

# MAINE STATE LEGISLATURE

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Personal



**LEGISLATIVE RECORD**

OF THE

**Seventieth Legislature**

OF THE

**STATE OF MAINE.**



**1901.**

to undertake the work which they had elected him to do.

He has been a very valuable member of the Senate, especially of the committee on taxation of which he was chairman on the part of the Senate. Since he has been here, he has endeared himself to all of the members of the Senate, and in particular to the members of that committee; and one of that committee has probably expressed to me in short an epitome of his character, for he said that Senator Hodsdon was continually casting oil on the troubled waters of the committee.

We all know his kindly disposition, his love for his fellow members, his desire at all times to do others a favor if it lay in his power. He was with us. He is now gone, and lives only in memory; and it seems fitting, at this time, that an order should be introduced for passage in this body; and I introduce this order: That a committee of five on the part of the Senate, of which number the President pro tempore shall be one, with such members as may be joined on the part of the House, be appointed to attend the funeral of the late Senator Joseph Y. Hodsdon at Yarmouth, on Wednesday, February 27, at 3 o'clock P. M., and that the secretary of State transmit a copy of this order to the family of the deceased.

The order received a passage.

The President appointed as a committee under the foregoing order on the part of the Senate, Messrs. Virgin of Cumberland, Murchie of Washington, Noble of Franklin, Fernald of Androscoggin and Vickery of Kennebec.

Mr. VIRGIN of Cumberland: I think it may be in order to state that, at a proper time a committee on resolutions should be appointed; and a day set apart for the discussion and consideration of the resolutions. I do not think it will be introduced at the present time; but probably at a later session of the Senate.

Mr. VIRGIN of Cumberland: As a mark of further respect to the deceased senator, I move that the Senate do now adjourn.

Adjourned.

## HOUSE

Monday, Feb. 25.

Prayer by Rev. Mr. Leshar of Augusta.

Papers from the Senate disposed of in concurrence.

A message was received from the Senate through Mr. Burns of Cumberland, conveying the information that in the absence of the President of the Senate the Honorable P. O. Vickery of Kennebec, had been elected President Pro Tem.

The following Senate bills were read and assigned:

An act authorizing and empowering the Great Northern Paper Company to erect and maintain piers and booms in the West Branch of the Penobscot river.

An act to amend Chapter 172 of the Private and Special Laws of 1891, relating to the consolidation of certain railroad companies.

This bill came from the Senate amended by Senate amendment A. In the House the vote was re-considered whereby the bill was passed to be engrossed, Senate amendment A was adopted and the bill was passed to be engrossed as amended, in concurrence.

On motion by Mr. Gilmore of Turner, bill, an act relating to academies, seminaries and institutes, was taken from the table and was passed to be enacted.

On motion of Mr. Harris of Auburn, bill, an act authorizing the Lewiston & Auburn Electric Light Company to supply electricity for power, received its three several readings and was passed to be engrossed under a suspension of the rules.

Bill, an act relating to the Penobscot East Branch Driving Association, was read the third time and was passed to be engrossed under a suspension of the rules on motion of Mr. Gardner of Patena.

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

## JUDICIARY.

By Mr. Davis of Waterville—Bill, an act to amend an act, Chapter 195 of the Private Laws of 1887, relating to the city of Waterville.

By Mr. Southerland of Biddeford—Petition of J. R. Libby Company, and 77 others of Biddeford and Saco, asking for the abolishment of trading stamps.

By Mr. Merritt of Columbia—Petition of A. H. Chandler and others to be incorporated as the Columbia Falls Light and Water Company.

By Mr. Spofford of Deer Isle—Bill, an act to repeal Chapter 100 of the Public Laws of 1891, entitled an act to create a forest commission and for the protection of forests.

#### LEGAL AFFAIRS.

By Mr. Davis of Waterville—Bill an act to allow larger lots to be taken for school purposes.

By Mr. Littlehale of Union—Bill, an act to incorporate Union Lodge, No. 31, of Free and Accepted Masons.

By Mr. Ross of Lincolnville—Petition of R. A. Packard and 10 others of Northport, in favor of the repeal of State constable laws.

Also petition of H. L. True and 28 others of Lincolnville for same.

By Mr. Dunn of Orono—Bill, an act to amend Section 120 of Chapter 82 of the Revised Statutes, relating to cases in actions of trespass.

By Mr. Beal of Bangor—Bill, an act to amend Section 6 of Chapter 3 of the Public Laws of 1899, entitled an act to amend Section 6 of Chapter 156 of the Public Laws of 1895, entitled an act to amend Section 6 of chapter 35 of the Revised Statutes, relating to intelligence offices.

#### EDUCATION.

By Mr. Walker of Starks—Bill, an act to legalize certain days as school holidays.

Also, bill, an act to amend Section 3 of Chapter 216 of the Public Laws of 1893, relating to the conveyance of scholars.

#### RAILROADS, TELEGRAPHS AND EXPRESSES.

By Mr. Hinkley of Jonesport—Bill, an act to amend Chapter 369 of the Private and Special Laws of 1877, relating to the Carrington and Jonesport Telegraph Company.

#### BANKS AND BANKING.

By Mr. Andrews of Rockport—Bill, an act to incorporate Camden Trust Company.

#### AGRICULTURE.

By Mr. Thompson of China—Petition of Samuel Hill and 20 others, asking for a dairy commission.

Also remonstrance of M. Johnson True and 15 others, against changing the method of electing the secretary of agriculture.

#### TEMPERANCE.

By Mr. Fuller of Auburn—Petition of W. H. F. Young and 31 others of Auburn, in favor of resubmission.

#### TAXATION.

By Mr. Farnsworth of Pembroke—Petition of S. D. Pendexter and 50 others of Mapleton, in favor of an increase tax on corporations of the State; of L. F. Smith and 72 others of North Chesterville; of Frank Clement and 29 others of Freedom; of H. K. Griggs and 80 others of Westbrook—all for same.

By Mr. Ross of Lincolnville—Petition of William McKinney and 46 others of Lincolnville, praying that the bills relating to the equalization of taxation presented by the Maine State Grange be enacted into law.

#### PENOBSCOT COUNTY DELEGATION.

By Mr. Briggs of Hudson—Remonstrance of H. S. Willet and 54 others of Hudson, against building a Court house in Penobscot county.

#### REPORTS OF COMMITTEES.

Mr. Pettengill, from the committee on financial affairs, on resolve in favor of Mrs. J. Durant, reported that same be referred to the committee on claims.

Mr. Putnam, from the committee on legal affairs, reported ought not to pass on bill, an act for the better preservation of highways and accommodating public travel.

Mr. Cushman, from the committee on inland fisheries and game, on order to inquire into the facts connected with the introduction of Belgian hares into this State, and whether they are likely to prove a benefit or otherwise, and whether any legislation is deemed necessary to control or restrict their introduction, and if so, to present with their report any necessary bill for that purpose reported that a law to control the introduction into this State of any wild animals or birds will be presented to this Legislature, in connection with

other amendment to the fish and game laws.

The reports were accepted and sent to the Senate.

Mr. Putnam, from the committee on legal affairs, reported ought to pass on bill, 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.

Same gentleman from same committee, reported same on bill, an act to provide for voting by machines.

Mr. Greene, from the committee on interior waters, reported ought to pass in new draft under same title bill, an act to incorporate the Union River Water Storage Co.

Mr. Cushman, from the committee on inland fisheries and game, reported bill, an act prohibiting fishing except in the ordinary method of angling with artificial flies, in any of the ponds lying on Saddleback mountain, or the outlet of same flowing into Dead river pond or Rangeley lake, or any of the tributaries emptying into said outlet, or in Salmon lake, formerly known as Gull pond, situated in Dallas plantation, Franklin county.

Mr. Jackson, from same committee, on petition reported bill, an act pertaining to ice fishing in certain lakes and ponds in Kennebec county.

Same gentleman from same committee, on petition reported bill, an act pertaining to ice fishing and to close certain tributaries to certain lakes and ponds in Oxford county.

Mr. Cushman, from same committee, on bill, an act relating to the close time for game birds and to prohibit the sale of woodcock, reported ought to pass in new draft bill, an act to amend Section 11 of Chapter 30 of the Revised Statutes as amended by Chapter 42 of the Public Laws of 1899.

Mr. Jackson, from same committee, on bill, an act to amend Chapter 40 of the Public Laws of 1899 relating to the taking of black bass in Belgrade lake, so called, in Kennebec and Somerset counties, reported ought to pass in new draft bill, an act to amend Chapter 40 of the Revised Statutes as amended by Chapter 42 of the Public Laws of 1899, relating to fishing for black bass in the waters of this State.

Mr. Thompson, from the committee on shore fisheries, reported ought to pass in new draft under same title bill, an act to amend Section 31 of Chapter 225 of the Public Laws of 1897, relating to a weekly close time for the taking of fish.

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

#### READ AND ASSIGNED.

An act to authorize the Maine and New Hampshire Granite Co. to maintain a tramway across the county road in the town of Jay.

An act to amend the charter of the Portland Gas Light Co.

An act amendatory of Section 20 of Chapter 242 of the Special Laws of 1899 entitled an act to incorporate the city of South Portland.

An act additional to Chapter 91 of the Revised Statutes relating to liens on wharves and piers.

An act to extend the charter of the Bluehill Water Co.

An act to authorize the town of York to supply light for public uses.

Resolve in favor of the Augusta City Hospital.

On motion of Mr. Pettengill of Rumford, this resolve pending its second reading, was laid upon the table.

An act to amend Section 2 of Chapter 406 of the Private and Special Laws of 1850, entitled an act creating the Norway Village Corporation.

Resolve in favor of Nancy Mayberry of Gray.

Resolve providing for the screening of Sebago lake.

On motion of Mr. Deering of Saco, this resolve, pending its second reading, was laid upon the table and Tuesday next was assigned for its consideration.

An act to close Sandy stream and tributaries of Unity pond, in the town of Unity.

An act to close a portion of Sandy river and certain of its tributaries against fishing.

An act to close the tributaries of Duck pond in Cumberland county.

An act to amend Chapter 123 of the Public Laws of 1899 entitled an act in relation to foreign banking corporations and associations.

An act relating to trust and banking companies.

On motion of Mr. Parkhurst of Bangor, this bill, pending its first reading, was laid upon the table.

An act to prevent the throwing of sawdust and other mill waste into streams lying wholly or in part in the towns of Naples and Raymond.

An act to protect lobsters in the waters adjacent to the towns of Lubec and Trescott.

An act to amend Section 29 of Chapter 30 of the Revised Statutes as amended by Chapter 42 of the Public Laws of 1899 known as the fish and game laws.

On motion of Mr. Libby of Poland, this bill, pending its second reading, was laid upon the table and Wednesday of next week was assigned for its consideration.

An act to prevent ice fishing in Little Sebago pond in the towns of Gray and Windham.

An act to authorize Manley Morrison to erect piers and maintain booms in the Sebasticook river.

An act to fix the salary of the judge and register of probate for the county of Oxford.

On motion of Mr. Pettengill of Rumford, the rules were suspended, the bill was read the third time and passed to be engrossed.

An act to provide for a board for the Pan-American managers of the Pan-American Exposition of 1901, and to defray the expenses thereof.

Mr. WEBB of Portland: I move that the rules be suspended and that the bill take its third reading at the present time and be passed to be engrossed.

Mr. CHASE of Portland: I do not wish to oppose the motion if there is any urgency about this matter, but it seems to me that it would be better to let the bill take its regular course in order that there may be an opportunity to examine it.

Mr. WEBB: The Pan-American Exposition is to open on the first day of May, and nothing has yet been done in the interests of the State exhibit, if one is to be made, and it seems to me if a day's time could be saved in the passage of this bill it was an occasion where such a saving should be made; and I believe that my colleague (Mr. Chase) as he examines this, will find

nothing in it whatever to which he can have the slightest objection.

The question being on the motion to suspend the rules, the motion was agreed to.

The bill was then read a third time and passed to be engrossed.

An act to amend an act to incorporate the Madison Village Corporation.

An act to incorporate the Pownal and Yarmouth Co.

Resolve in favor of Wm. J. Mathews of Searsport, Me.

On motion of Mr. Hurd of North Berwick, this resolve pending its second reading, was laid on the table.

Resolve in favor of aid in building a highway bridge across the Kennebec river between the towns of Bingham and Concord.

On motion of Mr. Plummer of Portland, this resolve, pending its first reading, was laid upon the table and Thursday of next week was assigned for its consideration.

#### PASSED TO BE ENGROSSED.

An act to provide for the retirement of commissioned officers of the militia of the National Guard of the State of Maine.

An act to prohibit the taking of shell fish from the shores and flats of Little Whaleboat island in the town of Harpswell.

Resolve in favor of the permanent employment of a cataloguer for the Maine State library.

An act for the arrest and apprehension of criminals.

An act additional to and amendatory of Chapter 625 of the Private and Special Acts of 1893, entitled an act to establish a board of police in the city of Biddeford, as amended by Chapter 60 of the Private and Special Acts of 1895, entitled an act to amend an act entitled an act to establish a board of police in the city of Biddeford, approved March 28, 1893.

An act to authorize the construction of a foot bridge over the tide waters in Boothbay Harbor.

An act amendatory to Chapter 33 of the Public Laws of 1899 and Section 6 of Chapter 287 of the Public Laws of 1893, relating to the better protection of sheep.

An act to grant a charter to the Union Telephone Co.

An act to establish the Hancock County Railway Co.

Resolve in favor of Cyrenus B. Downs of Winterport, in the county of Waldo.

Resolve in favor of the King's Daughters' Home in Bangor.

Resolve in favor of the Maine Insane Hospital.

On motion of Mr. Walker of Starks, this resolve, pending its second reading, was laid upon the table.

**PASSED TO BE ENACTED.**

An act to amend Section 17 of Chapter 128 of the Revised Statutes, as amended by Chapter 130 of the Public Laws of 1899, relating to tramps.

An act to amend Section 2 of Chapter 166 of the Private and Special Laws of 1887, as amended by Chapter 40 of the Private and Special Laws of 1899, relating to the Fort Fairfield Village Corporation.

An act to authorize Robert Jordan to maintain a wharf into the tide waters of the New Meadows river in Brunswick, county of Cumberland.

An act to incorporate the Pleasant River Improvement Company.

An act to amend Section 17 of Chapter 60 of the Revised Statutes, as amended by Chapter 178 of the Public Laws of 1897, and as amended by Chapter 94 of the Public Laws of 1899, relating to change of name in divorce proceedings, and relating to the care, custody and support of minor children of divorced parents.

An act to cede jurisdiction to the United States over certain property of the National Home for Disabled Volunteer Soldiers.

An act to amend Chapter 204 of the Public Laws of 1856, in relation to the municipal court for the city of Portland.

An act to provide temporarily for the storage of water in West Branch of Penobscot river.

An act to incorporate the Union Boom Company.

An act to amend Section 5 of Chapter 96 of the Private and Special Laws of 1899, and to authorize the Van Buren

Water Company to increase the amount of its mortgage bonds.

An act to amend Chapter 61 of the Public Laws of 1887, as amended by Chapter 319 of the Public Laws of 1897, relating to loan and building associations.

An act to amend Chapter 104 of the Public Laws of 1899, relating to the salary of judge of municipal court of Bath.

An act relating to academies, seminaries and institutes.

An act additional to Chapter 51 of the Revised Statutes, in relation to railroads.

An act in relation to disorderly conduct and evasion of fares on street railroads, steamboats and ferries.

An act to amend the charter of the Ossipee Valley Telegraph and Telephone Company.

An act to prohibit winter fishing in Great Watchic pond, and regulating the time for fishing in the tributaries of the same.

An act to extend the charter of the Mutual Fire Insurance Company.

An act additional to Chapter 49 of the Revised Statutes, relating to insurance.

An act in relation to the compensation of the sheriff of the county of Oxford, establishing a salary.

An act in relation to the taxation of street railroad companies.

An act to prohibit hair fishing, so called, in Seven ponds, Seven ponds stream, Little Kennebago lake, and the outlet of the same to the dam at the head of Kennebago Falls, and the outlet of Kennebago lake.

Resolve granting a pension to Nellie Flanders of Liberty.

Resolve authorizing the land agent to release the State's interest in Bar Island in Hancock county.

Resolve in favor of Laura J. Darling of Lee, for State pension.

Resolve in favor of a bridge over the St. Croix river in the town of Masardis.

Resolve in favor of Benjamin Smith of Appleton, in the county of Knox.

Resolve for State pensions.

Resolve in favor of repairing the road between Patten and Grand Lake.

Resolve in aid of Navigation of Sebec lake.

Resolve in favor of road in Perkins plantation.

Resolve in favor of Allegash road.

Resolve favoring legislation by Congress to equalize extra pay to United States volunteers.

Resolve in favor of the passage of the ship subsidy bill.

#### ORDERS OF THE DAY.

On motion of Mr. Chase of Portland, the vote was reconsidered whereby the House passed to be engrossed, bill An Act relating to the charter of the city of Portland, and on further motion by the same gentlemen, it was laid upon the table, pending its passage to be engrossed.

The following Senate order was received:

Ordered, that a committee of five on the part of the Senate of which number the President pro tem shall be one, with such members as may be joined on the part of the House, be appointed to attend the funeral of the late Senator, Joseph Y. Hodsdon, at Yarmouth, on Wednesday, February 27, at 2 o'clock P. M. and that the Secretary of State transmit a copy of this order to the family of the deceased.

The order received a passage in concurrence.

Mr. CHASE of Portland: Mr. Speaker and Gentlemen, I am sure that I voice the feelings of every member of this House when I say that it is with profound sorrow that we learned of the death of the distinguished senior senator, from Cumberland, Senator Hodsdon. For the past week bulletins from his bedside have been eagerly scanned by every member of this Legislature, hoping against hope that his life might be spared and that he might again take his place among us. But God, in his divine wisdom has ruled otherwise, and our friend has passed into the dim beyond. I wish I were able to voice the tribute which my heart would pay to his memory, but I am unable to do so. Perhaps the best tribute that any man can have is that which comes from the hearts of those who knew and loved him best. For many years I have known and esteemed and loved our associate who has forever passed from us. All who know him will unite in paying to his memory that tribute of esteem and respect and love

which is known and felt by those among whom he lived and moved. A kind and loving husband and father, a sturdy, hearty, steadfast friend, a man of affairs engaged always in the active business of life, a man of spotless integrity and honor, one whose word was as good as his bond, a man whom his fellow townsmen have long delighted to honor, one whom his county has repeatedly honored. For the second term he was serving as a legislator in the highest branch of this Legislature. He was a wise, careful, conscientious, conservative legislator and public spirited man, one of the men who would place the general good, the greatest good of the greatest number, above and beyond personal advantages and local matters. I would that there were more such legislators as our friend who has left us.

But there are others who are bound to him by nearer and dearer ties than we can be, and I know I voice the feeling of this House when I say that we extend to the bereaved widow and the son our warmest and most profound sympathy.

Mr. Speaker, I move that the House concur with the Senate and appoint seven members on the committee appointed by that branch.

The motion was agreed to.

The Speaker joined to the committee on the part of the House, Messrs. Chase of Portland, Gooding of Yarmouth, Fellows of Bucksport, Pettingill of Rumford, Page of Skowhegan, and Sturgis of Standish.

Mr. Chase moved that as a further mark of respect to the memory of the late Senator Hodsdon the House do now adjourn.

The motion was agreed to.