

# MAINE STATE LEGISLATURE

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# LEGISLATIVE RECORD

OF THE

# Seventieth Legislature

OF THE

# STATE OF MAINE.

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1901.

**HOUSE.**

Friday, March 1, 1901.

In the absence of the speaker the House was called to order by the clerk.

Mr. Chase of Portland, presented the following order:

Ordered, that in the absence of the speaker, Honorable Waldo Pettengill of Rumford, be and hereby is elected speaker pro tempore.

The order received a passage.

(Mr. Pettengill of Rumford in the chair) Prayer by Rev. Fr. Doherty of Augusta.

On motion of Mr. Webb of Portland, that gentleman was directed to convey a message to the Governor and Council informing them of the election of the Hon. Waldo Pettengill as speaker pro tempore.

Mr. Webb subsequently reported that he had performed the duty assigned him.

On motion of Mr. Burrill of Ellsworth, that gentleman was directed to convey a message to the Senate informing that body of the election of Hon. Waldo Pettengill as speaker pro tempore.

Mr. Burrill subsequently reported that he had performed the duty assigned him.

Mr. Parkhurst of Bangor, moved a suspension of the rules to introduce the following order out of order: Ordered, The Senate concurring, that when the Senate and House adjourn they adjourn to Tuesday, March 5, 1901, at 10.30 in the forenoon.

The order received a passage.

Papers from the Senate disposed of in concurrence.

An act relating to the Mallison Falls Power Company, came from the Senate indefinitely postponed. The House concurred with the Senate in the indefinite postponement of the bill.

A communication was received from the secretary of State transmitting county estimates for the several counties of the State for the years 1901 and 1902, and was referred to the committee on county estimates.

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

**LEGAL AFFAIRS.**

By Mr. Allan of Portland—Bill an act to define the duties of harbor masters in towns and plantations and for the regulations of harbor anchorages.

By Mr. Dunn of Orono—Bill, an act authorizing the inhabitants of Orono to supply the town of Orono with pure water.

**SHORE FISHERIES.**

By Mr. Spofford of Deer Isle—Bill, an act to amend Section 35 of Chapter 285 of the Public Laws of 1897 entitled an act to revise and consolidate the Public Laws relating to sea and shore fisheries as amended by Chapter 92 of the Public Laws of 1899.

Also, bill an act to amend Chapter 279 of the Public Laws of 1897 relating to the catching of sardines.

**TEMPERANCE.**

By Mr. Jackson of Jefferson—Petition of J. M. Taylor and 30 others, against resubmission.

**TAXATION.**

By Mr. Farnsworth of Pembroke—Bill, an act relating to the duties of the board of State assessors.

**ORDERS.**

On motion of Mr. Farnsworth of Pembroke,

Ordered, the Senate concurring, that the committee on taxation shall take under consideration the matter of raising a larger revenue from the wild lands in unincorporated places and whether there is any constitutional method whereby it can be done, and report by bill or otherwise.

On motion of Mr. Cramer of Washington,

Ordered, that the appropriation bill together with the title and amendments carried by all other bills and resolves appropriating public money be published in three daily or weekly papers in each county within thirty days after the adjournment of the Legislature.

On motion of Mr. Chase of Portland, this order was laid on the table and assigned for Thursday of next week.

On motion of Mr. Thornton of Ashland,

Ordered, that the commissioners of inland fisheries and game, furnished the Legislature with a list of all acts relating to inland fisheries and game that have been enacted or are now pending in the present Legislature; also a list of appropriations, with title and number, that have been passed, and a list of appropriations now pending in the present Legislature relating to the inland fish and game; also the amount received by the State for fines and forfeitures under the

fish and game laws during the years 1899 and 1900, the same to be classified by counties.

On motion by Mr. Carleton of Winthrop, this order was laid upon the table.

#### REPORTS OF COMMITTEES.

Mr. Page from the committee on financial affairs, on resolve in favor of legislative committee and members of Senate and House authorize to visit University of Maine, reported that same be referred to the committee on University of Maine.

Mr. Thornton from the committee on ways and bridges, on resolve in favor of repairing Mattawamkeag bridge, reported that same be referred to the committee on State lands and State roads.

Mr. Fellows from the committee on legal affairs, reported ought not to pass on bill an act to amend Section 2 of Chapter 94 of the Revised Statutes, as amended by Chapter 74 of the Public Laws of 1895, relating to forcible entry and detainer.

Mr. Hill from the committee on commerce, reported ought not to pass on bill an act additional to Chapter 27 of the Revised Statutes, relating to pilotage of foreign vessels.

Mr. Fuller from the committee on banks and banking, reported ought not to pass on bill an act to incorporate the Maine Loan Association.

Same gentleman from same committee, on bill an act to incorporate the South Portland Savings Bank reported that the parties ought to incorporate under the general law.

Mr. Carson from the committee on ways and bridges, on petition of E. O. Savage and others for aid in building a bridge across the Penobscot river between the towns of Lincoln and Chester, reported that same be referred to the next Legislature.

Same gentleman from same committee, reported leave to withdraw on petition of M. H. Nash and others that aid be given for rebuilding old bridge between the towns of Harrington and Cherryfield.

Mr. Sturgis, from the committee on labor, on report of the bureau of industrial and labor statistics, reported that legislation thereon is unnecessary.

Mr. Spofford, from the committee on the judiciary, reported ought to pass in new draft under same title bill, an

act to amend the charter of the Augusta Water Company.

Mr. Chase, from same committee, reported ought to pass on bill an act additional to Section 59, Chapter 3 of the Revised Statutes, relating to city ordinances.

Mr. Carleton, from same committee, reported same on bill, an act to incorporate the Wilton Electric Light and Power Company.

Mr. Putnam, from the committee on legal affairs, reported ought to pass on bill, an act to legalize and make valid the acts of the town of Monmouth.

Mr. Pettingill, from the committee on financial affairs, reported ought to pass on resolves authorizing a temporary loan for war purposes for the year 1901.

Mr. Hix, from the same committee, reported same on resolves authorizing a temporary loan for the year 1902.

Mr. Gilmore, from the committee on education, on bill, an act to amend Chapter 80 of the Public Laws of 1899 relating to truant children, reported ought to pass in new draft bill, an act to amend Sections 1 and 4 of Chapter 80 of the Public Laws of 1899 relating to truants.

Mr. Walker, from same committee, reported ought to pass on resolve providing for the payment to the town of Kingfield the amount due said town on account of an error in the return of scholars for that town.

Mr. Fuller, from the committee on banks and banking, reported ought to pass on bill, an act to extend the charter of the Bluehill Trust and Banking Company.

Same gentleman from same committee, reported same on bill, an act to extend the charter of the North Berwick Trust Company.

Same gentleman, from same committee, reported same on bill, an act to amend and extend the charter of the Mechanic Falls Banking and Trust Companies.

Some gentleman, from same committee, reported same on bill, an act to incorporate the State Trust Company.

Same gentleman, from same committee, reported same on bill an act to incorporate the Old Orchard Trust and Banking Company.

Same gentleman, from same committee, on bill, an act to incorporate the Granite Safety Deposit and Trust Company, reported ought to pass in new draft bill, an act to incorporate the Granite Trust Company.

Same gentleman, from same committee, on bill, an act to incorporate the New England Trust Company of Maine reported ought to pass in new draft bill, an act to incorporate the New England Trust Company.

Same gentleman from same committee, reported ought to pass on bill, an act to extend the charter of the Bath Trust Company.

Same gentleman from same committee, reported same on bill, an act to renew and extend the charter of the Boothbay Harbor Banking Company.

Same gentleman, from same committee, reported same on bill, an act to continue in force Chapter 276 of the Private and Special Laws of 1895, entitled an act to incorporate the Van Buren Trust and Banking Company, as amended by Chapter 131 of the Private and Special Laws of 1899.

Mr. Davis, from the committee on mercantile affairs and insurance, reported ought to pass on bill, an act additional to Chapter 49 of the Revised Statutes, relating to insurance.

Mr. Thornton, from the committee on ways and bridges, reported ought to pass in new draft under same title, resolve in favor of aid in building a highway bridge across the Aroostook river at Washburn.

Mr. Thompson, from the committee on shore fisheries, on petition reported bill, an act to amend Section 4 of Chapter 16 of the Public Laws of the year 1895, entitled an act to regulate the alewife fishery in Pemaquid river.

Same gentleman, from same committee, on petition reported bill, an act for the better protection of shell fish within the towns of West Bath and Brunswick.

Same gentleman from same committee, reported ought to pass on bill, an act to prohibit the dumping of herring and all fish offal in the waters of Mooseabec Reach in the town of Jonesport.

Mr. Shaw, from the Sagadahoc county delegation, reported ought to pass in new draft under same title an act relating to prisoners in the county of Sagadahoc.

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

#### READ AND ASSIGNED.

Bill, an act additional to Chapter 287, Public Laws of 1893.

Was read twice, House amendment A offered by Mr. Cushing of Sherman, adopted, and tomorrow assigned for third reading.

Bill, an act to amend Chapter 22 of the Public Laws of 1899, relating to traveling libraries.

Bill, an act establishing the salary of the county attorney for the county of Aroostook.

Bill, an act in relation to supplying the municipal courts in the county of York with dockets and blanks.

Bill, an act to authorize the erection and maintenance of dams, side dams, piers and booms in Sandy stream, Gilman pond, and Gilman stream in the plantations of Highland and Lexington and the town of New Portland, in the county of Somerset and State of Maine, and to make improvements in said streams and pond.

Bill, an act to extend the charter of the Kittery & Eliot Street Railway Company.

Bill, an act to incorporate the Tunk River Water Power Company.

Bill, an act relating to and amending of Chapter 88, Special Laws of 1895, entitled, an act to allow the Bar Harbor Electric Light Company to issue bonds, preferred stock, and purchase property.

Bill, an act additional to an act to incorporate the Union Gas and Electric Company of Waterville, and to amend Section 4 of Chapter 556 of the Private and Special Laws of 1897.

Bill, an act to further regulate the powers and privileges of street railroads.

Bill, an act to allow open time on deer in certain towns in Cumberland county.

Bill an act to fix the compensation of the sheriff of the county of Lincoln.

Bill, an act additional and amendatory to Chapter 242 of the Public Laws of 1893, relating to free public libraries.

Bill, an act to amend Chapter 96 of the Public Laws of 1895, relating to collateral inheritance tax.

Bill, an act to further regulate procedure in the organization of street railroad corporations.

Bill, an act relating to the organization and control of street railroads.

Were severally read twice and tomorrow assigned for third reading.

Bill, an act providing for State roads and for the improvement thereof.

Was tabled pending first reading, on motion of Mr. Moulton of Portland.

Resolve in favor of Edward Bolin.

Resolve in favor of Charles H. Burbank.

#### PASSED TO BE ENGROSSED.

Bill, an act to amend Chapter 104 of the Revised Statutes, as it was amended by Chapter 85 of the Public Laws of 1895, by adding thereto Section 49, relating to the settlement of titles to real estate.

Bill, an act to incorporate the trustees of Coburn Classical Institute.

Bill, an act in relation to railroad crossings.

Bill, an act to amend the charter of the Portsmouth, Kittery & York Street Railway.

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

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

An act authorizing the Millbridge & Cherryfield Electric Railroad Company to construct and operate its railroad over Narraguagus river in Milbridge.

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

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

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 authorizing and empowering the register of deeds for the county of Cumberland to make a true copy of contents

of volume one of the Cumberland county records of deeds, and to certify that it is a true copy of said records.

An act to apportion representatives to Congress.

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

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

Were reported from the committee on engrossed bills, as truly and strictly engrossed, bills passed to be enacted, resolves finally passed, were severally signed by the Speaker and sent to the Senate.

#### ORDERS OF THE DAY.

Bill, an act fixing the amount of allowance for clerk hire in the office of the adjutant general.

Came up as a special assignment, was read the third time and passed to be engrossed.

Mr. Davis of Waterville: Mr. Speaker, I do not think we are sufficiently informed about that matter to pass it this morning. I certainly do not for one, but I would like to satisfy myself before we make that addition, although it is a small matter perhaps, and I would like for this to lie on the table for a day or two or three days, that this inquiry may be satisfied if there is no objection. I move that the vote whereby this bill received a passage to be engrossed be reconsidered.

The motion was agreed to.

On further motion by Mr. Davis the bill was then laid upon the table and assigned for Wednesday of next week.

On motion of Mr. Wilson of Brunswick, bill, an act to permit registered apothecaries to sell pure liquors for lawful purposes, was taken from the table.

Mr. WILSON of Brunswick: I do not deem it necessary to say very much in regard to this bill, but I will state that, being a member of the Maine Pharmaceutical Association, and a member of the legislative committee of that body, and knowing well the views of the commissioners of pharmacy, place me in a position to know that a large majority of the druggists of this State are not in sympathy with this bill. I therefore, Mr. Speaker and gentlemen, ask for its indefinite postponement.

Mr. DAVIS of Waterville: Before that vote is put I would like to say a word. I introduced that bill before this House in the interests of very many people of this State who believed that the existing conditions in regard to the sale of liquors should be met in some way. This is a matter that has been considered carefully by the gentlemen proposing the measure, and I am surprised, Mr. Speaker, that the gentleman from Brunswick (Mr. Wilson) should interpose at this time an objection to this measure taking the usual course. I ask that this bill be referred to the committee on temperance; and I see no good reason, and I believe this House will see no good reason why that bill should not be referred to them.

I will say, further, that it was not expected by the framers or originators of

this bill that it would in any sense meet the requirements of many of the druggists of the State of Maine. It was not the object of it. If, gentlemen, you will refer to your 1899 report from the liquor commissioner, you will find that there are but 17 places in the State of Maine where a drop of liquor can be obtained for mechanical or medicinal purposes legally; and I submit that the 400,000 or so people in 11 counties in this State who buy their liquors for such purposes of the druggists in those counties and are compelled to break the law and cause the druggists to break the law are here rightfully to ask that this matter be considered on its merits; and it is too important a matter, Mr. Speaker, to be thus turned down in this unceremonious way, and I ask that the gentleman from Brunswick withdraw his motion, and if he does not see fit to do so, then I ask this House to accord to me the same fair treatment that they would to any other bill,—refer it to its proper committee and in due time it will come back to you when the gentlemen who have had a chance to examine into its merits or demerits will give you all the information that may be necessary.

Mr. WILSON of Brunswick: I wanted the gentlemen in this House to know how I stood and how the Maine Pharmaceutical Commission stood in regard to this matter. As far as its going to the committee on temperance, I am perfectly willing that it should go there, and I withdraw my motion.

Mr. DAVIS of Waterville: Mr. Speaker, I thank the gentleman from Brunswick.

The bill was then referred to the committee on temperance.

On motion of Mr. Parkhurst of Bangor, communication from the State treasurer relative to appropriations made and pending was taken from the table and referred to the committee on financial affairs.

Mr. DUNN of Orono: A day or two ago bill relating to Penobscot East Branch Log Driving Company was upon my motion tabled, and at the suggestion of a member of this House assigned for Wednesday, March 6th. I am now informed by the gentleman at whose request I tabled it and by the member by whose suggestion it was assigned for March 6th, that the bill as drawn is entirely satisfactory, and I therefore move that the bill be taken from the table at this time.

The motion was agreed to.

On further motion of Mr. Dunn of Orono, the vote was reconsidered whereby this bill was assigned for Wednesday, March 6th.

The bill was then passed to be engrossed.

On motion of Mr. Parkhurst of Bangor, bill, an act to amend charter of Northport Wesleyan Grove Campmeeting Association was taken from the table.

The bill was then read a second time and assigned for tomorrow morning.

On motion of Mr. Putnam of Houlton, Adjourned.