

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventieth Legislature

OF THE

STATE OF MAINE.

1901.

SENATE.

Augusta, March 18.

Senate called to order by the secretary in the absence of the President.

Prayer by Rev. Mr. Leshler of Augusta.

On motion by Mr. Peirce of Waldo, it was ordered, that, in the absence of the President of the Senate, the Hon. Newell P. Noble of Franklin be, and hereby is elected President, pro tem.

By request of the secretary the senator from Waldo conducted the President pro tem. to the chair.

Mr. NOBLE: I thank you, senators, for this honor which you have conferred upon me in electing me President pro tem.

Journal read and approved.

On motion by Mr. Plummer of Penobscot, it was ordered, that the House of Representatives be notified of the election of the Hon. Newell P. Noble of Franklin, as President pro tem., in the absence of the President.

The senator from Penobscot was instructed to convey the message to the House, and subsequently reported that he had discharged the duty.

On motion by Mr. Titcomb of York, it was ordered, that the Governor and Council be notified of the election of Hon. Newell P. Noble of Franklin, as President pro tem. in the absence of the President.

That senator was instructed to convey the message, and subsequently reported that he had discharged the duty.

Papers from the House disposed of in concurrence.

READ AND ASSIGNED.

An act to fix the time of holding the terms of the law court.

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

An act to amend Sections 5, 9, 16 and 17 of Chapter 127 of the Revised Statutes relating to malicious mischief.

An act to incorporate the Jonesport Light and Water Company.

On motion by Mr. Wilson of Washington, this bill took its second reading

under suspension of the rules and was passed to be engrossed.

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

An act authorizing the Old Orchard Water Company to issue bonds for a revenue and other proper purposes. On motion by Mr. Morrison of York, this bill took its second reading under suspension of the rules and was passed to be engrossed.

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

An act to amend Section 6 of Chapter 67 of the Revised Statutes, relating to the appointment of guardians.

An act to incorporate the York Beach Village Corporation.

On motion by Mr. Morrison of York, this bill took its second reading under suspension of the rules, and was passed to be engrossed.

An act to incorporate Union Lodge, No. 31, of Free and Accepted Masons of Union, Maine.

On motion by Mr. Whitehouse of Sagadahoc, this bill took its second reading, under suspension of the rules, and was passed to be engrossed.

An act to authorize the town of East Machias to erect and maintain a half-tide dam across East Machias river on or near the site of the former dam.

On motion by Mr. Plummer of Penobscot, this bill took its second read, under suspension of the rules, and was passed to be engrossed.

An act to amend the charter of the Springvale Aqueduct Company.

On motion by Mr. Morrison of York, this bill took its second reading under suspension of the rules, and was passed to be engrossed.

An act to amend Chapter 167 of the Laws of 1858, incorporating the Mount Hope Cemetery Corporation.

On motion by Mr. Plummer of Penobscot, this bill took its second reading under suspension of the rules, and was passed to be engrossed.

An act to amend Section 2 of Chapter 91 of the Revised Statutes, relating to

fees of town and city clerks for recording mortgages.

On motion by Mr. Plummer of Penobscot, this bill took its second reading under suspension of the rules, and was passed to be engrossed.

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

On motion by Mr. Plummer of Penobscot, this bill took its second reading, under suspension of the rules, and was passed to be engrossed.

An act to incorporate the East Machias Light and Water Company.

On motion by Mr. Wilson of Washington, this bill took its second reading under suspension of the rules, and was passed to be engrossed.

An act to amend Chapter 42 of the Public Laws of 1899, relating to the taking of black bass in certain lakes in Kennebec and Somerset counties and also Sabattus pond in Androscoggin county.

On motion by Mr. Vickery of Kennebec, this bill took its second reading under suspension of the rules, and was passed to be engrossed.

An act establishing a salary for the sheriff of Sagadahoc county.

On motion by Mr. Whitehouse of Sagadahoc, this bill took its second reading under suspension of the rules, and was passed to be engrossed.

Bill, an act for the assessment of State tax for 1902, amounting to the sum of \$927,725.94.

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

An act to incorporate the Frankfort Power Company.

On motion by Mr. Peirce of Waldo, this bill took its second reading under suspension of the rules, and was passed to be engrossed.

An act relating to fraternal and beneficiary organizations.

Mr. Whitehouse of Sagadahoc, moved that the bill take its second reading under suspension of the rules, and passed to be engrossed.

Mr. WEEKS of Somerset: Upon all public matters, it seems to me proper that we should proceed in the regular order. As to private matters, I do not

know that there would be any objection to having the rule suspended; but in this particular case, I have not looked up the bill, and I would like to look at it.

Mr. WHITEHOUSE of Sagadahoc: If there is any objection, I shall be glad to withdraw my motion. Motion withdrawn.

An act for the better protection of moose and providing for a license fee for hunting the same.

On motion by Mr. Dudley of Aroostook, this bill took its second reading under suspension of the rules and was passed to be engrossed.

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

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

House document, No. 305, an act to incorporate the Scarboro Water Company. Passed in the Senate to be engrossed, comes back from the House amended by House amendment A.

On motion by Mr. Weeks of Somerset, the vote whereby it passed to be engrossed, was reconsidered, and on the further motion of that senator, House amendment A was adopted in concurrence; and on his further motion, the bill as amended was passed to be engrossed.

Mr. WEEKS of Somerset: Mr. President, the Senate will remember that a few days ago a resolve came up to pay Edward Bolin a licensed hawk and peddler, the sum of \$45 for the unexpired term of his license after May 20, 1900. At that time I moved to indefinitely postpone the resolve. My proposition was out-voted in the Senate; and it seemed to me at that time that if the unexpired licenses of hawkers and peddlers was to be paid, we ought to pay the whole of it; and in order that this question may be fairly met according to the decision of the Senate, upon that resolve, I offer the following resolve: Resolve in favor of paying the unexpired licenses of hawkers and peddlers; and I move that the resolve lie upon the table to be printed; and I desire to notify the Senate that tomorrow, I will call up this resolve and ask that it be acted upon and finally

passed without reference to any committee.

The resolve was received, and on the motion of the senator from Somerset, the same was laid on the table to be printed, and specially assigned for tomorrow.

REPORTS OF COMMITTEES.

The following committees made their final report, that they have acted on all matters assigned to them, viz:

Joint standing committee on towns.

Joint standing committee on counties.

PASSED TO BE ENGROSSED

An act in relation to the annual town meeting of the town of Boothbay Harbor.

An act relating to the Standish Water and Construction Company.

An act to amend Section 6 of Chapter 132 of the Revised Statutes relating to the issue of warrants by magistrates.

An act to authorize the Skowhegan Hall Association of Skowhegan in the county of Somerset and State of Maine, to issue bonds to the amount of \$25,000, to pay the outstanding indebtedness of said corporation known as preferred stock.

An act to amend Chapter 237 of the Private and Special Laws of 1883, entitled an act to amend an act to incorporate the city of Auburn, relating to election of assessors of taxes and overseers of the poor.

An act to amend Chapter 60 of the Public Laws of 1895, entitled an act to amend Chapter 21 of the Public Laws of 1887, entitled an act to amend Chapter 280 of the Public Laws of 1885, entitled an act amendatory of Section 29 of Chapter 91 of the Revised Statutes, relating to liens.

An act relating to the fees of the sheriff of Cumberland county.

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.

An act to incorporate the Sanford Trust Company.

An act to extend the charter of the Waldoboro Water and Electric Light and Power Company.

An act to incorporate the town of Crystal.

An act to authorize the construction of a wharf or wharves into the tide waters of Penobscot river at Bucksport.

An act to authorize the judge of probate for Kennebec county to grant administration on the estate of James Lamb.

An act to legalize and make valid the acts and doings of the city council of the city of Saco pertaining to the annual appropriations and the commitment of taxes for the year 1900.

An act to supply the people of South Gardiner village in the city of Gardiner, with pure water.

An act in relation to trustee process.

An act authorizing the construction of a wharf into the tide waters of Penobscot river in Winterport, Me.

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 incorporate the Riverside Cemetery Association.

An act to authorize the sale of mortgaged estates subject to contingent remainders.

An act to authorize cities and towns to establish manual training schools.

An act to prohibit the killing of deer in the town of Swan's Island in Hancock county.

An act to amend Section 1 of Chapter 191 of the Private and Special Laws of 1899 relating to the taking of salmon in the Penobscot river above the water works dam at Bangor.

An act to prevent the throwing of sawdust and other refuse matter into the tributaries of the lakes and ponds in Vienna and Mt. Vernon. (House amendment A adopted in concurrence.)

An act to prohibit the catching of trout in Tufts, Dutton and Grindstone ponds and their tributaries in the town of Kingfield, Franklin county, for sale.

An act to prevent ice fishing in Bonney Beg and "L" ponds, situated partly in North Berwick, Sanford and Wells, county of York.

An act to amend Chapter 279 of the Public Laws of 1897 relating to the pecking of sardines.

Resolve in favor of the town of Brookton.

An act fixing the compensation of the register of deeds for the county of Androscoggin.

An act for the assessment of a State tax for the year 1901 amounting to the sum of \$927,725.94.

An act to regulate junk and second-hand stores.

On motion by Mr. Weeks of Somerset, this bill was laid upon the table, pending its passage to be engrossed.

On motion by Mr. Macfarlane of Piscataquis, resolve in favor of establishing a fish hatchery and feeding station at Moosehead lake, was taken from the table; and, on the further motion of that senator, the resolve took its second reading under suspension of the rules, and was passed to be engrossed.

PASSED TO BE ENACTED.

An act to amend Section 30 of Chapter 46 of the Revised Statutes, relating to banks and trust companies.

An act to amend Section 17 of Chapter 17 of the Revised Statutes, relating to stationary engines.

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

An act to amend Chapter 89 of the Public Laws of 1899, entitled an act to provide for the schooling of children in unorganized townships.

An act to legalize certain days as school holidays.

An act relating to the taxation of telegraph and telephone companies.

An act to create a lien for driving logs or lumber under contract with the owner or any other person.

An act to repeal the bounty on wild cats.

An act authorizing the commissioners of Penobscot county to erect a court house and to issue notes and obligations therefor.

An act authorizing the extension of a wharf into the tide waters of Lubec narrows.

An act to authorize John P. Yerxa, Edgar Perry, Arthur Gilpatrick and Selden R. Tracy to construct and maintain a dam across the Little Madawaska river in Aroostook county, and to build and maintain piers in said river.

An act to authorize James M. Moulton to construct and maintain a telephone line between Wayne village and Leeds Center.

An act to amend Chapter 369 of the Private and Special Laws of 1877, relating to the Harrington and Jonesport Telegraph Company.

An act to repeal Chapter 131 of the Laws of 1853, relating to herring fisheries in the town of Jonesport.

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.

An act to prohibit the pursuit and killing of duck and other water fowl by the use of launches and other craft propelled by other than hand power upon the waters of Lower Kezar pond in the county of Oxford.

An act to amend the charter of the city of Portland.

An act to amend Chapter 195 of the Private Laws of 1887, entitled an act to amend an act incorporating the city of Waterville.

An act amendatory of Chapter 507 of the Private and Special Laws of 1889, entitled an act to establish the Dover municipal court.

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

An act to fix the salary of the judge of probate in and for the county of Washington.

An act to incorporate the Ashland Light and Water Company.

An act to incorporate the Boothbay Harbor Academy.

An act to extend an act entitled an act to incorporate the Enchanted Stream Dam and Improvement Company.

An act to amend Chapter 69 of the Private Laws of 1869, relating to the Waldo and Penobscot Agricultural Society.

An act to amend the charter of the Ticonic Foot Bridge Company.

FINALLY PASSED.

Resolve in favor of the State Reform school.

Resolve in favor of Charles H. Burbank.

ORDERS OF THE DAY.

On motion of Mr. Weeks of Somerset, House document No. 366, an act relating to hawkers and peddlers, was taken from the table.

Mr. WEEKS: There is now pending an amendment, offered by the senator from Franklin, and I do not desire to take any advantage of the present position of the senator from Franklin; but I desire to have it taken from the table, that I may offer an amendment, and then have it put back on the table.

On the further motion of the senator from Somerset, Senate amendment B—Amend Section 1 by inserting after the word “any” in the seventh line, and before the word “patent” in the eighth line, the words, “map made by him and copyrighted in his name, any,” so that said section as amended will read as follows: Section 1. No person shall go about from town to town or from place to place in the same town, exposing for sale or selling, any goods or chattels other than fruit grown in the United States, fruit trees, provisions, live animals, brooms, pianos, organs, wagons, sleighs, agricultural implements, fuel, newspapers, agricultural products of the United States, the products of his own labor or the labor of his family, any map made by him and copyrighted in his name, any patent of his own invention, or in which he has become interested by being a member of the firm or stockholder in any corporation which has purchased the patent, until he shall have procured a license so to do as hereinafter provided—was submitted, and pending its adoption the bill was laid on the table.

Mr. WEEKS of Somerset: I understand that the senator from Penobscot desires to offer another amendment to House document No. 366, which was a moment ago tabled upon the adoption of Senate amendment B. upon my motion; and I now move to take it from the table in order to allow the senator from Penobscot to present his amendment at the present time, and afterwards I will move that pending the adoption of amendment C, the bill and pending amendments lie upon the table.

The motion prevailed and the bill was taken from the table.

Mr. PLUMMER of Penobscot: I move the adoption of Senate amendment C: Insert after the word “implement” at the end of line 5, the words, “millinery and cloaks.”

Mr. WEEKS of Somerset: I suppose the senator is doubtful whether the word “implements” includes millinery and cloaks. I am sure I do not know; but I move that, pending the adoption of these amendments, the bill lie on the table.

The motion prevailed and the bill was laid on the table.

On motion of Mr. Burleigh of Aroostook, the vote whereby the Senate referred to the next Legislature bill, an act to supply the town of Houlton with pure water, was reconsidered; and, on the further motion of that senator, the bill was laid on the table.

On motion of Mr. Wilson of Washington, the Senate adjourned.