

MAINE STATE LEGISLATURE

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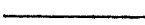
LEGISLATIVE RECORD

OF THE

Seventieth Legislature

OF THE

STATE OF MAINE.



1901.

ORDERS OF THE DAY.

On motion by Mr. Staples of Knox—Bill, an act relating to the taxation of mortgaged real estate was taken from the table, and on the further motion of that Senator the same was referred to the Committee on Taxation.

Mr. Virgin of Cumberland—Mr. President, The Senate, yesterday, voted that it should pass to be engrossed, bill, an act to incorporate the trustees of Leavitt Institute in the town of Turner; and I wish to say, in that connection, we find there is now contemplated a large number of special charters incorporating educational institutions. The Judiciary Committee are satisfied that all such institutions can be incorporated under the general law: For that reason, and after consultation with the members of the House who introduced the bill, I move that the Senate now reconsider the vote whereby that bill was passed to be engrossed.

The motion prevailed, and on the further motion of that Senator the bill was laid upon the table.

On motion by Mr. Plummer of Penobscot, Senate Document No. 32, being an itemized account of all moneys expended for the years 1899 and 1900 in the investigation of fires in Maine, etc., was taken from the table, and on the further motion of that Senator the same was referred to the Committee on Mercantile Affairs and Insurance.

On motion by Mr. Fernald of Androscoggin, bill, amending Public Laws of 1899, relating to duties and powers of game wardens, was taken from the table to be printed pending reference.

On motion of Mr. Stearns of Oxford, the Senate adjourned.

HOUSE.

Wednesday, Feb. 6.

Prayer by Rev. Mr. Robbins of Gardiner.

Papers from the Senate disposed of in concurrence.

The following Senate bill was read and assigned:

An act to amend chapter 16 of the Private and Special Laws of 1853, entitled, an act to incorporate the North Yarmouth Mutual Fire Insurance Company.

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

JUDICIARY.

By Mr. Haskell of Lewiston—Petition of H. M. Ross and 78 others of Lewiston in favor of full suffrage for women.

By Mr. White of East Machias—Petition of citizens of Dennysville for change of S. J. C. in county of Washington.

By Mr. Thompson of Bristol—Bill, an act to incorporate the Bristol Electric Light and Power Company.

LEGAL AFFAIRS.

By Mr. Kneeland of Searsport—Petition of Frank H. Park and 39 others of Searsport requesting repeal of section 62, chapter 27, Revised Statutes, as amended by section 7, chapter 366, Public Laws of 1885, relating to State constables.

By Mr. Walter of Waldoboro—Remonstrance of John Burnheimer and 46 others against the bill to extend the charter of the Waldoboro Water and Electric Light and Power Company.

By Mr. Williams of Sangerville—Bill, an act to amend chapter 27, Revised Statutes, as amended by chapter 277, Public Laws of 1889 and by chapter 258, Public Laws of 1897.

By Mr. Gardner of Patten—Bill, an act to amend section 2 of chapter 315 of the Public Laws of 1897 relative to dead human bodies.

By Mr. Allen of Sanford—Bill, an act to incorporate the Sanford Trust Company.

By Mr. Dearborn of Parsonsfield—Bill, an act for the better preservation of highways and accommodating public travel.

EDUCATION.

By Mr. Purinton of Gorham—Resolve in favor of an appropriation for the construction of an addition to the Normal School building at Gorham.

By Mr. Knowlton of Farmington—Resolve in favor of Farmington State Normal School, with statement of facts.

RAILROADS, TELEGRAPHS AND EXPRESSES.

By Mr. Burrill of Ellsworth—Petition of H. C. Young and 44 others of Surry in favor of an act to incorporate the Hancock County Railway Company.

By Mr. Fellows of Bucksport—Petition of Washington County Railroad Company for extension of charter.

By Mr. Swett of Kittery—Bill, an act to extend the charter of the Kittery and Eliot Street Railway Company.

AGRICULTURE.

By Mr. Brewster of Lisbon—Bill, an act amendatory of chapter 33 of the Public Laws of 1899 relating to the better protection of sheep.

INTERIOR WATERS.

By Mr. Gardner of Patten—Protest of citizens of Haynesville, Aroostook county, against granting a charter to the West Branch Dam and Reservoir Company; of citizens of Kingman against same.

By Mr. Pratt of Veazie—Remonstrance of Geo. W. Barker and 72 others against same.

By Mr. Deering of Saco—Bill, an act to regulate the erecting and maintaining of booms in certain parts of the Saco river in the county of York, and State of Maine.

STATE LANDS AND STATE ROADS.

By Mr. Farrell of Van Buren—Resolve in favor of a road from the town line of Van Buren and extending to the town of Madawaska along the shore of Long lake.

WAYS AND BRIDGES.

By Mr. Walter of Waldoboro—Petition of Ephraim Burnham and 39 others to abolish or reduce the tolls charged for crossing Wiscasset bridge, so called; of G. B. Kenniston and 79 others for same.

INLAND FISHERIES AND GAME.

By Mr. Lowe of Portland—Petition of Fred E. Dow and 17 others of Portland for a change in present law pertaining to killing and sale of black duck, teal and wood duck.

By Mr. Cordwell of Westbrook—Petition of William A. Babb and 31 others asking for close time on all the tributaries leading into Duck pond in Cumberland county.

By Mr. Chase of Portland—Bill, an act to amend section 18 of chapter 42 of the Public Laws of 1899 relating to the close time on deer.

By Mr. Adams of Lagrange—Resolve in favor of an appropriation for the purpose of scientific inquiry and research respecting the propagation of fish.

SHORE FISHERIES.

By Mr. Brauford of Eastport—Petition of George O. Grady and 279 others praying that a law be enacted preventing the seining of herring for canning purposes for Washington county.

By Mr. Stevens of Bluehill—Petition of F. W. Witham and 37 others to increase fine for catching smelts by seines or weirs in the bays and inlets of the town of Surry.

By Mr. Merritt of Columbia—Remonstrance of H. M. Leighton and 87 others against any change in law relating to migratory fish on Pleasant river, Washington county.

By Mr. Farnsworth of Pembroke—Remonstrance of W. H. Mahar and 80 others of Washington county, against the enactment of a law permitting the seining of herring within 1000 feet of any weir in the bays and rivers of said county.

By Mr. Thompson of Bristol—Bill, an act to amend section 43 of chapter 285 of the Public Laws of 1897 relating to sea and shore fisheries.

By Mr. Stevens of Bluehill—Bill, an act to amend section 2 of chapter 84 of the Private and Special Laws of 1895 relating to the taking of smelts in town of Surry.

By Mr. Maddocks of Boothbay Harbor—Resolve for an appropriation for the use of the commissioner of sea and shore fisheries.

INDIAN AFFAIRS.

By Mr. Bradford of Eastport—Petition of the governor and councilors of the Passamaquoddy tribe of Pleasant Point praying that \$3500 be appropriated from their fund in State treasurer's hands to build a church at Pleasant Point; also praying that an extra appropriation of \$500 be made by the State for distressed

poor account as recommended by our Indian agent.

CLAIMS.

By Mr. Hutchings of Brewer—Resolve in favor of Charles E. Hamlin.

INSANE HOSPITAL.

By Mr. Powers of Ft. Fairfield—Resolve in favor of Maine insane hospital.

TEMPERANCE.

By Mr. Allan of Portland—Remonstrance of L. M. Webb and 16 others of Portland, against resubmission of fifth amendment of constitution; of Lillian M. Bickford and 16 others of Portland; of Lena A. Steward and 45 others of Portland; of Mrs. Whitman L. Sawyer and 36 others of Portland; of Alfred Woodman and 31 others; of W. J. Orr and 13 others of Portland—all against same.

By Mr. Stevens of Bluehill—Remonstrance of Rev. R. L. Olds and 29 others against same.

By Mr. Page of Skowhegan—Remonstrance of W. H. Spencer and 59 others against same.

By Mr. Walter of Waldoboro—Remonstrance of J. J. A. Hoffses and 39 others of Waldoboro against same; of E. S. Stevens and 36 others of Waldoboro against same.

TAXATION.

By Mr. Farnsworth of Pembroke—Petition of Daniel C. Ayer and 8 others of Naples in favor of an increase tax on corporations of the State; of F. B. Blackstone and 52 others of Falmouth; of N. N. Pearson and 26 others of Falmouth; of Nelson M. Shaw and 56 others of Cumberland; of Charles N. Plaisted and 40 others of Phillips; of O. L. Basford and 129 others of Fayette; of Fred A. Ellsworth and 28 others of Franklin; of J. F. Upton and 15 others of Bath; of C. Powers and 24 others of Aroostook county; of Calvin L. Gray and 31 others of North New-Port; of W. W. Pike and 13 others of Cornish; of Frank D. Rand and 20 others of East Vassalboro; of J. C. Downey and 49 others of Addison; of D. J. Martin and 22 others of Mattawamkeag; of L. F. Doble and 14 others of Kingman; of J. W. Edgerley and 56 others of Princeton; of C. E. Berry and 14 others of Phillips; of E. L. Allen and 18 others of Hiram; of M. J. Nelson and 40 others of Palermo; of A. J. Webb and 20 others of West Jackson; of O. D. Ripley and 23 others

of Bean's Corner; of H. E. Gray and 24 others of North Jay; of M. L. Gray and 72 others of Readfield; of C. J. Foster and 30 others of North Gray; of A. M. Garland and 11 others of Sangerville; of W. M. King and 20 others of Charleston; of Ira H. Moore and 50 others of Newfield; of S. J. Smith and 22 others of North Sedgwick; of William H. Farnum and 23 others of Rümford Center; of Wm. G. Harriman and 17 others of Meddybemps; of Norris B. Johnson and 50 others of Lee; of F. W. Smith and 5 others of Rockland—all for same.

CUMBERLAND COUNTY DELEGATION.

By Mr. Low of Portland—Petition of F. H. Low and 22 others of North Yarmouth pertaining to open time on deer in Cumberland county.

PENOBSCOT COUNTY DELEGATION.

By Mr. Dunn of Orono—Petition of James A. Robinson and 37 others of Bangor that commissioners of Penobscot county be authorized to erect court house; of H. H. Fogg and 70 others of Bangor; of Ara Warren and 23 others of Bangor; of Sleeper and Singleton and 59 others of Bangor; of James A. Boardman and 21 others, jurors of supreme judicial court, Penobscot county—all for same.

WASHINGTON COUNTY DELEGATION.

By Mr. Eaton of Calais—Bill, an act to fix the salary of the Judge of Probate in and for the county of Washington; also bill, an act to fix the salary of the Register of Probate in and for the county of Washington.

Mr. Bird of Portland presented bill, an act to amend an act to establish a police court in the city of Rockland, and moved that it be tabled for printing pending reference to the Committee on Legal Affairs.

The motion was agreed to.

ORDERS.

On motion by Mr. Adams of La-grange, Ordered, That the Committee on Agriculture be requested to inquire into the feasibility of having the State, under the direction of the Governor and Council, supply the farmers of the State with fertilizers at cost price from the manufacturers, and report by bill or otherwise.

REPORTS OF COMMITTEES.

Mr. Powers from the Committee on Judiciary reported ought not to pass on bill, an act to create a State Board of Charities.

Mr. Vogel from the Committee on Claims reported leave to withdraw on petition of John R. Bevan for reimbursement for medical attendance and funeral expenses of Edmund L. Bowden of Company G, 1st Maine Heavy Artillery Volunteers in War of Rebellion.

Mr. Bodwell from Committee on Financial Affairs reported leave to withdraw on petition of Lincoln County Historical Society praying that the Legislature appoint a committee to take the premises into consideration and cooperate in devising proper plans for the improvement of said reservation.

Mr. Libby from the Committee on Mines and Mining reported leave to withdraw on petition of Alvin H. Fogg praying that the sum of \$4,000 be appropriated by the State to prospect in the city of Rockland for mineral deposits.

Mr. Chase from the Committee on Judiciary reported ought to pass on bill, an act to amend the charter of the Rockland Trust Company.

Mr. Carleton from the committee on the judiciary reported ought to pass on bill, an act to authorize the city of Rockland to control the brooks and streams therein to prevent pollution of same and to better protect public health. Printed under joint rule.

Mr. Pattangall from the committee on legal affairs reported in a new draft and ought to pass bill, an act to amend section 54 of chapter 80 of the Revised Statutes as amended by chapter 328 of the Public Laws of 1897 relating to constables. Printed under joint rule.

Mr. Hix from committee on financial affairs, on petition of Frederick Robie and 62 others, reported resolve in favor of the Maine Home for Friendless Boys. Printed under joint rule.

Mr. Page from same committee reported ought to pass on resolve in favor of Maine General hospital. Printed under joint rule.

Mr. Beal from same committee reported ought to pass on resolve in favor of the

Woman's Christian Temperance Union. Printed under joint rule.

Mr. Beal from same committee reported ought to pass on bill, an act to provide in part for the expenditures of government for the year 1901. Printed under joint rule.

Mr. Gilmore from the committee on education reported ought to pass on resolve in favor of the town of Turner. Printed under joint rule.

Mr. Walker from same committee reported ought to pass on bill, an act to amend an act entitled an act to incorporate the St. Albans Academy.

Mr. Farnsworth from the committee on taxation reported ought to pass on bill, an act to amend section 55 of chapter G of the Revised Statutes as amended by chapter 235 of the Public Laws of 1893 relating to taxation of express companies. Printed under joint rule.

Mr. Gardner from same committee reported in a new draft and ought to pass bill, an act to amend section 42 of chapter 6 of the Revised Statutes as amended by chapter 166 of the Public Laws of 1893 relating to taxation of steam railroads. Printed under joint rule.

Mr. Jackson from Piscataquis county delegation reported ought to pass on bill, an act fixing the salary of the sheriff of Piscataquis county. Printed under joint rule.

PASSED TO BE ENGROSSED.

An act to provide for a close time on Lily pond in the town of Shirley, county of Piscataquis.

Resolve providing for the payment to the town of Eden, the amount deducted from said town's proportion of the school fund for the year 1899, on account of imperfect school returns.

An act to incorporate the Little Church-ill Stream Dam Company.

An act to incorporate the Pleasant River Improvement Company.

On motion of Mr. Pattangall of Machias, this bill was tabled pending its passage to be engrossed.

An act to amend chapter 67 of the Public Laws of 1891, relating to the taking of smelts.

Mr. Pattangall of Machias, offered amendment A, by adding to the bill the words "nor smelts taken in Little Kennebec bay, so called, in the county of Wash-

ington, between the first day of April and the first day of May."

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

PASSED TO BE ENACTED.

An act to amend section 6, 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.

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

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

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

On motion of Mr. Chase of Portland, this bill was tabled pending its passage to be enacted.

ORDERS OF THE DAY.

On motion of Mr. Cook of Vassalboro, the vote was reconsidered whereby the House recommitted to the committee on education the bill in regard to Parsonsfield Seminary.

The question being on the adoption of the amendment striking out in section 3 the words, "the State superintendent or other officer performing his duty shall receive \$2 a day for such services as may be performed hereunder, and ten cents a mile for each mile traveled."

The amendment was adopted.

The bill was then passed to be engrossed as amended.

On motion of Mr. Carleton of Winthrop, bill an act to prevent the killing of deer in the town of Isle au Haut in the county of Washington, was taken from the table.

Mr. Carleton offered an amendment to strike out all of section 2 and insert instead thereof the following: "Whoever violates any of the provisions of this act shall be subject to the same penalties as are provided for the illegal killing of deer under the general law."

The amendment was adopted, and the bill as amended was read a second time and assigned for tomorrow morning.

On motion of Mr. Deering of Saco, bill relating to abolishment of coroners' juries was taken from the table, and on further motion by the same gentleman it

was referred to the committee on judiciary.

Mr. Plummer of Portland—On the 29th of January I tabled a fish and game resolve, and I desire to have it lay on the table for a further period of time, and I ask unanimous consent of the House to have it so remain.

Mr. Carleton of Winthrop: I will ask the gentleman to fix a day when it may be considered.

Mr. Plummer: I do not feel that I would like to assign a day certain for the consideration of this matter. I have no desire to retard or in any way hinder the business of the House. I do not understand the necessity for hurrying this matter. I don't know of any reason why it should be rushed. If there is any reason I would be willing to give way.

The question being on the motion that the bill continue to lie upon the table, The motion was agreed to.

On motion by Mr. Page of Skowhegan, Adjourned.