

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventieth Legislature

OF THE

STATE OF MAINE.

1901.

to read: to lay on the table for one week.

The motion as amended was then put and prevailed, and the remonstrances were laid on the table for one week.

The president then resumed the chair.

Mr. Virgin of Cumberland—During yesterday's session I moved that the vote whereby the Leavitt Institute bill was passed to be engrossed be reconsidered; and the Senate so voted. I then moved that the matter lie upon the table. That motion was strictly within the rules allowing a motion to reconsider to be made one day, or within twenty-four hours after the original motion was passed. I find, on looking at the journal, this morning, that the bill was engrossed and introduced in the House yesterday on its passage to be enacted, and there it was tabled on the motion of the gentleman from Portland, Mr. Chase; so that, as the record now stands not only is that bill tabled in the House on its passage to be enacted but it is also tabled in this body on its passage to be engrossed. Inasmuch as it got away from this body and was engrossed, I move that my motion to lay on the table be reconsidered in order that our journal and our record may be correct.

And the motion prevailed.

Mr. Virgin—That, as I understand leaves the original motion on its passage to be engrossed, and I move that it pass to be engrossed.

And the motion prevailed.

On motion of Mr. Dudley of Aroostook, the Senate

Adjourned.

HOUSE.

Thursday, Feb. 7.

Prayer by Rev. Mr. Newbert of Augusta.

Papers from the Senate disposed of in concurrence.

The following Senate bills were read and assigned:

Bill, an act to supply the town of Dexter with pure water.

Bill, an act to extend the charter of the Kennebec & Franklin Railway.

Bill, an act to prohibit the pursuit and killing of duck and other water fowl by the use of launches or other craft propelled by other than hand power.

This bill was tabled pending its third reading on motion of Mr. Farrell of Van Buren.

Bill, an act to regulate fishing in the lower Wilson pond, Prong pond and Horseshoe pond.

This bill was tabled pending its third reading on motion of Mr. Chase of Portland.

Resolve to apportion State senators to the Legislature.

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

JUDICIARY.

By Mr. Dudley of Augusta—Petition of Samuel W. Lane and 27 others to amend the charter of the city of Augusta.

By Mr. Randall of Portland—Petition of fire underwriters for passage of bill for reorganization of Portland fire department; of merchants and business men for same.

By Mr. Pattangall of Machias—Petition of citizens of Wesley for change in relation to the April term of the S. J. court in Washington county.

By Mr. Bradford of Eastport—Petition of citizens of Eastport for same.

By Mr. Eaton of Calais—Remonstrance of John C. Kinney and 18 others of Brookton against change of place of holding the April term of the S. J. court in Washington county; of Hon. L. O. Dudley and 12 others of Brookton; of C. R. Pike and 81 others of Calais; of James R. Eaton and 17 others of Calais; of Herbert J. Dudley and 13 others of Calais; of Charles H. But-

ler and 23 others of Calais; of John R. Acheson and 7 others of Calais; of M. L. Cassidy and 31 others of Calais; of S. S. Pineo and 87 others of Calais; of T. H. Lowell and 81 others of Calais; of A. H. Sawyer and 42 others of Calais; of W. H. Cole and 66 others of Calais; of Willis E. McAllister and 72 others of Calais; of Israel Andrews and 22 others of Calais; of L. N. Bean and 78 others of Calais; of George Carleton and 72 others of Davenport, all against same.

By Mr. Bradford of Eastport—Remonstrance of John Cassidy and 14 others of Eastport against same; of Leo D. Lamond and 78 others of Eastport against same.

By Mr. Peabody of Princeton—Remonstrance of Charles A. Rolf and 72 others of Princeton; of Charles Yates and 9 others of Princeton; of Otis H. Taylor and 38 others of Topsfield; of Horace Kellogg and 16 others of Vanceboro; of E. T. Holbrook and 36 others of Vanceboro; of H. J. Crandlemire and 20 others of Vanceboro; of O. W. Dixon and 6 others of Vanceboro, all against same.

By Mr. Carleton of Winthrop—Bill, an act to fix the time of holding the terms of the law court.

Also bill, an act to fix the terms of the supreme judicial court in the counties of Franklin, Knox, Sagadahoc, Somerset and York.

Also bill, an act to fix the terms of the superior court in Kennebec county.

By Mr. Dudley of Augusta—Bill, an act relating to the appointment of constables in the city of Augusta.

LEGAL AFFAIRS.

By Mr. Weatherbee of Lincoln—Bill, an act relating to fees and taxable costs allowed to prevailing parties.

EDUCATION.

By Mr. Sprague of Eaton—Petition of W. H. Ryan of Presque Isle and 49 others in favor of a normal school at Presque Isle.

By Mr. Bodwell of Hallowell—Bill, an act to provide for the expenses of the Maine Industrial School for Girls.

Also resolve in favor of the Maine Industrial School for Girls.

By Mr. Vogel of Castine—Resolve in favor of Madavaska Training school.

Also resolve in favor of Castine Normal school.

Also resolve in favor of Normal school trustees.

RAILROADS, TELEGRAPHS AND EXPRESSES.

By Mr. Libby of Poland—Bill, an act to incorporate the Androscoggin Telephone Co.

By Mr. Fellows of Bucksport—Bill, an act to extend the charter of the Washington County Railroad Co.

BANKS AND BANKING.

By Mr. Weymouth of Biddeford—Bill, an act to incorporate the Maine Loan Association of Old Orchard.

Also bill, an act to incorporate the Old Orchard Trust and Banking Co.

MILITARY AFFAIRS.

By Mr. Cordwell of Westbrook—Resolve in favor of the city of Westbrook to reimburse it for the amount of money expended in aid of the needy families of soldiers who served as volunteers in the army of the United States in the late war with Spain.

By Mr. Haskell of Lewiston—Resolve in favor of the city of Lewiston.

INTERIOR WATERS.

By Mr. Dunn of Orono—Remonstrance of William Thompson and 206 others of Orono, against the passage of House document No. 10, entitled an act to incorporate the West Branch Driving and Reservoir Dam Co.; of Edgar E. Ring and 147 others of Orono against same.

By Mr. Gardner of Patten—Remonstrance of M. and J. D. Leen and 23 others of Stacyville against granting a charter to the West Branch Dam and Reservoir Co.

By Mr. Lawrence of Gardner—Bill, an act to extend an act entitled an act to incorporate the Enchanted Stream Dam and Improvement Co.

WAYS AND BRIDGES.

By Mr. Brackett of Phillips—Petition of F. N. Beal and 23 others for appropriation of \$1000 for repairs of road between Middle Dam on Richardson lake and Sunday Cove on Umbagog lake.

INLAND FISHERIES AND GAME.

By Mr. Lawrence of Gardiner—Petition of Hollingsworth & Whitney Co,

and 4 others for repeal of law of 1899 permitting September hunting.

By Mr. Brackett of Phillips—Petition of Frank W. Chick and 20 others to prohibit fishing in Sandy river and tributaries from Small's Falls in Madrid to Sandy river ponds and in certain tributaries to Sandy river below Small's Falls.

Also petition of C. W. Barrett of Rangeley and 29 others to prohibit fishing except with artificial flies in Gull pond and ponds on Saddleback mountain.

SHORE FISHERIES.

By Mr. Pike of Lubec—Protest against seining herring in waters of Lubec and Trescott, Washington county.

By Mr. McDougal of Boothbay—Bill, an act in relation to the appointment of special fish wardens.

Also bill an act to amend Section 1 of Chapter 34 of the Private and Special Laws of 1878, relating to the protection and propagation of eels in Damariscotta river and pond.

INDIAN AFFAIRS.

By Mr. Bradford of Eastport—Petition of business men of Eastport for an appropriation to erect a new church at Pleasant Point.

TEMPERANCE.

By Mr. Walter of Waldoboro—Remonstrance of J. Glidden and 217 others against the resolves favoring the re-submission of the prohibitory amendment.

TAXATION.

By Mr. Purinton of Gorham—Petition of S. B. Guthrie and 41 others of Gorham, requesting that Senate bill No. 4, taxing railroads upon the value of their stock, be enacted into law.

By Mr. Webb of Portland—Petition with accompanying bill, of E. S. McAllister and 392 others, citizens of Maine, in favor of assessing taxes solely upon land values and franchises.

By Mr. Allen of Sanford—Bill, an act in relation to the taxation of street railroads.

By Mr. Cushman of Sherman—Resolve in favor of Island Falls.

By Mr. Manley of Augusta—Petition of W. T. Searls and 72 others of Chelsea, praying for a tax on corporations.

ANDROSCOGGIN COUNTY DELEGATION.

By Mr. Kelley of Lewiston—Bill, an act granting an allowance for clerk hire to the registry of probate of Androscoggin county.

OXFORD COUNTY DELEGATION.

By Mr. Hammond of Paris—Bill, an act in relation to the compensation of the sheriff of the county of Oxford, establishing a salary.

SAGADAHOC COUNTY DELEGATION.

By Mr. Shaw of Bath—Bill, an act relating to prisoners in the county of Sagadahoc.

ORDERS.

On motion of Mr. Ross of Lincolnville,

Ordered, That the use of Representatives' hall be granted the committee on temperance on Feb. 21, at 2 P. M. for hearing on resubmission.

On motion of Mr. Tufts of Kingfield,

Ordered, That the committee on inland fisheries and game be directed to inquire into the necessity of prohibiting the catching of trout for sale in Tufts, Dutton and Grindstone ponds and their tributaries in the town of Kingfield, Franklin county, and report by bill or otherwise.

Mr. Dunn of Orono, presented the following order:

Ordered, The Senate concurring, that the time for the reception of petitions, bills and resolves for private and special legislation be extended to Thursday, March 7, 1901, and that all such petitions, bills and resolves presented after that date be referred to the next Legislature.

Mr. CHASE of Portland: I trust that the order will not have a passage. It has always been a custom, I think, to extend the time for the reception of such matters once. That has already been done and the time has been extended one week later than it was two years ago. By the first order the time terminated Jan. 24, I think, and the time was then extended for one week to the end of January. Now we have already extended the time to Feb. 6. It seems to me that it is not necessary to pass a general order extending this time further. Of course it is understood that if there are special matters which

the rule can be suspended and any particular bill received. This is always it is necessary should be presented, done. The object of limiting the time for the reception of private matters is to give notice to the public that such matters must be in early in the session in order to facilitate the business of the session. Now we have got along to the sixth week of the session and it seems to me that it would be unwise—I only speak my own judgment—to give notice to the public that they can have further time for matters of private and special legislation. If there are necessary matters they can be taken care of. That is understood. I certainly hope that there will be no further notice given to the public that the time has been extended.

The question being on the motion to give the order a passage,
The motion was lost.

REPORTS OF COMMITTEES.

Mr. Pattangall, from the committee on financial affairs, reported ought not to pass on resolve in favor of Cumberland County Agricultural Society.

Mr. Allen, from committee on taxation, reported ought not to pass on bill, an act to amend Section 41 of Chapter 6 of the Revised Statutes relating to the taxation of railroads.

Mr. Carleton, from the committee on judiciary, reported ought to pass on bill, an act to amend Section 22 of Chapter 122 of the Revised Statutes, relating to falsely assuming to be a justice or officer. Printed under joint rule.

Mr. Pattagall, from the committee on financial affairs, reported in a new draft, resolve providing for an epidemic or emergency fund, and that it ought to pass. Printed under joint rule.

Mr. Moulton, from same committee, reported ought to pass on resolve in favor of the Maine Eye and Ear Infirmary. Printed under joint rule.

Mr. Mayo, from the committee on railroads, telegraphs and expresses, reported ought to pass on bill, an act to authorize the Augusta, Hallowell & Gardiner Railway Company to sell or lease its property and franchises. Printed under joint rule.

Mr. Bird, from same committee, reported ought to pass on bill, an act to extend the charter of the Bluehill & Bucksport Electric Railroad Company.

Mr. Beal, from same committee, reported ought to pass on bill, an act relating to disorderly conduct and evasion of fares on steam railroads, steamboats and ferries.

Mr. Farrell, from committee on interior waters, reported in a new draft, resolve to complete the improvements of Songo and Chute rivers. Printed under joint rule.

Mr. Walls, from committee on military affairs, reported ought to pass on resolve providing for the expenses of Company M, 1st Infantry, Company C, 2d Infantry; and the Signal Corps, National Guard of the State of Maine, while attending the ceremonies incident to the inauguration of President-elect William McKinley in Washington, March 4, 1901. Printed under joint rule.

Mr. Thompson, from committee on shore fisheries, reported ought to pass on resolve, authorizing the compilation and publication of the sea and shore fisheries laws of the State of Maine.

Mr. Dunn, from the committee on library, reported ought to pass on resolve in favor of the Maine State library. Printed under joint rule.

READ AND ASSIGNED.

An act to amend the charter of the Rockland Trust Company.

An act to authorize the city of Rockland to control the brooks and streams therein to prevent pollution of the same and to better protect public health.

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. Tabled pending first reading on motion of Mr. Farrell of Van Buren.

An act fixing the salary of the sheriff of Piscataquis county.

An act, to amend an act entitled an act, to incorporate the St. Albans academy.

Resolve in favor of the town of Turner.

Resolve in favor of the Maine General Hospital.

Resolve in favor of the Women's Christian Temperance Union.

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.

On motion by Mr. Gardiner of Patten, this bill was assigned for its third reading for Thursday of next week.

An act to provide in part for the expenditures of government for the year 1901.

On motion of Mr. Beal of Bangor, this bill was laid on the table and assigned for Tuesday of next week.

An act to amend Section 55 of Chapter 6 of the Revised Statutes as amended by Chapter 235 of the Public Laws of 1893, relating to taxation of express companies.

PASSED TO BE ENGROSSED.

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.

An act to prohibit the killing of deer in the town of Isle au Haut.

PASSED TO BE ENACTED.

An act additional to Chapter 333 of the Private and Special Laws of 1887, relating to the United Gas and Electric Company.

An act to legalize the doings of a meeting of school district No. 16, in the town of Stonington.

An act to amend Section 19 of Chapter 118 of the Revised Statutes, relating to offenses against the lives and persons of individuals.

An act permitting ice fishing in Cochnevogan pond in Monmouth.

An act to amend Chapter 154 of the Private and Special Laws of 1895, relating to the charter of the Wiscasset Water Company.

An act relating to agents of domestic mutual fire insurance companies.

An act to amend an act to authorize the city of Portland to appoint commissioners of cemeteries and public grounds.

An act to amend Section 2 of Chapter 176 of the Private and Special Laws of 1887, entitled an act creating the Fryeburg Village Fire Corporation.

An act to amend Chapter 365 of the Private and Special Laws of 1893, in relation to the Rumford Falls Light and Water Company.

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

ORDERS OF THE DAY.

On motion of Mr. Bird of Rockland, bill, an act to amend an act to establish a police court in the city of Rockland, was taken from the table, and on further motion by the same gentleman it was referred to the committee on legal affairs.

On motion of Mr. Libby of South Berwick,
Adjourned.