

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

8102
Personal



LEGISLATIVE RECORD

OF THE

Seventieth Legislature

OF THE

STATE OF MAINE.

1901.

HOUSE.

Thursday, March 21.

Prayer by the Rev. Dr. Wilson of Portland.

Papers from the Senate disposed of in concurrence.

Resolve in favor of the stenographers and typewriters to the presiding and recording officers of the Senate and House.

This comes from the Senate read twice, and passed to be engrossed under a suspension of the rules.

In the House the rules were suspended, the resolve received its two several readings and was passed to be engrossed.

An act relating to the service of subpoenas issued by disclosure commissioners.

This comes from the Senate, read twice, and passed to be engrossed, under suspension of the rules.

In the House the rules were suspended, the bill was read three times and was passed to be engrossed.

The following Senate bills received their several readings and were passed to be engrossed, under suspension of the rules:

An act to incorporate the Greenville Water Company.

An act to amend Section 104 of Chapter 11 of the Revised Statutes, as amended, relating to the duties of the State superintendent of schools.

An act relating to the incorporation and control of gas and electric companies.

An act to authorize Melvin E. Loud and Robert H. Oran to construct a wier between Muscongus island and Indian island.

An act to repeal Chapter 103 of the Public Laws of 1895, relating to the incorporation and control of telegraph and telephone companies.

This comes from the Senate amended by the substitution of another bill.

On motion of Mr. Libby of Poland, the bill was laid on the table pending the acceptance of the amendment.

Resolve in favor of the Maine Insane Hospital.

This comes from the Senate, read twice and passed to be engrossed, under suspension of the rules.

On motion of Mr. Chase of Portland, it was laid on the table.

An act to abolish the board of cattle commissioners.

In the House this had been referred to the committee on legal affairs. It comes from the Senate indefinitely postponed. The House receded and concurred with the Senate in its indefinite postponement.

An act to regulate junk and second hand stores.

This comes from the Senate indefinitely postponed.

The House receded and concurred with the Senate in its indefinite postponement.

An act to incorporate the Bonny Eagle Power Company of Standish, Maine.

This comes from the Senate amended by Senate amendment A. The House reconsidered the vote whereby the bill was passed to be engrossed. Senate amendment A was adopted and the bill was passed to be engrossed as amended.

An act in relation to political caucuses in the city of Bangor.

This comes from the Senate amended by Senate amendment A. The House reconsidered the vote whereby the bill was passed to be engrossed, Senate amendment A was adopted and the bill was passed to be engrossed as amended.

Resolve in favor of William J. Matthews of Searsport.

This comes from the Senate, final passage reconsidered and indefinitely postponed. The House concurred with the Senate in its indefinite postponement.

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

This comes from the Senate referred to the next Legislature. The House receded and concurred with the Senate in its reference.

Resolve in favor of the Allegash road.

In the House this resolve had been finally passed. It comes from the

Senate referred to the next Legislature. The House recessed and concurred with the Senate in its reference.

Mr. Cook of Vassalboro, presented resolve regulating the holding of encampments of the National guard.

On motion of Mr. Cook, the rules were suspended, the resolve was read twice and passed to be engrossed, without reference to any committee.

On motion of Mr. Powers of Fort Fairfield,

Ordered, that E. W. Sprague, representative from Easton, be excused from further attendance on the sessions of this Legislature and that the clerk be instructed to make up his pay to the end of the session.

On motion of Mr. Briggs of Harrison.

Ordered, that on and after March 21, Orin Tufts of Kingfield, be excused from further attendance on the sessions of the House and that the clerk be instructed to make up his pay to the end of the Legislature.

On motion of Mr. Chase of Portland, resolve in favor of the Maine Insane Hospital, was taken from the table, and on further motion by the same gentleman, the rules were suspended, the resolve was read a second time and was passed to be engrossed.

An act to amend Section 4 of Chapter 202 of the Private and Special Laws of 1899, entitled an act for the better protection of sheep in the town of Perry.

An act fixing the amount of allowance for clerk hire in the office of the adjutant general.

An act to amend the charter of the Northport Wesleyan Grove Campmeeting Association.

An act to legalize the doings of the town of Farmingdale in annual town meeting held March 11, 1901.

An act to fix the compensation of the clerk of courts for Androscoggin county.

An act to authorize East Machias to aid General Hospital.

An act to incorporate the Columbia Falls Water and Electric Light Company.

An act to abate taxes in township No. 4, range 5, west of the Kennebec river, in Somerset county.

An act relating to fraternal beneficiary organizations.

An act to amend Section 14 of Chapter 134 of the Revised Statutes, relating to criminal proceedings in court.

An act in relation to trustee process. An act to fix the time of holding the terms of the law court.

An act to amend Chapter 64 of the Private and Special Laws of 1899, which is an act to incorporate the Wilson Stream Dam Company.

An act to legalize the organization of the Bangor Kindergarten Association and to authorize it to convey real estate.

An act to incorporate the Riverside Cemetery Association.

An act to authorize the sale or mortgage of estate subject to contingent remainders.

An act to amend Section 5 of Chapter 100 of the Public Laws of 1891, relative to camp fires.

An act to amend Section 8 of Chapter 24 of the Revised Statutes as amended by Chapter 269 of the Public Laws of 1885, as amended by Chapters 9 and 146 of the Public Laws of 1887, as amended by Chapter 256 of the Public Laws of 1889, as amended by Chapter 60 of the Public Laws of 1891, as amended by Chapter 326 of the Public Laws of 1897, relating to dependent soldiers and sailors and the families.

An act to incorporate the Hallowell Trust Company.

An act to incorporate the Knox Trust and Banking Company.

An act to incorporate the Frankfort Power Company.

An act to incorporate the Scarborough Water Company.

An act to incorporate the Berwick Water Company.

An act to enable the town of Houlton to purchase the stock or franchises of the Houlton Water Company or any part thereof.

An act for the better protection of shell fish within the towns of West Bath and Brunswick.

An act in relation to corporations and to provide for a revenue therefrom.

Resolve in favor of the clerk and stenographer, and the messenger to the judiciary committee.

Resolve in favor of protecting the records in secretary of State's office.

Resolve in favor of Beecher Putnam, secretary of the committee on legal affairs.

Resolve in favor of Rev. C. S. Cummings, chaplain of the First Regiment, National Guard.

Resolve in favor of the town of Rockport.

Resolve in favor of Frank H. Haskell.

Resolve laying a tax on counties of the State for the years 1901 and 1902.

Resolve authorizing the representation of the State at the Louisiana Purchase Centennial Exposition, to be held in St. Louis.

Resolve in favor of repairing and rebuilding bridge across the thoroughfare which forms a part of the eastern boundary of the town of Orient.

Resolve in favor of A. J. Cameron.

Resolve to provide means for examinations of claims for State pensions.

Resolve in favor of purchasing an oil painting of the old State House.

Resolve in favor of the Bath Military and Naval Orphan Asylum.

Resolve for the revision and consolidation of the Public Laws.

Resolve providing for the topographical survey for the years 1901 and 1902, and for the geological survey.

ORDERS OF THE DAY.

Resolve in favor of the Maine Insane Hospital.

Was read a second time and was passed to be engrossed.

Resolve in favor of Castine State Normal school,

Was read a second time and was passed to be engrossed.

Resolve in favor of Madawaska Training school,

Was read a second time and was passed time to be engrossed.

An act to amend an act entitled an act to regulate the practice of medicine and surgery,

Mr. Knowlton of Farmington, offered amendments A and B.

On motion of Mr. Webb of Portland, the bill was laid on the table pending the adoption of the amendments.

Resolve in favor of the Maine State prison,

Was read twice and passed to be engrossed.

Resolve in favor of fish hatchery at Moosehead lake,

Mr. Hammond of Paris, moved that the resolve be indefinitely postponed.

(Discussion ensued).

The question being on the motion to indefinitely postpone, a division was had and the motion was agreed to by a vote of 72 to 42.

On motion of Mr. Webb of Portland, bill relating to the practice of medicine and surgery was taken from the table.

On motion of Mr. Knowlton of Farmington, the amendments offered by that gentleman were withdrawn.

Mr. Knowlton offered amendment A, striking out Section 2, and amendment E, striking out Section 4.

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

Resolve in favor of the Maine Industrial School for girls.

Mr. Chase of Portland offered an amendment by striking out in the eleventh line the words "seven thousand dollars" and inserting in place thereof "four thousand dollars."

The amendment was adopted and the resolve was passed to be engrossed as amended.

Resolve providing for the expenses of the Maine Industrial School for Girls, was read the second time and passed to be engrossed.

Bill, relative to dead human bodies.

The bill was read twice and on motion of Mr. Gardner of Patten, the rules were suspended, the bill received its third reading and was passed to be engrossed.

Bill, prohibiting the sale of intoxicating liquors.

Mr. Powers of Fort Fairfield, offered an amendment, striking out the words "one per cent." in the seventh line of Section 33 as amended, and inserting in place thereof the words "three per cent."

Mr. Fuller of Kennebunk, offered an amendment to the amendment by striking out "three" and inserting "two."

(Discussion ensued.)

The question being on the adoption of the amendment to the amendment The amendment was adopted.

The question being on the adoption of the amendment offered by Mr. Powers of Fort Fairfield, a division was had and the amendment was adopted by a vote of 70 to 31.

On motion of Mr. Fuller of Kennebunk, the rules were suspended, the bill received its three several readings and was passed to be engrossed as amended.

Bill relating to a new court house in Somerset county.

This bill comes from the Senate, House amendment rejected, the Senate insisting on its action and asking for a committee of conference.

The House concurred with the Senate in appointing a committee of conference.

The Chair appointed on the part of the House Messrs. Greene, Dillingham and Hoxie.

Resolve in favor of the town of Mariaville.

On motion of Mr. Fellows of Bucksport, this resolve was referred to the next Legislature.

Bill relative to fees of town and city clerks for recording mortgages.

On motion of Mr. Weymouth of Biddeford, the bill was laid on the table.

Mr. Farnsworth, from the committee on taxation, reported in new draft bill, an act relating to taxation of trust and banking companies, and that it ought to pass.

Mr. Carleton of Winthrop, offered to amend by striking out the word "time" in the fourth line, and also after the word "deposit" in the seventh line, the words "bearing interest at the rate of 3 per cent. per annum or more."

(Discussion ensued.)

Mr. Carleton asked and obtained unanimous consent to withdraw the second amendment.

The question being on the adoption of the amendment to strike out the word "time,"

The amendment was lost.

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

A message was received from the Senate through its secretary, proposing a joint convention of the two branches of

the Legislature in Representatives hall at 12.30 o'clock, for the purpose of electing a commissioner of agriculture.

Bill to incorporate the Androscoggin Telephone Company.

This bill comes from the Senate indefinitely postponed.

On motion of Mr. Libby of Poland, the House non-concurred and insisted on its former action and asked for a committee of conference.

The Chair appointed on the part of the House Messrs. Libby, Beal and Putnam.

Bill relating to the Washington county court house.

This comes from the Senate, that body non-concurring and accepting the majority report.

On motion of Mr. Pattangall of Machias, the House insisted and asked for a committee of conference.

The Chair appointed on the part of the House Messrs. Pattangall, White and Powers of Fort Fairfield.

Majority and minority reports of committee on shore fisheries reporting ought to pass and ought not to pass on bill relating to the herring fishery in St. Croix river.

Mr. Bradfoard of Eastport moved to substitute the minority report for that of the majority, and further moved that the motion lie upon the table until afternoon.

The motion was agreed to.

On motion of Mr. Libby of South Berwick, the House took a recess until 12.30 o'clock.

AFTER RECESS.

Resolve in favor of the Allegash road, comes from the Senate referred to the next Legislature.

On motion of Mr. Thornton of Ashland, the House voted to adhere.

IN CONVENTION.

The time having arrived for a convention of both branches of the Legislature to choose a commissioner of the board of agriculture, the Senate came in and a convention was formed.

Senator White of Androscoggin, moved that the chairman appoint a committee of seven to receive, sort and count votes for a commissioner of agriculture.

The motion was agreed to.

The Chair appointed as that committee Messrs. White of Androscoggin,

Morrison of York, Knowlton of Farmington, Harvey of Atkinson, Libbey of Berwick, Dudley of Augusta, and Davis of Waterville.

The committee having attended to the duty assigned them subsequently reported through their chairman as follows:

Whole number of votes cast,	122
Necessary for a choice,	62
A. W. Gilman had	103
Ansel Woodworth had	18
Justin M. Leavitt had	1

The report was accepted and Honorable A. W. Gilman was declared duly elected commissioner of agriculture under and by virtue of Senate document No. 155.

On motion of Senator Buck of Hancock, the secretary of the convention was directed to notify the Hon. A. W. Gilman of his election as commissioner of agriculture for the term commencing Jan. 1, 1902.

The secretary of the convention subsequently reported that he had performed the duty required of him.

On motion of Senator Plummer of Penobscot,

Ordered, that the secretary of the convention notify the Governor of the election of the Hon. A. W. Gilman as commissioner of agriculture for the term commencing Jan. 1, 1902.

The secretary of the convention subsequently reported that he had discharged the duty assigned him.

The CHAIRMAN: Gentlemen of the convention, as this is probably the last joint convention of the Senate during this session of the Legislature, the Chair will take this occasion to thank personally the Speaker of the House, the members of this convention and the officers of this convention for their uniform courtesy to the Chair and for the prompt and efficient manner in which the business of all the conventions of this session have been conducted. (Applause).

The purpose for which the convention was formed having been accomplished, the Senate withdrew.

IN HOUSE.

On motion of Mr. Thornton of Ashland, the vote was reconsidered whereby the House voted to adhere to its former action in regard to resolve, relating to the Allegash road which comes from the Senate referred to the next Legislature.

Mr. Thornton moved that the House insist.

Mr. Chase of Portland, moved to amend the motion by moving that the House recede and concur.

The question being on the motion to recede and concur, a division was had and the motion agreed to by a vote of 38 to 29.

On motion of Mr. Walker of Starks, Adjourned.

Afternoon Session.

On motion of Mr. Powers of Fort Fairfield,

Ordered, that J. W. Dearborn, representative from Parsonfield, be excused from further attendance on the sessions of this House, and that the clerk be directed to make up his pay to the end of the session.

On motion of Mr. Beal of Bangor,

Ordered, the Senate concurring, that the committee on financial affairs be directed to inquire what additional compensation if any, should be in equity and fairness be allowed to the employes of the Senate and House and public buildings during this session, and report by resolve or otherwise.

Resolve in favor of Edward W. Delano for services as messenger to the railroad committee.

This comes from the Senate read twice and passed to be engrossed under suspension of the rules.

In the House the rules were suspended, the resolve was read twice, and was passed to be engrossed.

An act in relation to political caucuses in the city of Lewiston.

This bill had been passed to be engrossed in the House and comes from the Senate indefinitely postponed.

On motion of Mr. Little of Lewiston, the House receded and concurred with the Senate in the indefinite postponement of the bill.

Resolve in favor of the town of Madawaska.

This had been passed to be engrossed in the House and comes from the Senate indefinitely postponed.

Mr. Daigle of Madawaska, moved that the House insist.

Mr. Chase of Portland, moved to amend the motion by moving that the

House recede and concur with the Senate in the indefinite postponement of the resolve.

The motion was agreed to.

An act relating to hawkers and peddlers.

This had been passed to be engrossed in the House and comes from the Senate amended by Senate amendment B. The House reconsidered the vote whereby the bill was passed to be engrossed, Senate amendment B was adopted and the bill was passed to be engrossed as amended.

On motion of Mr. Daigle of Madawaska, the vote was reconsidered whereby the House voted to recede and concur with the Senate in the indefinite postponement of the resolve in favor of the town of Madawaska.

On further motion by Mr. Daigle the House voted to insist.

An act in relation to political caucuses in towns.

This bill had been passed to be engrossed in the House and comes from the Senate amended by Senate amendments A and B.

The House reconsidered the vote whereby this bill was passed to be engrossed and adopted Senate amendments A and B.

Mr. Gardner of Patten, offered amendment C.

The amendment was adopted.

On motion of Mr. Powers of Fort Fairfield, the bill was indefinitely postponed.

An act to increase the compensation of the sheriff of the county of Lincoln.

This bill comes from the Senate with the vote reconsidered whereby the bill was passed to be enacted and with Senate amendment A adopted.

The House reconsidered the vote whereby the bill was passed to be enacted.

Mr. Walter of Waldoboro, moved that the bill be indefinitely postponed.

On this motion a division was had and the motion was lost by a vote of 76 to 57.

The bill was then passed to be engrossed as amended.

An act for the better protection of moose.

This bill comes from the Senate referred to the next Legislature.

The House concurred with the Senate in its reference.

Resolve regulating the holding of encampments of the National Guard, comes from the Senate indefinitely postponed.

On motion of Mr. Chase of Portland, the House receded and concurred in the the indefinite postponement of the resolve.

The committee on inland fisheries and game reported in a new draft bill, an act for the protection of moose and to provide for a license fee for hunting the same and that it ought to pass.

The report was accepted in concurrence.

This bill comes from the Senate indefinitely postponed.

The House concurred with the Senate in its action.

Mr. Carleton, from the committee of conference to which was referred the disagreeing action of the Senate and House on bill relating to poll taxes, reported that the committee is unable to agree.

The report was accepted.

On motion of Mr. Carleton, the House voted to adhere.

Mr. Adams of Lagrange moved to reconsider the vote whereby the House voted in indefinitely to postpone bill relating to political caucuses in towns.

The motion was lost.

PASSED TO BE ENACTED.

An act to provide an assistant clerk for the board of railroad commissioners.

An act authorizing the inhabitants of Orono to supply the town of Orono with pure water.

An act authorizing the construction of a wharf into the tide waters of Casco bay in Phippsburg, county of Sagadahoc.

An act additional to and amendatory of Chapter 130 of the Private and Special Laws of 1901, relating to ice fishing in Boyd lake in the county of Piscataquis.

An act to amend Chapter 21³ of the Private and Special Laws of 1895, authorizing Simeon G. Davis, his associates and assigns, to construct and maintain a wharf and boat house in lake Maranacook, in the town of Winthrop.

An act relating to the duties and compensation of the reporter of decisions of the supreme judicial court.

An act to establish a municipal court in the town of Skowhegan.

An act to amend Section 4 of Chapter 132 of the Revised Statutes, relating to the criminal jurisdiction of magistrates.

An act to incorporate the Sanford Trust Company.

An act to extend the charter of the Dexter Safe Deposit and Trust Company.

An act allowing the propagation of beaver in the waters of Enchanted stream, Somerset county.

An act to incorporate the Skowhegan Trust Company.

An act to incorporate the York Harbor Village Corporation.

An act relating to and amendatory of Chapter 376 of the Private and Special Laws of 1899, entitled an act to incorporate the Crystal Ice Company.

An act to prevent the taking of fish from Ross and Conroy lakes, in Littleton and Monticello, in the county of Aroostook.

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

An act relative to actions for libel.

An act to amend Section 21 of Chapter 30 of the Revised Statutes, as amended by Chapter 42 of the Public Laws of 1899, relating to the taking of deer in September for food purposes, and relating to non-residents going upon the wild lands of the State.

Mr. Carleton of Winthrop moved to reconsider the vote whereby the bill was passed to be engrossed.

The motion was lost.

Mr. Gardner of Potten moved to reconsider the vote by which the bill was passed to be engrossed.

The SPEAKER: The motion is out of order.

Mr. Walker of Starks, asked unanimous consent to reconsider the vote whereby the House refused to reconsider the vote by which this bill was passed to be engrossed.

The motion was lost.

The bill was then passed to be enacted.

Mr. Putnam from the committee on conference on bill relating to the Androscoggin Telephone Company, reported that the committee was unable to agree.

On motion of Mr. Libby of Poland, the House voted to adhere to its former action.

An act relative to fees of town and city clerks for recording mortgages.

On motion of Mr. Weymouth of Biddeford, the vote was reconsidered whereby this bill was passed to be engrossed.

Mr. Weymouth offered amendment A which was adopted, and the bill was then passed to be engrossed as amended.

On motion of Mr. Libby of Poland, bill relating to incorporation and control of

telegraph and telephone companies was taken from the table.

Mr. Deering of Saco moved that the bill be indefinitely postponed.

Mr. Libby of Poland, offered an amendment striking out all after the enacting clause and substituting a new bill.

(Discussion ensued.)

The question being on the adoption of the amendment offered by Mr. Libby, the amendment was rejected.

Mr. Deering withdrew his motion to indefinitely postpone.

Mr. Libby moved that the bill be indefinitely postponed.

On that motion a division was had and the motion was agreed to by a vote of 58 to 15.

An act to amend Section 21 of Chapter 30 of the Revised Statutes as amended by Chapter 42 of the Public Laws of 1899 relating to taking of deer in September for food purposes and relating to non-residents going upon the wild lands of the State.

This bill comes from the Senate amended by Senate amendment A, and was passed to be engrossed as amended.

The House reconsidered the bill whereby the bill was passed to be enacted and passed to be engrossed, Senate amendment A was adopted and the bill was passed to be engrossed as amended.

Mr. Greene from the committee on conference to which was referred bill authorizing the county commissioners of the county of Somerset to borrow a sum of money with which to build an extension to the court house in Skowhegan, in said county, reported that they were unable to agree.

The report was accepted.

On motion of Mr. Greene the House voted to adhere to its former action.

Mr. Pattangall from the committee of conference to which was referred the bill to change the location of the supreme judicial court in the county of Washington, reported that they were unable to agree.

The report was accepted.

On motion of Mr. Pattangall the House voted to adhere.

On motion of Mr. Chase of Portland,

Ordered, that when the House adjourns it adjourn to Friday, at 10 o'clock in the forenoon.

Communication from the State treasurer relating to appropriation for Insane Hospital, comes from the Senate indefinitely postponed.

The House concurred with the Senate in its action.

On motion of Mr. Daigle of Madawaska, Adjourned.