for voting by machines.

By Mr. Staples of York—Bill, an act to authorize the town of York in the

county of York to supply lights for public uses.

By Mr. Noyes of Berwick—Bill, an act authorizing the town of Berwick to supply the village of Berwick with water for fire and domestic use.

By Mr. Putnam of Houlton—Bill, an act to incorporate the Round Lake Fish Company.

By Mr. Pattangall of Machias—Bill, an act to authorize the town of Roque Bluffs to maintain a wharf.

By Mr. Stevens of Bluehill—Bill, an act to extend the charter of the Bluehill Water Company.

By Mr. Allen of Sanford—Bill, an act to amend the charter of the Springvale Aqueduct Company.

By Mr. Fellows of Bucksport—Resolve authorizing the land agent to release the State's interest in Bar Island.

EDUCATION.

By Mr. Dudley of Augusta—Bill, an act to incorporate the trustees of Coburn Classical Institute.

RAILROADS, TELEGRAPHS AND EXPRESSES.

By Mr. Burrill of Ellsworth—Petitions of S. W. Greeley and 170 others of Ellsworth in favor of an act to incorporate the Hancock County Railway Company; of Arthur H. Sargent and 70 others; of W. G. Stevens and 35 others; of Geo. M. Farnham and 71 others; of R. E. Eaton and 14 others—all for same.

By Mr. Brackett of Phillips—Bill, an act to amend chapter 172 of the Private and Special Laws of 1891 relating to the consolidation of certain railroad corporations.

By Mr. Smith of Waterboro—Bill, an act to amend the charter of the Ossipee Valley Telegraph and Telephone Company.

By Mr. Shaw of Bath—Bill, an act to incorporate the Pownal and Yarmouth Railroad Company.

On motion of Mr. Shaw this bill was laid on the table for printing; pending reference to the committee.

MERCANTILE AFFAIRS AND INSURANCE.

By Mr. Burrill of Ellsworth—Resolve authorizing the compilation and publication of the insurance laws of Maine.

BANKS AND BANKING.

By Mr. Stevens of Bluehill—Bill, an act to extend the charter of the Bluehill Trust and Banking Company.

MILITARY AFFAIRS.

By Mr. Walls of Vinalhaven—Resolve providing for the expenses of Company "M," 1st Infantry, Company "C," 2nd Infantry, and the Signal Corps National Guards, State of Maine, while attending the ceremonies incident to the inauguration of President-elect William McKinley in Washington, March 4, 1901.

By Mr. Shaw of Bath—Resolve in favor of the Bath Military and Naval Orphan Asylum.

INTERIOR WATERS.

By Mr. Cushman of Sherman—Remonstrance of citizens of Sherman, Aroostook county, against granting a charter to the West Branch Dam and Reservoir Company.

By Mr. Cain of Clinton—Bill, an act to authorize Manley Morrison to erect and maintain booms and piers in the Sebasticook river.

WAYS AND BRIDGES.

By Mr. Thornton of Ashland—Petitions of N. D. Smith and 23 others of Masardis in favor of the State maintaining large bridges; of John S. Bridges and 37 others; of E. W. Wallace and 112 others of Milbridge; of P. E. Craig and 22 others; of B. B. Blackstone and 100 others; of Geo. E. Williams and 80 others; of Henry C. Bearce and 15 others of Harrington; of T. F. Paine and 53 others of North Anson; of Ernest C. Leland and 100 others of Robbinston; of Charles L. Corthell and 62 others of So. Robbinston; of S. D. Leavitt and 125 others of Eastport; of James E. Beath and 55 others of Boothbay—all for the same.

Also petition of George H. Hunter and 10 others that it may be optional with towns in assessing highway tax.

By Mr. Cushman of Sherman—Petition of John Byrns and 25 others for change in law relating to repair of highways.

By Mr. Maddocks of Boothbay Harbor—Petition of Chas. S. Sewall and 75 others praying for a reduction of toll over Wiscasset bridge.

By Mr. Gardner of Patten—Resolve in favor of an appropriation to aid in building a bridge between Chester and Lincoln.

INLAND FISHERIES AND GAME.

By Mr. Carleton of Winthrop—Petition of A. C. Greenleaf and 40 others for a law permitting the taking of suckers and "chevins" from Clearwater pond situated in Farmington and Industry, Franklin county.

Also petition of H. M. Stanley and 83 others for a law permitting ice fishing in Berry and Dexter ponds in Winthrop and Wayne, Kennebec county.

Also petition of H. M. Stanley and 66 others for a law permitting the taking of bait for winter and summer fishing from Jock stream in Monmouth, Litchfield and Wales, Kennebec county.

Also petition of Leroy B. Nason and 30 others for a law to prevent the throwing of sawdust and other refuse into the waters of Sebago lake, Cumberland county.

By Mr. Cushman of Sherman—Petition of George E. Morse and 32 others for repeal of law requiring a license fee of five dollars to hunt and trap bears in unincorporated places.

By Mr. Parkhurst of Bangor—Petition of William Engle, J. Fred Webster, J. P. Bass, and 29 others against, September law.

By Mr. Webb of Portland—Petition of Berlin Mills Company and 6 other owners of timber lands praying for the repeal of the law permitting September hunting.

By Mr. Brackett of Phillips—Petitions of Eben Tyler and 85 other citizens of Franklin county for a bounty on bears; of A. W. Davenport and 119 others of Franklin county; of S. S. Carleton and 64 other citizens of Franklin county—all for same.

On motion of Mr. Thompson of China, these petitions relating to bounty on bears were laid on the table until tomorrow morning.

By Mr. White of East Machias—Petition of citizens of Dennysville in regard to casting slabs, shavings, edgings, sawdust, and other mill refuse into Dennysville river and waters tributary thereto.

By Mr. Page of Skowhegan—Petition of Fred G. Heald and others for law allowing the taking of white perch from Hay-

den lake, so called, in town of Madison, between June 1 and April 1.

By Mr. Brewster of Lisbon—Petitions of B. Frank Farrar and 17 owners of Lisbon for October and November open time for the killing of deer in Androscoggin county; of W. H. White and 22 others of Lisbon—for same.

By Mr. Boothby of Leeds—Petition of Seth Howard and 35 others of Leeds for same.

By Mr. Brewster of Lisbon—Remonstrance of H. E. Coolidge and 63 others of Lisbon Falls against open time for the killing of deer in Androscoggin county.

Also bill, an act to amend section 21 of chapter 42 of the Public Laws of 1899, relating to close time on deer in Androscoggin county.

SHORE FISHERIES.

By Mr. Merritt of Columbia—Petition of F. A. Chandler and 107 others to repeal all fish laws relating to salmon and alewives and fishways on Pleasant river, Washington county.

By Mr. Pike of Lubec—Petition of John A. Tucker and 115 others praying that a law be enacted permitting the seining of herring for canning purposes in Washington county.

By Mr. Shaw of Bath—Petitions of Samuel J. Bates and 6 others to so amend the statute laws of the State as to regulate the taking of clams from the flats in the town of West Bath on the shores of New Meadows river; of J. H. Mayo and 16 others for same.

By Mr. Thompson of Bristol—Petition for legislation to regulate the taking of eels in Pemaquid river.

By Mr. Dodge of Brooklin—Petition of Sewell E. Peters and 26 others of Sedgwick for an act to prohibit the catching of alewives by set nets in the Bagaduce river and stream.

Also bill an act relating to the taking of alewives in Bagaduce river and stream.

By Mr. Thompson of Bristol—Bill, an act to amend section 31 of chapter 285 of the Public Laws of 1897, relating to a weekly close time for the taking of fish.

COUNTIES:

By Mr. Knowlton of Farmington—Remonstrance of C. G. Dummer and 36 others against the setting off from the county of Franklin to the county of Ox-

ford any territory; of V. White and others against same.

INDIAN AFFAIRS.

By Mr. Peabody of Princeton—Resolve in favor of Passamaquoddy tribe of Indians for rebuilding church at Pleasant Point in the town of Perry.

By Mr. Hinkley of Jonesport—Resolve in favor of Thomas Dana, representative of the Penobscot tribe of Indians.

Also resolve in favor of Joseph Lepsis, representative of the Passamaquoddy tribe of Indians.

CLAIMS.

By Mr. Cramer of Washington—Resolve in favor of the town of Washington for supplies furnished Alvin R. Jameson and I. Solden.

UNIVERSITY OF MAINE.

By Mr. Dunn of Orono—Resolve in favor of trustees of University of Maine for central steam heating and power plant.

TEMPERANCE.

By Mr. Swett of Kittery—Remonstrance against resubmission of the prohibitory law from Kittery, Me.

By Mr. Phoenix of Alfred—Remonstrance of D. R. Ford and 11 others against same.

By Mr. Jackson of Jefferson—Remonstrance of A. J. Ames and 51 others against same.

By Mr. Swett of Kittery—Remonstrance against same from Kittery Point, Me.

TAXATION.

By Mr. Williams of Sangerville—Petition of A. S. Merrill and 56 others to equalization of taxation.

By Mr. Walker of Starks—Bill, an act relating to the taxation of mortgaged real estate.

By Mr. Pattangall of Machias—Bill, an act additional to Chapter 6 of the Revised Statutes of 1883 providing for a tax on direct inheritances.

By Mr. Farnsworth of Pembroke—Bill, an act relating to the taxation of street railroads.

By Mr. Andrews of Rockport—Resolve in favor of the town of Rockport—same being for taxes unlawfully assessed.

AROOSTOOK COUNTY DELEGATION

By Mr. Irving of Caribou—Petition of Geo. H. Smith and 77 others, of Presque Isle, praying to be made a representa-

tive class or district without the addition of other towns or plantations.

CUMBERLAND COUNTY DELEGATION.

By Mr. Staples of Standish—Petitions of F. H. Hopkinson and 23 others of Standish, relating to open time on deer in Cumberland county; of F. E. Sawyer and 14 others of Standish; of William Dollöf and 61 others of Standish; of J. P. Burrill and 42 others of Westbrook; of George W. Hawkes and 51 others of Westbrook; of C. P. Sawyer and 25 others of Westbrook; of B. S. Skillings and 41 others of Otisfield; of David P. Chaplin and 40 others of Bridgton; of H. D. Walker and 34 others of Harrison—all for same.

Also bill, an act to provide for open time on deer in Cumberland county during the month of October.

PISCATAQUIS COUNTY DELEGATION.

By Mr. Mayo of Foxcroft—Bill, an act fixing the salary of the sheriff of Piscataquis county.

Mr. Moulton of Portland, presented bill, an act providing for State roads and for the improvement thereof, and moved that it be laid on the table to be printed pending reference to a committee.

PENOBSCOT COUNTY DELEGATION.

By Mr. Dunn of Orono—Petition of Joseph F. Gould and 5 others of Old Town, members of Penobscot bar, that commissioners of Penobscot county may erect a court house at Bangor.

ORDERS.

On motion of Mr. Harvey of Atkinson, Ordered, that the committee on legal affairs inquire into the expediency of enacting a law whereby all paupers now supported by towns shall be supported by counties, and report by bill or otherwise.

On motion of Mr. Jackson of Monson, Ordered, that the committee on inland fisheries and game inquire into the expediency of amending section 11 of chapter 42 of the Public Laws of 1899, so that the open season for ruffed grouse, commonly called partridge, shall be from the first day of October to the first day of December.

Credentials of election as representatives to the 70th Legislature of Joseph R. Leipsis of the Passamaquoddy tribe of Indians, and of Thomas Dana of the Pen-

obscoot tribe, were received and placed on file.

Mr. Pettengill of Rumford: I move to take from the table the order which came from the Senate yesterday, asking of the State treasurer certain information relating to the names of owners of wild lands.

The motion was agreed to.

Mr. Pettengill: I now move that the order be indefinitely postponed. I laid it on the table yesterday in order to confer with the senator who introduced the order. It was introduced in the interests of the committee on taxation, but we have the information already in the State assessors' reports in regard to the amount of the wild lands. I have taken occasion to examine the State treasurers' books and I find --at a very large proportion of the taxes paid upon the wild lands are paid by agents or attorneys so that the information we ask to obtain from the State treasurer will be of no use to our committee on taxation. We have the information that we require in regard to making this tax already embodied in the State assessors' reports in a very much better form. I do not see why it interests this Legislature to know who owns any particular piece of real estate.

The main thing we want is to get at the value of it. Such a report coming from the State treasurer will put him to considerable expense and trouble. I move that the order be indefinitely postponed.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. Parkhurst from the committee on judiciary reported ought not to pass on bill, an act to amend section 12 of chapter 3, of the Revised Statutes, relating to time of holding annual town meetings.

Mr. Hutchings from the committee on legal affairs reported leave to withdraw on petition praying that certain lands of T. B. Weston be set off from the town of Madison.

Mr. Libby from the committee on legal affairs reported legislation inexpedient on order of the Legislature relating to clearing highways of bushes.

Mr. Chase from the committee on judiciary reported ought to pass on bill, an act to amend an act to authorize the city of Portland to appoint commissioners of

cemeteries and public grounds. Printed under joint rule.

Mr. Carleton from same committee, on order, reported bill, an act to amend section 19, chapter 118, Revised Statutes, relating to offenses against the lives and persons of individuals.

Mr. Allen from committee on legal affairs reported ought to pass on bill, an act to authorize the laying out of a way across the tide waters of Piscataqua river in Kittery. Printed under joint rule.

Mr. Allen from the same committee reported ought to pass on bill, an act in relation to the Rumford Falls Light and Water Company. Printed under joint rule.

Mr. Walker from the committee on education reported ought to pass on bill, an act to amend the charter of Parsonsfield Seminary.

Mr. Burrill from the committee on mercantile affairs and insurance reported ought to pass on bill, an act relating to agents of domestic mutual fire insurance companies. Printed under joint rule.

Mr. Fuller from the committee on banks and banking reported ought to pass on bill, an act to incorporate the Machias banking company. Printed under joint rule.

Mr. Walls from the committee on military affairs reported ought not to pass on resolve in favor of the University of Maine.

Mr. Little from committee on inland fisheries and game, on petition, reported bill, an act permitting ice fishing in Cochewagon pond in Monmouth and that it ought to pass. Printed under joint rule.

Mr. Spofford from judiciary committee reported ought to pass on bill, an act to legalize the doings of a meeting of school district number 16 in the town of Stonington. Printed under joint rule.

PASSED TO BE ENGROSSED.

An act to open Lambert lake, Washington county, to ice fishing.

An act to prohibit ice fishing in Bungeaneut pond situated in Alfred and Lyman, York county.

An act to amend section 6 of chapter 267 of the Public Laws of 1893, entitled an act to provide for the printing and distributing ballots at the public expense and to regulate voting for State and city elections.

Resolve in favor of roads in the Indian township, Washington county.

PASSED TO BE ENACTED.

An act to amend section 104 of chapter 11 of the Revised Statutes of Maine, relating to the duties of the State superintendent of schools.

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

ORDERS OF THE DAY.

On motion of Mr. Gardner of Patten, Ordered that the Senate concurring that the time for the reception of petitions, bills and resolves for private and special legislation be extended to Wednesday, Feb. 6, 1901, and that all such petitions, bills and resolves presented after that date be referred to the next Legislature.

Mr. Deering of Saco, presented bill, an act to legalize and make valid certain acts and doings of the city council of the city of Saco. Referred to committee on legal affairs.

Mr. Sturgis of Standish, presented bill, an act to enable Henry L. Stickney and Charles R. Goodrich to build a bridge from Indian Island in Sebago lake to the main land. Referred to committee on ways and bridges.

On motion by Mr. Daigle of Madawaska, Adjourned.