

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

**Seventieth Legislature**

OF THE

**STATE OF MAINE.**

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**1901.**

## SENATE.

Augusta, February 19, 1901.

Senate met according to adjournment and was called to order by the President.

Prayer by the Rev. Mr. Leshner of Augusta.

Journal read and approved.

Papers from the House disposed of in concurrence.

Bill, an act providing in part for expenditures of the government for the year 1901. This bill came from the House reported by Mr. Beale of the committee on financial affairs, ought to pass.

On motion by Mr. Staples of Knox the bill was laid on the table pending the acceptance of the report in concurrence.

Bill, an act to repeal the organization of Perkins Plantation in Franklin county. This bill came from the House reported by Mr. Thompson for the committee on towns, ought to pass.

On motion by Mr. Noble of Franklin the bill was laid on the table pending the acceptance of the report in concurrence.

### READ AND ASSIGNED.

An act to incorporate the trustees of Springfield Normal school.

Resolve in favor of the Eastern Maine General Hospital.

Resolve in favor of the town of Waterboro.

Resolve in favor of the State Pomological Society.

An act to set off Calf island and West Black island from the plantation of Long island in the county of Hancock, and annex the same to the town of Swan's island.

Resolve in favor of O. B. Clason of Gardiner, Maine.

A communication was received from the State printer in response to the order of February 12, submitting a statement of the printing done for and paid for by the State in the year 1899, the cause of the existing deficiency and an estimate of the printing for the year 1901.

On motion by Mr. Virgin of Cumberland, the foregoing communication was laid on the table to be printed.

An act to provide for returns of telegraph and telephone companies to the State.

Mr. WEEKS of Somerset: Mr. President, The Senate this morning concurred in the action of the House by which this matter was referred to the committee on legal affairs. I now move that the action whereby the Senate concurred with the House in its reference to the committee on legal affairs, be reconsidered.

Mr. NOBLE of Franklin: Mr. President, before the vote is had, I would like the senator's reasons for reconsideration, so that I can vote intelligently.

Mr. WEEKS: Mr. President, I did not know that such a bill as this had been introduced until the chair presented it this morning for concurrent action upon the pending reference. It occurred to me at once that this was a subject matter which should be referred to the committee on railroads, telegraphs and expresses. I may be wrong. I do not make this motion for reconsideration in order to make a motion that it be so referred; but I would like to have the matter lay over until tomorrow morning, after a vote to reconsider, in order that I may look into the matter, and if that is satisfactory to the senator from Franklin, that is the method I would like to have this morning with reference to this particular bill.

The PRESIDENT: The senator's motion, as the chair understands it is as follows: He moves to reconsider the vote whereby this bill was referred to the committee on legal affairs, in concurrence, and that tomorrow morning be assigned for a time on which to take the matter up.

Mr. WEEKS: I desire that the motion to reconsider be passed upon at the present time, and that tomorrow morning the question of reference be considered.

The question being put upon the motion to reconsider the vote whereby the act was referred to the committee on legal affairs in concurrence, the motion prevailed.

On further motion by Mr. Weeks of Somerset, the matter of reference of

the bill was assigned for tomorrow morning.

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

(Matters of a private nature were received under suspension of the order).

#### JUDICIARY.

By Mr. Vickery of Kennebec—An act relating to the Maine State Sanatorium Association.

By Mr. White of Androscoggin—An act to regulate proceedings on certiorari.

By Mr. Noble of Franklin—Remonstrance of E. A. Fenderson and 112 others of the town of Rockport, remonstrating against the passage of a bill granting to the town of Camden the right to maintain waterworks or to take water therefrom from Hosmer's pond, as the taking of such water will be detrimental to the inhabitants of the town and village of Rockport.

Also remonstrance of the board of health of the town of Rockport, protesting against drawing water from Hosmer's pond for municipal waterworks in the town of Camden, as the taking of such water will be injurious to public health.

By Mr. Staples of Cumberland—Remonstrance of Bridgton Savings Bank, owner of bonds in Camden and Rockland Water Company, against municipal waterworks for the town of Camden.

#### LEGAL AFFAIRS.

By Mr. Staples of Cumberland—Petition of H. A. Shorey and 62 others of Bridgton in favor of granting charter to the Bridgton Water Company.

#### RAILROADS, TELEGRAPHS AND EXPRESSES.

By Mr. Buck of Hancock—Petition of W. A. Walker and 62 others in favor of an act to extend and amend the charter of the Castine Railway and Navigation Company.

#### MILITARY AFFAIRS.

By Mr. Burns of Cumberland—Resolve in favor of Young Men's Christian Association of Maine.

#### INTERIOR WATERS.

By Mr. Jones of Penobscot—An act to provide temporarily for the storage of water in the west branch of the Penobscot river.

#### WAYS AND BRIDGES.

By Mr. Noble of Franklin—Petition of W. L. Butler and 36 others, citizens of Rangeley in favor of appropriation for road known as five mile carry in Upton and Lincoln plantations, township C in Oxford county.

#### INLAND FISHERIES AND GAME.

By Mr. Macfarlane of Piscataquis—Resolve in favor of establishing a fish hatchery and feeding station at Moosehead Lake, with statement of facts.

#### SEA AND SHORE FISHERIES.

By Mr. Buck of Hancock—An act to amend chapter 495 of the Private and Special Laws of 1893 relating to the taking of alewives from the Eastern Penobscot river in the town of Orland.

#### PENOBSCOT COUNTY DELEGATION.

By Mr. Plummer of Penobscot—Remonstrance of John Morrison and 52 others, citizens of Corinth against passing the Bangor and Brewer bridge bill.

Also remonstrance of F. E. Ames and 36 others, citizens of Kenduskeag, in reference to same.

#### REPORTS OF COMMITTEES.

Mr. Vickery for the committee on inland fisheries and game, on the following portion of the Governor's message:

The constant increase in the number of sportsmen who come to Maine each year, to spend their vacations in hunting and fishing, conclusively demonstrates the wisdom of protecting and preserving the fish and game of our State, and is a sufficient warrant for the large sums of money which have been expended for this purpose.

The past season has been the most successful one in the history of our fish and game interests. Including the amount paid transportation companies, it is estimated that during the year 1900 at least five millions of dollars was expended by more than fifty thousand visitors to our forests and inland lakes.

The report of the commissioners of inland fisheries and game which will shortly be presented to you, contains much interesting and valuable information and deserves your careful consideration.

Reported that they have reported a resolve for the purpose of operating fish hatcheries and feeding stations for fish and for the proper enforcement of the inland fish and game laws.

Mr. Whitehouse for the committee on railroads, telegraphs and expresses, on bill, An act to amend the charter of the Westbrook, Windham and Naples Railway Company, reported that same ought not to pass.

Mr. Peirce for the committee on sea and shore fisheries, on bill, An act for the better protection of bass and other migratory fish in Winnegance Creek, reported ought not to pass.

Also on petition of A. G. Adams and 49 others, citizens of Bath, West Bath and Phippsburg, relating to bill for protection of migratory fish that petitioners have leave to withdraw.

Also, on bill, An act prohibiting the taking of shore fish from the shores and flats of Little Whale Boat Island in the town of Harpswell, that same ought to pass. The bill was tabled for printing under the joint rules.

Mr. Weeks for the committee on library, on resolve in favor of the permanent employment of a cataloguer for the Maine State library, and such other assistance as may be necessary, reported same in new draft under title of, Resolve in favor of the permanent employment of cataloguer for the Maine State library, and that it ought to pass. Tabled for printing under the joint rules.

Mr. Morrison for the committee on military affairs, on bill, An act providing for the retirement of commissioned officers of the militia, reported ought to pass. Tabled for printing under the joint rules.

Mr. Whitehouse for the committee on salaries on bill, An act to amend chapter 104 of the Public Laws of 1899, relating to the salary of the judge of the municipal court of Bath, reported same ought to pass. Tabled for printing under the joint rules.

#### **PASSED TO BE ENGROSSED.**

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

Resolve granting a pension to Nellie Flanders of Liberty.

Resolve in favor of the Maine State library.

Resolve authorizing the compilation and publication of the sea and shore fisheries laws of the State of Maine.

#### **PASSED TO BE ENACTED.**

An act to amend section 22 of chapter 122 of the Revised Statutes relating to falsely assuming to be a justice or officer.

An act to authorize the Augusta, Hallowell and Gardiner Railroad Company to sell or lease its property and franchises.

An act to extend the charter of the Bluehill and Bucksport Electric Railroad Company.

#### **FINALLY PASSED.**

Resolve in favor of Maine Home for Friendless Boys.

Resolve in favor of the Maine General Hospital.

Resolve to complete the improvements of Songo and Chute rivers.

#### **ORDERS OF THE DAY.**

On motion by Mr. Plummer of Penobscot, House Document No. 90, Resolve authorizing the compilation and publication of the sea and shore fisheries laws of the State of Maine, was taken from the table and upon the further motion of that Senator the bill received its second reading and was passed to be engrossed.

On motion by Mr. Whitehouse of Sagadahoc the Senate adjourned.