

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

**Seventieth Legislature**

OF THE

**STATE OF MAINE.**

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**1901.**

## SENATE.

Thursday, March 21.

Senate met according to adjournment.

Prayer by the Rev. Mr. Hayden.

Journal read and approved.

Papers from the House disposed of in concurrence.

On motion by Mr. Bryant, resolve authorizing a temporary loan for war purposes for the year 1902, took its two several readings under suspension of the rules, and was passed to be engrossed.

On motion of the same senator, resolve in favor of Harvey D. Eaton, took its two several readings, under suspension of the rules, and was passed to be engrossed.

On motion by Mr. Jones of Penobscot, resolve in favor of aid for ferry boat across the St. John river and Little Brook river in Allegash plantation, took its two several readings under suspension of the rules, and was passed to be engrossed.

On motion by Mr. Wilson of Washington, bill, an act to amend Chapter 42 of the Public Laws of 1887, entitled an act to prohibit the use of oil torches in the herring fishery took its two several readings, under suspension of the rules, and was passed to be engrossed.

On motion of the same senator, bill, an act for the further protection of fish wiers took its two several readings, under suspension of the rules, and was passed to be engrossed.

An act relating to the compensation of sheriff of Androscoggin county.

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

On motion by Mr. McFadden of Lincoln, resolve in favor of H. P. Gardner, secretary of the committee on taxation, took its two several readings under suspension of the rules, and was passed to be engrossed.

An act to change the place of holding the April term of the supreme judicial court in the county of Washington. This bill came from the House

accompanied by two reports. The majority report, was ought to pass. The minority report was a new draft, and that same ought to pass.

Mr. Wilson of Washington, moved to concur with the House in accepting the minority report. A division was called for and ordered; and the Chair announced that seven had voted in the affirmative and 15 in the negative; and that the motion to concur was lost.

On motion by Mr. White of Androscoggin, the majority report was accepted.

On motion by Mr. Buck of Hancock, resolve in favor of the Maine State prison took its second reading, under suspension of the rules, and was passed to be engrossed.

On motion by Mr. Burleigh of Aroostook, the vote whereby bill, an act to empower the commissioners of Aroostook county to dispose of the preferred stock in the Bangor & Aroostook Railroad Company, was passed to be engrossed, was reconsidered; and, on the further motion of the same senator, the Senate concurred with the House on the adoption of House amendments A and B; and, the bill as amended, was passed to be engrossed.

An act to authorize the county commissioners of Somerset county to borrow a sum of money with which to build an extension to the court house in Skowhegan, in said county, passed to be engrossed in the Senate, came back from the House with House amendment A which the Senate refused to adopt. The papers now come back from the House the House insisting upon the adoption of the amendment.

On motion by Mr. Weeks of Somerset, the Senate insisted upon its former action, and a committee of conference was appointed, consisting of Messrs. Weeks of Somerset, Bryant of Somerset, and Vickery of Kennebec on the part of the Senate.

## ORDERS.

Ordered that the sum of \$25 be paid to Allan Clark as messenger of the committee on inland fisheries and game.

**PASSED TO BE ENGROSSED.**

An act to amend Section 2 of Chapter 16 of the Revised Statutes relative to public drains and sewers.

Resolve in favor of normal school trustees.

Resolve to apportion 151 representatives among the several counties, cities, towns, plantations and classes in the State.

Resolve in favor of appropriation for repairs of the Normal School building at Gorham.

An act providing for State roads and for the improvement thereof.

An act to regulate membership and rights of membership of the Penobscot Tribe of Indians.

An act providing for State roads and for the improvement thereof.

Mr. Noble of Franklin, moved that this bill be indefinitely postponed. A division was called for and ordered, and the President declared that seven had voted in favor of its postponement, and 11 had voted against postponement; and the motion to postpone was declared lost.

House amendment A was adopted in concurrence; and on motion by Mr. Dudley of Aroostook, the bill, as amended was passed to be engrossed.

Resolve in favor of repairing Mattawamkeag bridge.

**PASSED TO BE ENACTED AND FINALLY PASSED.**

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

An act to amend Section 54 of chapter 80 of the Revised Statutes as amended by Chapter 323 of the Public Laws of 1897, relating to constables.

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 to Section 29 of Chapter 91 of the Revised Statutes relating to liens.

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

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

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

An act for the assessment of a State tax for the year 1902, amounting to the sum of \$927,725.94.

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

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

An act to amend Chapter 142 of the Revised Statutes, relating to the Maine Industrial School for Girls.

An act to amend Section 1 of Chapter 7 of the Public Laws of 1887 relating to the salary of the clerk of courts for the county of York.

An act to provide for the transfer of patients in insane hospitals.

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

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

An act providing that the sheriff of Penobscot county shall not be entitled to a percentage of fees of his deputies.

An act to fix the salary of the register of deeds for the county of Androscoggin.

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; also Sabattus pond in Androscoggin county.

An act to establish a State flag.

An act to regulate the killing of deer in the county of Waldo.

An act to open Main stream, a tributary of Moose pond, above the dam near the outlet, for fishing.

An act to incorporate the Calais Trust Company.

An act to establish East Machias Light and Water Company.

An act to protect screens in lakes erected by authority of the State, and to permit ice fishing in Green lake in the county of Hancock.

An act to prevent ice fishing in Bonneg Beg and "L" ponds, situated part-

ly in North Berwick, Sanford and Wells, county of York.

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 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 prohibit the killing of deer in the town of Swan's Island, Hancock county.

An act to prevent the throwing of sawdust and other refuse matter into the tributaries of the lakes and ponds in Vienna and Mount Vernon.

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

An act to incorporate the town of Crystal.

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

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

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

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 incorporate the York Beach village corporation.

An act to ratify, confirm and define the charter of the York Water Company.

An act authorizing the Old Orchard Water Company to issue bonds for refunding and other proper purposes.

An act to incorporate the Jonesport Light and Water Company.

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

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

An act amending an act creating the Rumford Falls municipal court.

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

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

An act to amend Chapter 167 of the Laws of 1885, incorporating Mt. Hope Cemetery Corporation.

An act authorizing 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 incorporate Union Lodge, No. 31, of Free and Accepted Masons of Union, Me.

Resolve in favor of the Farmington State Normal school.

Resolve in favor of Passamaquoddy tribe of Indians for rebuilding church at Pleasant Point in the town of Perry.

Resolve in favor of the town of Brookton.

Resolve in favor of the joint standing committee on agriculture.

Resolve in favor of B. Walker McKeen, secretary of the board of agriculture.

#### ORDERS OF THE DAY.

On motion of Mr. Weeks of Somerset, bill, an act relating to the sheriff of the county of Lincoln, was taken from the table.

On motion of Mr. Weeks of Somerset, amendment C, adding to Section 1 of the bill the following, was adopted: "Provided, however, that said salaries shall be in full compensation for all services as sheriff except fees for attending courts and for service of precepts in civil actions, was adopted; and, the bill as amended was passed to be engrossed.

On motion of Mr. Stearns of Oxford, resolve in favor of the town of Madawaska was taken from the table; and on his further motion the bill was indefinitely postponed.

On motion of Mr. White of Androscoggin, bill, an act relating to caucus-

es in the city of Lewiston; and on the further motion of the same senator, the bill was indefinitely postponed.

Majority and minority reports of committee on financial affairs on resolve of the Maine Eye and Ear Infirmary, came up by special assignment. The pending question was the acceptance of the majority report, ought not to pass.

On motion of Mr. Burns of Cumberland, who stated that he realized at this late day that it would be useless to attempt to pass the resolve, and that he made the motion reluctantly, the Senate concurred with the House in accepting the majority report, ought not to pass.

On motion by Mr. Plummer of Penobscot, it was ordered that, the House concurring, a general convention of the Senate and House or Representatives be held at 12.30 o'clock today, for the purpose of electing a commissioner of agriculture.

The same senator conveyed the message to the House.

A message was subsequently received from the House concurring in the foregoing order.

(For joint proceedings see House report.)

On motion of Mr. Dudley of Aroostook, bill, an act for the better protection of moose, was taken from the table. The same senator moved that the bill be indefinitely postponed.

On motion by Mr. Noble of Franklin, the bill was laid on the table. Subsequently, on motion of Mr. Plummer of Penobscot, the bill was taken from the table and on motion of the same senator again tabled. Subsequently, on motion of Mr. Noble of Franklin, the bill was again taken from the table; and on motion of Mr. Jones of Penobscot, the bill was indefinitely postponed. Mr. Jones of Penobscot then offered a substitute bill, and then moved its reference to the next Legislature. The bill was received and so referred.

On motion of Mr. Dudley of Aroostook, bill, an act relating to political caucuses in towns was taken from the table. Senate amendments A and B were adopted, and the bill as amended was passed to be engrossed.

Mr. Jones of Penobscot, presented resolve in favor of the payment of \$25 to Edward W. Delano, for his services as messenger to the railroad committee, which was read twice, under suspension of the rules, without reference and without printing, and passed to be engrossed.

On motion by Mr. Weeks of Somerset, bill, an act relating to hawkers and peddlers, was taken from the table. The question being put upon the adoption of Senate amendment A offered by Mr. Noble of Franklin, the amendment was lost.

Amendment B offered by Mr. Weeks of Somerset was adopted. Amendment C offered by Mr. Plummer of Penobscot, was lost, three voting in favor of its adoption and 12 in opposition thereto. The bill as amended took its second reading and was passed to be engrossed.

The Senate proceeded to the hall of the House for joint convention. On the return of the Senate to the Senate chamber Mr. Plummer of Penobscot, moved to reconsider the vote whereby bill, an act relating to hawkers and peddlers, was passed to be engrossed. The question being put, the motion did not prevail.

On motion by Mr. Virgin of Cumberland, it was ordered, that when the Senate adjourn, it adjourn to meet at 3 o'clock this Thursday afternoon, March 21st.

On motion by Mr. Staples of Knox, the Senate adjourned.

#### Afternoon Session.

The Senate was called to order by the President.

Papers from the House disposed of in concurrence.

Resolve regulating the holding of the encampment of the National Guard. Mr. Morrison moved that the resolve be indefinitely postponed. The resolve was indefinitely postponed.

An act to incorporate the Androscoggin Telephone Company. In the House the minority report, ought to pass, was accepted, and the bill was passed to be engrossed. In the Senate, the matter was indefinitely postponed. The papers now come from the House, that branch insisting on its former action, and asking for a committee of conference. On motion by Mr. Jones of Penobscot, the Senate insisted on its action, and the following

named senators were appointed as a committee of conference on the part of the Senate: Messrs. Jones of Penobscot, Morrison of York, and Wilson of Washington. Mr. Jones of Penobscot, subsequently reported on this matter, that the committee of conference had been unable to agree; and the report was accepted. On the further motion of Mr. Plummer, the Senate adhered to its former action.

Bill, an act changing the place of holding the April term of the supreme judicial court in the county of Washington. On this bill, the House having insisted on its former action, and having asked for a committee of conference, on motion by Mr. Murchie of Washington, the Senate insisted, and the following committee of conference was appointed on the part of the Senate: Messrs. Murchie of Washington, White of Androscoggin, and Weeks of Somerset.

Resolve in favor of Castine State Normal school. On motion by Mr. Weeks of Somerset, this resolve took its second reading, under suspension of the rules, and was passed to be engrossed.

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

Resolve in favor of the Maine Insane Hospital. On motion by Mr. Vickery of Kennebec, this resolve took its second reading, under suspension of the rules, and was passed to be engrossed.

On motion by Mr. Virgin of Cumberland, at 3.45 P. M., the Senate took a recess until 4 o'clock.

At the close of recess, the Senate took up the consideration of papers from the House.

Papers from the House disposed of in concurrence.

Resolve to provide for expenses of Maine Industrial School for Girls. On motion by Mr. Noble of Franklin, the bill having had its first reading, took its second reading, under suspension of the rules, and was passed to be engrossed. House amendment A having been adopted in concurrence.

An act to amend an act entitled an act to regulate the practice of medicine and surgery. House amendments A and B adopted in concurrence, and the bill having had its first reading, on motion by Mr. Staples of Knox, took its second reading, under suspension of the rules, and was passed to be engrossed.

Bill, an act to amend Section 2 of Chapter 315 of the Public Laws of 1897, relative to dead human bodies, having had its first reading, on motion by Mr. Buck of Hancock, took its second reading under suspension of the rules, and was passed to be engrossed.

On motion by Mr. Virgin of Cumberland, bill, an act to amend an act to regulate the practice of medicine and surgery, was taken from the table and passed to be engrossed.

Resolve in favor of establishing a fish hatchery and feeding station at Moosehead lake. This resolve passed to be en-

grossed, in the Senate, now comes back from the House indefinitely postponed by that branch. On motion by Mr. Virgin of Cumberland, the Senate voted to non-concur with the House, and that the matter lie on the table.

Bill, an act amendatory to Chapter 27 of the Revised Statutes prohibiting the sale of intoxicating liquors. On motion by Mr. Stearns of Oxford, the Senate concurred with the House in the adoption of House amendment A, and on motion by the same senator the bill took its two several readings, under suspension of the rules. On motion by Mr. Burreigh of Aroostook, the bill was indefinitely postponed.

#### PASSED TO BE ENACTED.

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

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

An act to amend Section 8 of Chapter 24 of the Revised Statutes, as amended by Chapter 209 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 1897, relating to dependent soldiers and sailors and their families.

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

An act in relation to trustee process.

An act relative to actions for libel.

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 relating to fraternal beneficiary organizations.

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

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

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

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

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

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

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

An act to amend Section 4 of Chapter 202 of the Private and Special Laws of 1890, entitled an act for the better protection of sheep in the town of Perry.

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

An act additional to and amendatory of Chapter 290 of the Private and Special Laws of 1901, relating to ice fishing in Boyd lake in the county of Piscataquis.

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

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

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

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 to authorize East Machias to aid general hospital.

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

An act to incorporate the York Harbor Village Corporation.

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

An act to incorporate the Frankfort Power Company.

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

An act to incorporate the Sanford Trust Company.

An act to incorporate the Skowhegan Trust Company.

An act to incorporate the Hallowell Trust Company.

An act to incorporate the Knox Trust and Banking Company.

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

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

An act to incorporate the Berwick Water Company.

An act to incorporate the Scarborough Water Company.

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

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

#### FINALLY PASSED.

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

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

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

Resolves of 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.

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

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

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 Bath Military and Naval Orphan Asylum.

Resolve in favor of the town of Rockport.

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

Resolve in favor of A. J. Cameron.

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

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

Resolve in favor of Frank H. Haskell.

On motion by Mr. Adams of Penobscot, the Senate adjourned.